

Meeting	Economy, Place, Access and Transport Scrutiny Committee
Date	20 May 2025
Present	Councillors K Taylor (Chair), B Burton, J Burton, Fenton, Healey (Vice-Chair), Hook, Steward, Vassie, Merrett and Coles (Substitute)
In Attendance	Councillor Kent – Executive Member for Environment and Climate Emergency
Officers in Attendance	James Gilchrist - Director of Environment, Transport and Planning Shaun Gibbons - Head of Carbon Reduction Ian Hoults - Head of Environmental Services Harvey Lawson - Arboricultural Officer
Apologies	Councillor Whitcroft

64. Apologies for Absence (17:32)

Apologies were received from Cllr Whitcroft, he was substituted by Cllr Coles.

65. Declarations of Interest (17:32)

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests they might have in the business on the agenda. None were declared.

66. Minutes (17:33)

The Committee considered the minutes of the meeting on 29 April 2025 and highlighted a number of minor amendments which would be made prior to returning to the Committee for sign off.

67. Public Participation (17:35)

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

Gwen Swinburn raised concerns about how wards without a Parish Council access Community Infrastructure Levy funds and stated a system was needed for how this funding could be delivered. She stated that longstanding Section 106 contributions was becoming a liability and finally stated that the Groves was facing parking challenges due to HMO's.

68. Tree Management and strategy (17:40)

Officers introduced the report highlighting the Council's ambition for increased tree planting. Challenges to planting include available land, buried utilities and proximity to highway/built assets. Other challenges noted were ongoing maintenance requirements, which may be exacerbated due to climate change, as well as stakeholders not always being happy to have new trees near them. Officers confirmed that in relation to tree removals, the Council only remove dying or dangerous trees. They highlighted that the Council had a net gain on the number of trees in the city and noted the work to secure funding which had allowed for tree planting.

The Committee discussed the challenges associated with identifying sites for tree planting and the increased challenge of identifying sites in urban areas. Officers noted that the Council had been opportunistic in identifying sites for planting with the funding received and that in the longer-term, solutions would need to be identified for planting in the most challenging locations. Members enquired about whether the Council worked with partner organisations who might have ambition or a requirement for planting, such as the Environment Agency or Yorkshire Water. Officers confirmed that the Council already worked in partnership regarding its tree planting programmes but asked that members flag any specific issues or opportunities they are aware of.

Members highlighted work undertaken at a Council Ward level around tree planting and wondered whether, should a Ward wish to use its funding for planting, a joint ordering of trees would be possible and more cost effective. Officers confirmed that the Council usually completed orders around August and that information could be shared with Councillors to highlight the opportunity to access tree orders. The Committee also discussed trees on private land and requested that Councillors be reminded on how the Tree Protection Order process worked.

The Committee enquired about whether funding for new trees included funding for maintaining those new trees. Officers confirmed that each funding scheme would be different but that these would include a period of maintenance funding, including watering. Officers confirmed to members that they did not have specific guidance for residents who might want to water new trees near their home but included that it would be difficult to over water these new trees, so residents were welcome to support trees maintenance. Members enquired about the capacity within the Council for maintenance, officers noted that the maintenance team did not have spare capacity, but that funding was fundamentally an Executive decision. They noted that, ultimately, the amount of maintenance required depended largely on the environment that trees were planted in. Officers also highlighted to Members the Council's Arboricultural Policy for York: <https://www.york.gov.uk/downloads/download/664/arboricultural-policy-for-york>.

Members asked about the wider benefits from additional tree planting. It was confirmed that trees improve air quality, usually very localised around the tree itself, and planting was usually harder in areas of worse air quality as this was usually built-up urban areas. Members enquired about whether tree planting could have positive affects for areas with a high-water table that floods. Officers noted that they would always review an area for whether planting was possible and follow the right tree right place principal. The Executive Member for Environment and Climate Emergency welcomed Councillors to always come forward with sites they believed could benefit from planting for the team to review suitability.

Resolved:

- i. To thank tree planting volunteers across the city;
- ii. To request that the Executive Member for Environment and Climate Emergency write to government to request a review of policies impacting tree planting on roadways to make this easier;
- iii. To encourage the Council to work closer with partner organisations to increase the level of tree planting in the city;
- iv. To request that officers provide Councillors with information regarding how to use Ward funding if wards wish to do so to join in on tree orders and provide Councillors with information on how to apply for a Tree Protection Order.

Reason: To encourage tree planting and maintenance in the city.

The Director of Environment, Transport and Planning introduced the report. He noted the work that was undertaken by the planning department in Section 106 agreements, he also outlined that the spending of the Section 106 agreements was with the department in the Council that was responsible for areas the agreement was providing funding for, such as the Public Realms team for funding for parks or Transport for road improvements. It was confirmed that the Council had invested in monitoring its Section 106 agreements and that this work had been audited.

The Director and Executive Member for Housing, Planning and Safer Communities confirmed that 25% of Section 106 funding is available to relevant communities if they have a neighbourhood plan or 15% if not. This community funding can go to Parish Council's if in place, otherwise the Council would undertake play the role of the Parish Council. It was confirmed that officers were seeking clarity as to whether communities could use Section 106 funding to fund a neighbourhood plan, noting the challenges of creating a plan.

The Committee noted the audit that had been considered by the Council's Audit and Governance Committee. Members raised concerns in relation to the timescales for spending Section 106 money and enquired whether there was a better way of tracking Section 106 money received and it spend. Officers confirmed that the Council publishes its Infrastructure Funding Statement each year which covered all applications, money secured, and what is being spent on. They confirmed that presenting this information for longer timescales could be challenging due to things such as triggers in Section 106 agreements which could come years after the agreement was signed.

Members expressed a desire for Ward Councillors to be more engaged, in helping identify opportunities for improvements in community infrastructure, such as parks and urban spaces connected to Section 106 agreements. Officers welcomed Members engagement and recommended that it was better for Councillors to engage with officers to identify priorities long before planning applications were submitted, this way officers could better prioritise when planning applications are submitted.

Members enquired as to what would happen in relation to a developer going bankrupt before a development was finished and not all the Section 106 agreement triggers had been met. Officers explained that the Section 106 agreements are linked to the land the development is on and not to the specific developer, this means that in the case that a new developer comes in to finish a development, that developer would be bound by the Section 106 agreement.

The Committee were informed that the Council was progressing to implement Community Infrastructure Levies (CIL) as part of agreements they make with developers. A CIL Members were told would provide a number of benefits including standardising agreements and providing the Council with more flexibility to fund relevant infrastructure improvements.

Resolved:

- i. To recommend that training to Members include how to engage in the Section 106/CIL process and how to help identify potential projects in their Ward which could be subject to future Section 106/CIL funding;
- ii. To recommend that Officers explore whether there can be a way of Ward Councillors logging potential projects in there Ward which could be considered in future Section 106/CIL agreements;
- iii. To recommend that Officers explore how to provide further detail in the Infrastructure Funding Statement including mapping multiple years of funding;
- iv. To request that the report on the Council seeking to implement CIL be shared with the Committee.

Reason: To ensure the Committee are updated on the Council's use of Section 106 agreements and support Members to engage in what projects progress from Section 106 agreement funding.

70. Work Plan (19:47)

The Committee noted the list of items that would be passed onto the new Place Scrutiny Committee for consideration.

Resolved:

- i. Noted the list of potential items.

Reason: To ensure that the Place Scrutiny Committee has a list of potential items to consider.

Cllr Taylor, Chair

[The meeting started at 5.32 pm and finished at 7.49 pm].