

## EXECUTIVE

THURSDAY, 17 MARCH 2016

## DECISIONS

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 17 March 2016. 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 **4.00pm on Monday 21 March 2016**.

If you have any queries about any matters referred to in this decision sheet please contact Jill Pickering - T: (01904) 552061, E: [jill.pickering@york.gov.uk](mailto:jill.pickering@york.gov.uk).

### 6. **Additional Primary School Places for Micklegate**

- Resolved:
- (i) That Executive approve the recommendation to expand Scarcroft Primary School as the preferred option for adding additional primary school places in the Micklegate area;
  - (ii) That, following more detailed analysis of the feasibility studies and discussions with the school's governing body a report will be presented to the April Executive meeting with information on the adaptations required to the school and outdoor space to accommodate additional pupil places.

Reason: Whilst the LA supports proposed changes to Scarcroft Primary School's building and outdoor spaces, further time is required to receive and analyse that information before a preferred recommendation can be put forward.

**7. Prevention and Early Intervention Services - A Proposal For a New Way of Working**

Resolved: That Executive agree to:

- a. endorse the implementation of new place-based prevention and early intervention services within Local Area Teams;
- b. a public consultation and further paper on the delivery of the children's centres as part of the new operating mode;
- c. receive a further paper addressing finalised proposals on revising the city wide and city centre youth offer as part of the new operating model.

Reason: This will allow the council to take forward work to remodel early help arrangements and achieve the associated savings targets.

**8. York Children and Young People's Fund**

Resolved: That the Executive agree:

- (i) To transfer the funds identified in paragraph 4 of the report, subject to the agreement of the Charity Commission and of any trustees external to the Council where applicable, to a new "York Children and Young People's Fund," to be managed by Two Ridings Community Foundation (TRCF);
- (ii) To authorise officers to enter into the necessary legal agreements with TRCF to establish the new fund.

Reason: To create an effective fund for the benefit of children and young people in York.

**9. Rail North Ltd - Governance Arrangements**

Resolved: (i) That Executive notes the proposed governance arrangements for Rail North Ltd (RNL) and the Association of Rail North Partner Authorities ("The Association");

- (ii) That City of York Council (CYC) confirms its membership of both bodies.

Reason: To enable the authority to have influence over the key industry stakeholders and the development and implementation of rail services across the North of England.

**10. One Planet York - Towards a More Resource Efficient and Resilient Council and City**

Resolved: That Executive agrees to support Option 2 to adopt and implement the proposed OnePlanetYork framework.

- Reasons:
- (i) To create a new city-wide Sustainability Framework;
  - (ii) To enable city stakeholders to support a strengthened approach that activates the city at large around York's key challenges and around the concept of York as a resilient and sustainable 'One Planet' city;
  - (iii) To build on and further strengthen City of York Council's ambitions to put sustainability at the heart of everything it does (internal and external- facing services), focus on costs and efficiency and work towards One Planet living.

**11. Inquiry Into the Flooding in York over the Christmas Period**

Resolved: That Executive notes the Flooding Inquiry update report.

Reason: To ensure that the Executive is aware of progress with appointing the inquiry team

**12. Community Stadium and Leisure Facilities Report**

Recommended: That Executive recommend Council approval of the following:

- (i) Agreement to proceed with the Community Stadium and Leisure Facilities Project.
- (ii) The Director of Customer and Business Support Services, in conjunction with the Leader and Executive Member for Leisure & Culture be authorised to complete all final negotiations and arrange execution of the following legal documents:
  - a) the Design, Build, Operate and Maintain contract (“DBOM Contract”) and ancillary documents to the DBOM Contract;
  - b) Freehold transfer of the land adjacent to the proposed South Stand of the NSLC (“Southern Block”);
  - c) Agreement for lease of the East Stand Retail Units;
  - d) Agreement for lease of commercial space on first floor of the Southern Block;
  - e) Agreements for lease with the Community Partners.
- (iii) The approval of a total capital budget of £44.2m for the Project (as set out at table 2).
- (iv) Funding for the Project as set out below:
  - a) £15.3m Stadium s106 contribution
  - b) £2.0m Football Club contribution
  - c) £1.2m Highways s106 contribution
  - d) £11.3m Commercial Capital Land Receipt
  - e) £13.4m Prudential borrowing
  - f) £1.0m Venture Fund
- (v) That additional borrowing of £5.4m, within the revised total Capital budget of £44.2m, is

undertaken to fund the Project (as set out at paragraph 63 of the report).

- (vi) That the annual additional borrowing costs (£0.4m) relating to the prudential borrowing set out under recommendation (v) be included as a committed growth item in the 2017/18 Revenue Budget.
- (vii) That the Venture Fund be used to fund £1.0m of the capital expenditure which will be repaid from later years leisure revenue budget savings (as set out at paragraph 75 of the report).
- (viii) The use of the Venture Fund to manage early years deficits on the leisure revenue budget, up to a total of £0.3m. This to be repaid from later years savings on the leisure revenue budget (as set out at paragraph 75).
- (ix) That £1.2m of the transport mitigation monies from the Vangarde Section 106 Agreement be used to fund the Project (further detail of which are set out at paragraph 58).
- (x) That £0.4m be used from the existing stadium capital budget for continued early design works through to DBOM Contract signature (“Financial Close”). This £0.4m will be netted off from the overall DBOM Contract capital cost set out in the report and is therefore not an additional cost.
- (xi) That the Commercial Development proposal be approved bringing the “Capital Land Receipt” and capital contribution to Stadium works to the Project (further detail of which are set out at paragraphs 32 - 41).
- (xii) That the freehold land transfer from the Council to the Investment Fund of the Southern Block is approved.
- (xiii) That the terms of Agreement for Lease of the East Stand Retail Units under which the

Council will grant a 250 year lease to the Investment Fund be approved.

- (xiv) That the Director of Customer and Business Support Services, in conjunction with the Leader and Executive Member for Leisure & Culture be authorised, following further negotiations, to finalise and arrange execution of a 15 year lease with the Investment Fund for a portion of commercial space in the Southern Block (further detail of which are set out at paragraphs 42 - 43).
- (xv) That the Director of Customer and Business Support Services, in conjunction with the Leader and Executive Member for Leisure & Culture be authorised to complete all final negotiations and arrange execution of the Stadium Naming Rights Sponsorship agreement.
- (xvi) That the terms of the current Design Build Operate and Maintain (DBOM) Contract, as set out at paragraphs 22 - 29 be acknowledged and in relation to Yearsley Pool note the continuing Review which will be subject of a separate Executive report to be brought in Autumn 2016.
- (xvii) That the current anticipated Project timetable for delivery of the New Stadium and Leisure Complex (NSLC) in the report is acknowledged, as set out at table 7.
- (xviii) That the risks of the Project as set out in the report, that cover the period to reaching DBOM Contract signature and through the NSLC construction period and the ongoing operation of the full term of the DBOM Contract, are noted.

Reason: To progress with the Project and enter into all legal agreements to deliver NSLC and operation by Greenwich Leisure Ltd of the NSLC and the city's wider leisure facilities.