

EXECUTIVE

THURSDAY 27 JULY 2017

DECISIONS

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday 27 July 2017. 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.

If you have any queries about any matters referred to in this decision sheet please contact Carol Tague (01904 552094 or carol.tague@york.gov.uk).

6. COMMUNITY STADIUM & LEISURE FACILITIES REPORT

Resolved: That the Executive:

- a. Approves that the operation of Yearsley Swimming Pool (“YSP”) by GLL under the Design, Build, Operate and Maintain Contract (“DBOM Contract”) be included for the full Contract Period, as per the details set out at paragraphs 26 – 30 of this report;
- b. Agrees that the Project proceeds to Financial Close to enable construction of the NSLC scheme to commence and operation by GLL of the NSLC and the city’s wider leisure facilities;
- c. Agrees that the Deputy Chief Executive, in conjunction with the Leader and Executive Member for Culture, Leisure & Tourism be authorised to complete all final negotiations and arrange execution of all legal documents relating to the Project at Financial Close, providing the Project remains within the overall budget;
- d. Agrees that the Deputy Chief Executive, in consultation with the Leader and the Executive

Member for Culture, Leisure & Tourism be authorised to agree to underwrite the cost of required Building Contractor early construction design work and sub-contractor orders ahead of Financial Close to achieve the Project timetable, estimated at a value of £0.5m. These costs form part of the NSLC Construction Cost and are payable post Financial Close already but would be payable should Financial Close not be achieved, as per the details set out under table 5 of this report;

- e. Notes the financial position of the Project and that the Project can proceed within the approved capital budget parameters that Council agreed in March 2016;
- f. Notes as set out at paragraphs 55 – 58 of this report that the project is forecast to be within approved revenue budget set out in the March 2016 Executive Report;
- g. Notes the latest position of the Project Community Partners, as set out at paragraphs 31 – 39 of this report;
- h. Notes the current indicative Project timetable for delivery of the NSLC, as set out at table 5 of this report;
- i. Notes the updated areas of Project risk at paragraphs 70 to 76 of this report, alongside the update on the legal implications since the March 2016 Executive Report that are detailed at confidential Annex B to this report.
- j. Approves the pension arrangements as set out in Paragraphs 78-79 of the report.

Reason: To progress with the Project and enter into all necessary legal agreements at Financial Close to deliver the NSLC and operation by GLL of the NSLC and the city's wider leisure facilities.

7. ACQUISITION OF FREEHOLD INTEREST OF SWINEGATE COURT

Resolved: The Executive agrees:

- (i) That subject to Full Council having approved on 20 July 2017 a capital budget of £15 million to make a strategic acquisition of a mixed commercial portfolio in York city centre;
- (ii) To delegate to the Director of Customer and Corporate Services authority to complete the acquisition of the freehold of Swinegate Court provided that the findings of the due diligence process do not undermine the purpose of the acquisition; and
- (iii) To authorise the funding of the acquisition of the asset referred to in (ii) above and all related costs from the capital budget referred to in (i) above.

Reason: To ensure the ongoing economic vibrancy of the city centre and increase the income from the council's commercial property portfolio in order to achieve budget targets.