

Meeting	Economy and Place Policy and Scrutiny Committee
Date	18 October 2022
Present	Councillors K Taylor (Chair), Daubeney (Vice-Chair), Hook, Pearson and Kilbane
Apologies	Councillors Cuthbertson and D Taylor
In Attendance	Dave Atkinson (Head of Highways and Transport) Matt Boxall (Head of Public Protection) Andrew Davies (Head of Highway Asset Management) Neil Ferris (Corporate Director of Place) James Gilchrist (Director of Transport, Environment and Planning) Patrick Looker (Finance Manager) Alison Stockdale (Principal Planning Officer)

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#### **14. Declarations of Interest [17:32]**

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 discloseable pecuniary interest that they might have in respect of the business on the agenda. Cllr Kilbane noted that he ran a pub outside the city centre.

#### **15. Minutes [17:33]**

Resolved: That the subject to the amendment of minor typos, the minutes of the meeting held on 26 July 2022 be approved and signed by the Chair as a correct record.

#### **16. Public Participation [17:33]**

It was reported that there had been one registration to speak under the Council's Public Participation Scheme. Flick Williams spoke on agenda items 5 Purple flag update and 6 Highway Maintenance Report. Concerning highways and maintenance, she noted the £60million spent on Coppergate, Blake Street and Lendal and she added that the work in

Colliergate had made the situation worse. With regard to York's Purple Flag status, she concurred that much good was being done in York. She noted a number of problems with access to the city centre. She explained that stag and hen parties and drinking opened up disabled people to a hostile culture. The Chair thanked Flick Williams for her contribution.

## **17. Community Infrastructure Levy Update [17:38]**

Members considered a report that provided information about the Community Infrastructure Levy (CIL) and an update on progress implementing a CIL for York. The report explained what CIL was and how it differs to Section 106 (S106). It also explained what the Council's emerging thinking on CIL implementation was, including timelines for consultation. It was reported that the CIL had been considered by the Executive in April 2022. The Corporate Director of Place explained that the levy was calculated by a viability appraisal and that the public inquiry process was a part of the CIL. He explained how the money was spent on infrastructure and in parished areas, where the council would decide how expenditure was distributed. He asked how Members would like to make decisions about the CIL in parished areas and suggested that they may like to form a group for it.

The Corporate Director of Place explained how CIL receipts could be spent and noted that having a neighbourhood plan would increase expenditure in unparished areas. He advised that the Executive would make decisions regarding expenditure in unparished areas. In response to questions from the Committee, the Corporate Director of Place, Principal Planning Policy Officer and Finance Officer explained that:

- The CIL was not instead of S106. For parishes with a neighbourhood plan, they would get 75% CIL money and the amount would depend on the charging structure. The CIL would apply to all developments and was generated by where the development was. It was noted that there was a number of windfall sites in the Local Plan.
- Section 106 was limited to the areas affected by the developments and the CIL allowed a charge to be levied against a development it did not directly affect.
- There could be a CIL before the Local Plan.
- The parameters of the CIL could be set.
- The CIL could be paid when the building project starts and was paid on the whole development. Developers had to pay the CIL according to what came forward in the viability statement.
- The CIL was index linked. Self builds were exempt and did not pay the CIL.

- Officers were starting to see a developer dash to not pay CIL. The aim was for the charging structure to go to Executive in January 2023 with the adoption of it likely to be after the May 2023 elections.
- It was not known whether Haxby would miss out on the CIL as it depended on when the authority adopted the CIL and what checks and balances were in place as the parish council's priority may be different to the city council priorities.
- Parish councils would need to provide evidence on how the CIL was spent.
- The value a task group would bring to the discussion would be to consider the spend of SIL in unparished areas.
- Devolution should not impact the CIL as York would remain as a Planning Authority and the CIL would be payable for all developments.
- There was a specific form for reliefs and exemptions.

Resolved: That the Committee speak outside the meeting regarding forming a task group.

Reason: To contribute to the development of the CIL

## **18. Purple Flag Update [18:19]**

Members considered a report that provided an overview of the City's Purple Flag status, where the city met and exceeded the requirements of the award and the next steps, which included plans to work with partners in the hospitality and tourism industry to promote the achievement more widely. The Head of Public Protection outlined the report, explaining the background, criteria, assessment and next steps of Purple Flag status. He explained that it was about demonstrating a safe, enjoyable night time economy for all. The Director of Transport, Environment and Planning noted that the reference to stag and hen dos was about the work to come, allowing them to continue visiting the city without intimidating residents. This could include guidance for those arranging stag and hen parties.

In response to Member questions, the Head of Public Protection and Director of Transport, Environment and Planning explained that:

- It was understood that Ward Councillors would be invited to Purple Flag assessment evenings.
- The work about striking a balance about getting trade into the city centre and modifying behaviour.
- There was resident engagement in the evidence submitted for the award.
- Concerning some residents saying that they didn't want to go into the city centre, council officers had met with York BID regularly regarding

a number of issues including cleaning issues. It was noted that cleanliness was subjective and the city had won awards for cleanliness.

- The CYC Purple Flag Coordinator had recently left their post. Should the post not be filled, this would not be detrimental to the Purple Flag application process.

Following questions, the Head of Public Protection undertook to send the Purple Flag area map to Members. The Committee then;

Resolved:

- i. That it be recommended that residents groups, access groups, specific groups (representative of different groups) and Ward Councillors be included in the engagement for evidence submitted for the Purple Flag award
- ii. That Purple Flag Update be added to the workplan as a possible agenda item for the November 2023 meeting.

Reason: In order to be kept up to date on Purple Flag status.

[The meeting adjourned from 18.45-18.53]

## **19. Highway Maintenance Report [18:54]**

Members considered a report that updated them on the current position with respect to City of York Council's approach to Highway maintenance and to describe the improvement path the service is on. The Director of Transport, Highways and Planning explained that there were two strands to highway maintenance which was proactive and reactive. He noted that there was a mix and match approach to how investment was made on highway maintenance. He advised that Department for Transport (DfT) guidance was followed rigidly as it affected what funding the council got. He then explained how the asset management plan was developed.

In addition to the attendance of the Director of Transport, Highways and Planning and Head of Highway Asset Management, the Executive Member for Transport was in attendance. A Member thanked the Executive Member for his attendance. In answer to Member questions, it was confirmed that:

- The Director of Transport, Highways and Planning would check if the data in the report annexes was the most up to date.
- When the highways policy position was developed, officers talked to other authorities and a peer review was undertaken. The challenge regarding highways maintenance was universal and it was a political choice regarding the amount of discretionary budget applied to it.

- Highways maintenance was looked at in a programme sense in taking a holistic overview programme approach and making sure that there was sound procurement in place.
- Regarding what the Executive Member said to residents, he explained that he would say that the council had an approach to try and get the balance of maintaining roads and reactive repairs on a risk basis. He noted that Wards had funding for highways repairs and there were repairs reports on this.
- There had been massive cuts in support from central government over the last decade and the top priority had to be the most vulnerable and in respect of highways this was about making highways safe. The Chair pointed out the backlog in funding.
- There needed to be a rolling programme for asset management, and the council wanted highways to be in grades 1 to 3. There was a need to spread investment across grades 3, 4 and 5 to prevent deterioration.
- Some of the worse roads were the ones with the last amount of traffic and may be outside people's houses. The challenge was there, but the council needed to apply principle and tried to introduce flexibility and balance with Ward budgets.
- The city of York was well funded on drainage and drainage had been tweaked to ensure that it was functioning correctly. Drainage was prioritised and there was a lot of work going on to address drainage issues. Good progress had been made in improving drainage.
- There were 45,000 gully pots in York. The key pots had been identified and there had been maintenance of the 14,000 critical ones. This was a risk managed approach.
- Pothole repair was never as good as a resurface.
- Concerning value for money and checking repairs, there were mechanisms within frameworks for contractors. Members were asked to detail of unsatisfactory repairs to the Executive Member.
- There was a timeframe for potholes being marked up for repair and being undertaken.
- There were different priorities for the risk based approach. It was explained that different materials were used and the council was looking at giving inspectors more power to use capital budget. It was noted that material costs had become 20% more expensive in the previous year.
- The Highway Infrastructure Asset Management Plan identified cyclists as a higher priority and there was a similar approach with footways. A Member noted the importance of looking at equality of access in the Highway Infrastructure Asset Management Plan.
- It was explained that in the data included in the annexes to the report a high quartile meant that the council was doing well and low quartile

equated to doing badly. It was noted that it was doing well in some areas but not in others.

- It was confirmed that 8% of principal roads required structural maintenance and that 70% of maintenance expenditure was planned. It was explained that the budget would have over planning in it and there was a small amount of slippage. It was noted that this year there was a forecast underspend of 5% and it was forecast that the majority of schemes would be delivered. The budget would roll over to the following year with schemes being delivered the following year.
- The projector of the highways asset was that it would get progressively worse. The council was managing the decline of the road network and was trying to get most of the budget that it had.
- There was a project engineer to each area, including drainage and footways.
- The Chair noted the importance of being transparent and the Director for Environment, Transport and Planning noted that officers could review how information was presented. He noted the difficulty in communicating why grade 3 roads were being repaired ahead of grade 4 and 5 roads as it gave more value for money. He added that it would be good to have a budget for grade 4 roads and this was reinforced by the Executive Members who added that it would be useful to explain to residents the rationalisation for repairs.

Resolved: That it be recommended that officers look at communication regarding highways repairs.

Reason: In order to improve communication regarding highways repairs.

## **20. Work Plan [19:57]**

Members considered the work plan for the remainder of the municipal year.

Resolved: That the workplan be updated to include the addition of Purple Flag Update in November 2023, Electric Vehicle charging in terraced streets and Public Realm Update (including update on weed control pilot in January 2023).

Reason: In order to keep the work plan updated.

Cllr K Taylor, Chair

[The meeting started at 5.30 pm and finished at 8.00 pm].