
Meeting	Executive
Date	17 March 2022
Present	Councillors Aspden (Chair), Ayre, Cuthbertson, Runciman and Smalley
Apologies	Councillors Craghill, D'Agorne, Waller and Widdowson

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

98. 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. Councillors Cuthbertson and Runciman each declared a personal interest in Agenda Item 7 (Minute 104 refers), as members of the Minster Community.

99. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during consideration of Annex 2 to agenda item 6 (Housing Delivery Programme Update – Delivering Affordable Housing on Council Land) on the grounds that it contains information relating to the financial or business affairs of any particular person (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).

100. Minutes

Resolved: That the minutes of the Executive meeting held on 7 February 2022 be approved and then signed by the Chair as a correct record.

101. Public Participation

It was reported that 5 people had registered to speak at the meeting under the Council's Public Participation Scheme.

Flick Williams had registered to ask a question. She asked the Executive Member for Culture, Leisure & Communities what he proposed to do about recent comments in the Press from a Member that demonstrated ignorance of the Equalities Act. She suggested providing equalities training for Members and officers.

Cllr Fenton spoke on Agenda Item 6 (Minute 103 refers). As Chair of the Housing & Community Safety Policy & Scrutiny Committee he relayed the committee's request to maximise opportunities for occupation of affordable homes by people living / working in York, and provision of electric vehicle charging close to homes. In a personal capacity, he welcomed the commitment to affordable housing and the proposals for the Askham Bar site.

Cllr Pavlovic also spoke on Item 6, as Labour Spokesperson for Housing. He welcomed the report but expressed concern about the proposed cost of the new homes, which seemed to cater mostly for those coming from outside York, and stressed that it was vital to maximise investment in social housing stock.

Alexander McCallion and Mark Calvert spoke on Agenda Item 7 (Minute 104 refers), as Director of Works and Precinct at York Minster and Chair of York Minster Neighbourhood Forum respectively. They outlined the development of the Plan and urged Members to allow it to proceed to referendum.

102. Forward Plan / Chair's Remarks

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.

The Chair highlighted at this point York's desire to show solidarity with the people of Ukraine, in the light of its history as a city of sanctuary. In order to co-ordinate support, the council had launched a new web page which could be found at <https://www.york.gov.uk/UkrainianRefugeeSupport>

Information could also be found on the York Mix blog, and York Press had launched an appeal. The Chair asked that a report on the city's response to the refugee crisis be added to the Forward Plan, to be brought to the Decision Session of the Executive Member for Culture, Leisure & Communities.

103. Housing Delivery Programme Update – Delivering Affordable Housing on Council Land

[See also under Part B]

The Director of Housing, Economy & Regeneration presented a report which provided an update on the progress of the Housing Delivery Programme, sought approval to proceed to construction on the Duncombe Barracks and Burnholme sites and deliver further affordable homes, and presented proposals for the disposal of 17-21 Piccadilly (currently the site of Spark:York) for affordable housing.

The Programme was set to deliver 600 sustainable homes, mostly Passivhaus zero-carbon housing, with a minimum of 40% affordable homes. High levels of inflation had resulted in an increase of £4.762m to the design and construction budget for the Duncombe and Burnholme sites. However, opportunities had been identified to increase affordable housing on both these sites to 60%, via a grant bid to Homes England to change the tenure of 23 homes to shared ownership.

In respect of 17-21 Piccadilly, the following options were considered, as detailed in paragraphs 24-35 of the report:
Option 1 – dispose of the site without restricting the permitted use, in order to achieve the maximum market value.
Option 2 – dispose of the site for mixed use but specify high levels of mixed tenure affordable housing. This was the recommended option, as it would deliver affordable
Option 3 – council to deliver a mixed scheme as part of the Castle Gateway project.

In response to questions and matters raised under Public Participation, it was confirmed that:

- The increased cost of building to Passivhaus standards was offset by future energy savings and removal of the need for retrofitting;
- Profit from open market sales would be re-invested in the programme;

- Shared ownership affordability had been modelled on an average household income of £35k, which was lower than the York average;
- Relationships between Spark:York and neighbouring residents had improved, with ongoing engagement from the council.

The Executive Member for Finance & Performance welcomed the proposals and congratulated the Housing team on being shortlisted for Local Government Excellence Award.

Resolved: (i) That approval be given to enter into a construction contract with Caddicks as preferred supplier for development of the Duncombe Barracks and Burnholme sites.

(ii) That an application be made for further Homes England Shared Ownership grant funding for development of the Duncombe Barracks and Burnholme sites.

(iii) That the level of affordable housing on the Duncombe Barracks and Burnholme sites be increased to 60% in line with the revised business case in exempt Annex 2.

(iv) That approval be given to re-procure multidisciplinary design services for all future Housing Delivery Programme sites.

(v) That an application be made to Homes England to extend the second hand shared ownership programme by a further 15 homes to support families into shared ownership via this route and, if funding is forthcoming, that a net HRA capital budget of £720k be agreed for the delivery of these schemes, to be funded from the Local Authority Homes (Phase 2) budget.

(vi) That the future use of the former Askham Bar Park & Ride site for housing be re-affirmed and that officers be asked to undertake further work to explore different options for delivering a scheme on the site that would deliver a minimum 40% of affordable housing and deliver zero carbon

development, with potential for delivering other community facilities.

(vii) That the current lease of the former Askham Bar Park & Ride site be extended if this is needed for a continued use as a Vaccination Centre, until the site is ready for housing development.

(viii) That approval be given to dispose of land at 17-21 Piccadilly by way of a 999 year lease for an affordable housing scheme.

(ix) That authority be delegated to the Executive Member for Housing & Community Safety and the Executive Member for Finance & Performance to finalise the procurement evaluation model and select a buyer.

(x) That a further lease of the site at 17-21 Piccadilly be granted to Spark:York until the site is ready for development, and that authority be delegated to the Director of Housing, Economy & Regeneration to finalise the terms of this lease in line with the proposals set out in the report.

Reason: In order to enhance the delivery of affordable housing in the city.

104. York Minster Precinct Neighbourhood Plan – Examiner’s Report and Decision Statement

The Corporate Director of Place presented a report which asked Executive to agree the recommendations of the Examiner in respect of the York Precinct Neighbourhood Plan and enable the Plan to proceed to referendum. The report and Plan had been considered by the Local Plan Working Group at their meeting on 7 March 2022 and recommended to Executive for approval.

The Plan, at Annex C to the report, had been prepared by York Minster Neighbourhood Plan Forum with the support of York Minster and Alan Baxter and ongoing engagement with the local community and the council. The Examiner’s report, at Annex A, described the Plan as ‘impressive’ and recommended that it

proceed to referendum subject to Modifications, as outlined in Annex B along with the council's Consideration / Justification.

Members expressed their thanks to the Forum for their positive and community-led approach to a difficult process in a non-parished area. Having noted the comments made under Public Participation on this item, it was

Resolved: (i) That the Examiner's modifications set out in Annex B (Decision Statement) to the York Minster Precinct Neighbourhood Plan be agreed and that, subject to those modifications, the Neighbourhood Plan meets the Basic Conditions and other legislative requirements.

(ii) That the York Minster Precinct Neighbourhood Plan, as amended, proceed to a local referendum based on the neighbourhood area and residential properties within the immediate vicinity of the neighbourhood area, to include the postcodes outlined in Appendix A of the Examiner's report (at Annex A).

(iii) That the Decision Statement at Annex B to the report be published on the City of York Council's website.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

105. Adoption of Minerals and Waste Joint Plan

[See also under Part B]

The Corporate Director of Place presented a report which explained the outcome of the Examination in Public by the Government's Appointed Inspector into the Minerals & Waste Joint Plan (2015-2030) and accompanying Policies Map, and asked Executive to recommend that Council adopt the Joint Plan.

The Inspector's Final Report, at Annex 2 to the report, stated that the Joint Plan satisfied all requirements and was considered to be 'sound', subject to the Main Modifications at Annex 3. The Joint Plan had subsequently been adopted by

North Yorkshire County Council on 16 February 2022 and would be reported to the North York Moors National Park Authority in March. The Local Plan Working Group had considered the Joint Plan at their meeting on 7 March, and recommended it for approval to Executive.

Resolved: (i) That the Inspector's report and recommended changes be noted, and that the Main Modifications be accepted.

(ii) That the Corporate Director of Place be authorised to make any further minor typographical or presentational amendments or updates before final publication of any documents referred to in this item, and to take any necessary steps to conclude the adoption process.

Reason: To allow the Plan to progress to adoption.

(iii) That approval be given to publish an Adoption Statement and Sustainability Appraisal in accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Reason: To ensure that the adoption of the Plan is in accordance with the required legislation.

106. York's 10-Year Skills Strategy

The Director of Prevention & Commissioning and the Skills Team Manager, presented a report which provided an update on the development of York's 10-Year Skills Strategy through the York Skills and Employment Board and sought support for the council's continuing role as a key partner in delivering its shared priorities.

Details of the membership of the Board were set out in Annex 1 to the report. Lee Probert, as Chair of the Board, was in attendance to explain the structure of the Strategy document at Annex 2, and the work carried out to ensure that it aligned with other strategies. Having approved the Strategy last autumn, the Board no longer met every month but were harnessing the city-wide partnership approach to support its implementation, while retaining oversight of delivery. An annual review of progress

would be taken to the Decision Session of the Executive Member for Economy & Strategic Planning. Higher York partners had met this month and committed to an ongoing financial contribution over the 10 years.

Members thanked all those involved in bringing the Strategy to fruition and noted the benefits that the partnership approach would bring to the city.

Resolved: (i) That the council's role in the city's partnership approach to delivery of York's 10-Year Skills Strategy be supported.

(ii) That the approach to ongoing consultation on skills via the emerging Economic Growth Strategy and sector delivery plans be supported.

Reason: To continue to develop the local skills infrastructure that will help residents and businesses to experience fully the benefits of York's enterprising, resilient and inclusive economy.

107. Request to Extend Home to School Contracts - Pullman

The Director of Prevention & Commissioning and the Head of Education Support Services presented a report which sought approval to extend the home to school coach contracts with York Pullman Bus Company to 31 July 2024, to ensure continuity in delivery of a statutory service pending a review of elements of current delivery.

The current contracts for home to school transport were due to expire on 31 July 2022. Two options were available, as detailed in paragraphs 6-11 of the report and summarised below:

Option 1 –procure new contracts for all required home to school transport work for delivery from 1 September 2022. This would require further work to include bus contracts within an already tight procurement deadline.

Option 2 –procure a new taxi contract only for 1 September 2022 and extend the current contracts with York Pullman to 31 July 2024, as recommended. This would ensure the completion of relevant consultation and allow time to review the Tadcaster bus contract.

It was noted that York Pullman had recently been awarded DVSA recognition status, and the cost effectiveness of the current contracts had been demonstrated by an external review. The Executive Member for Children, Young People & Education welcomed the proposals and urged Members to support Option 2.

Resolved: That Option 2 be approved and the existing home to school transport contracts with York Pullman Bus Co. Ltd. be extended for a period of 2 years, from 1 August 2022 to 31 July 2024, and that authority be delegated to the Director of Prevention & Commissioning and Education, in consultation with the Director of Governance and the Chief Finance Officer, to sign a variation to the contract to extend it for 2 years.

Reason: To ensure that there is provision in place to meet the Local Authority's statutory duties in relation to home to school transport until a review of the Tadcaster bus contracts has taken place. This will require Member consideration and also a public consultation if it is proposed that the Tadcaster bus contract is ended.

PART B - MATTERS REFERRED TO COUNCIL

108. Housing Delivery Programme Update - Delivering Affordable Housing on Council Land

[See also under Part A]

The Director of Housing, Economy & Regeneration presented a report which provided an update on the progress of the Housing Delivery Programme, sought approval to proceed to construction on the Duncombe Barracks and Burnholme sites and deliver further affordable homes, and presented proposals for the disposal of 17-21 Piccadilly (currently the site of Spark:York) for affordable housing.

The Programme was set to deliver 600 sustainable homes, mostly Passivhaus zero-carbon housing, with a minimum of 40% affordable homes. High levels of inflation had resulted in an increase of £4.762m to the design and construction budget

for the Duncombe and Burnholme sites. However, opportunities had been identified to increase affordable housing on both these sites to 60%, via a grant bid to Homes England to change the tenure of 23 homes to shared ownership.

In respect of 17-21 Piccadilly, the following options were considered, as detailed in paragraphs 24-35 of the report:
Option 1 – dispose of the site without restricting the permitted use, in order to achieve the maximum market value.
Option 2 – dispose of the site for mixed use but specify high levels of mixed tenure affordable housing. This was the recommended option, as it would deliver affordable
Option 3 – council to deliver a mixed scheme as part of the Castle Gateway project.

In response to questions and matters raised under Public Participation, it was confirmed that:

- The increased cost of building to Passivhaus standards was offset by future energy savings and removal of the need for retrofitting;
- Profit from open market sales would be re-invested in the programme;
- Shared ownership affordability had been modelled on an average household income of £35k, which was lower than the York average;
- Relationships between Spark:York and neighbouring residents had improved, with ongoing engagement from the council.

The Executive Member for Finance & Performance welcomed the proposals and congratulated the Housing team on being shortlisted for Local Government Excellence Award.

Recommended: (i) That Council approve a budget increase of £2,614k for the scheme at Burnholme and £2,148k for the scheme at Duncombe Barracks.

(ii) That Council approve increase HRA borrowing of £2,570k for the scheme at Burnholme and £832k for the scheme at Duncombe Barracks.

Reason: In order to enhance the delivery of affordable housing in the city.

109. Adoption of Minerals and Waste Joint Plan

[See also under Part A]

The Corporate Director of Place presented a report which explained the outcome of the Examination in Public by the Government's Appointed Inspector into the Minerals & Waste Joint Plan (2015-2030) and accompanying Policies Map, and asked Executive to recommend that Council adopt the Joint Plan.

The Inspector's Final Report, at Annex 2 to the report, stated that the Joint Plan satisfied all requirements and was considered to be 'sound', subject to the Main Modifications at Annex 3. The Joint Plan had subsequently been adopted by North Yorkshire County Council on 16 February 2022 and would be reported to the North York Moors National Park Authority in March. The Local Plan Working Group had considered the Joint Plan at their meeting on 7 March, and recommended it for approval to Executive.

- Recommended:
- (i) That Council adopt the Minerals & Waste Joint Plan at Annex 1 to the Executive report, incorporating the Inspector's Modifications at Annex 3.
 - (ii) That Council adopt the accompanying Policies Map.

Reason: To allow the Plan to progress to adoption.

Cllr K Aspden, Chair

[The meeting started at 5.32 pm and finished at 6.50 pm].