

Executive

Thursday, 21 April 2022

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 21 April 2022. 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 Fiona Young.

5. York as a World Heritage Site

Resolved: (i) That the recommendation of the YWHSG report that York should make a bid for World Heritage status be accepted.

(ii) That City of York Council, together with YWHSG, commit to asking the Department for Digital, Culture, Media and Sport to consider an application from York for admittance to the UK Tentative List of World Heritage Sites.

(iii) That the council work with YWSG to take the bid project forward to Stage 2, including forming a broad-based public and private partnership to raise the approx. £7.5m required in 2022/23 to fund the required work.

(iv) That it be noted that there is currently no identified council funding stream to cover the cost of any Stage 3 bid and that, if a bid is successful and can proceed to Stage 3, the council will seek support from partners to progress this.

Reason: To seek the international recognition and prestige that World Heritage status confers.

6. Review of the “Controlling the Concentration of Houses in Multiple Occupation” Supplementary Planning Document 2012 (revised 2014) in response to the Council Motion of December 2021

Resolved: (i) That it be confirmed that the current HMO policies are evidence-based, robust and fit for purpose and that the consideration of a review of the Local Plan Policy H8 and the HMO SPD be deferred until such time as the Local Plan is adopted, at which time the appropriate resources and scope can be considered as part of the ongoing process of maintaining an evidence based Local Plan and the National Planning Policy Framework (NPPF) requirement for regular Local Plan reviews.

Reason: To ensure the Local Plan examination is not put at risk and to ensure resources are in place to facilitate a robust evidence base approach to the future review of the Local Plan and policies.

(ii) That the contents of the report regarding the recent LGSCO decision and the proposed review of the Planning team’s enforcement capacity in conjunction with the future HMO licencing report be noted.

Reason: To ensure that Members are kept up to date and the commitments made to the LGSCO and the customer are complete.

(iii) That the contents of the report regarding the recent ICO decision notice and confirming the nature of the future publication of HNO data be noted.

Reason: To ensure Members are kept up to date with the council’s statutory data management obligations regarding its approach to HMO regulation.

7. Physical Activity Strategy

Resolved: That the Strategy be adopted.

Reason: To give effect to the Strategy, which has been developed over a long period of time and properly consulted upon during the draft stages.

8. York Central Enterprise Zone Funding Agreement

Resolved: (i) That authority be delegated to the Chief Finance Officer, in consultation with the Director of Governance or her delegated officers, to enter into an Enterprise Zone (EZ) funding agreement with Homes England to reimburse infrastructure costs to enable the delivery of York Central.

(ii) That the previously approved £35m capital budget funded from future EZ receipts be allocated as a contribution to the enabling infrastructure, to be used after all other grant funding has been exhausted.

(iii) That up to £2.7m of previously approved CYC borrowing be allocated to fund the Technical Assurance work to enable the highways infrastructure to be adopted.

(iv) That up to £500k of previously approved CYC borrowing be allocated to deliver the Jubilee Terrace to Scarborough Bridge Riverside Path improvement scheme.

(v) That up to £250k of EZ revenue receipts be allocated to fund inward investment activity in the council's economic development team, specifically to promote York Central and to attract occupiers.

(vi) That authority be delegated to the Director of Transport, Environment & Planning to agree technical assurance arrangements for the adoption of the highways infrastructure for York Central as set out in the report.

(vii) That authority be delegated to the Director of Transport, Environment & Planning (in consultation with the Director of Governance or her delegated officers) to enter into S278/38 Agreements with York Central landowners.

(viii) That authority be delegated to the Director of Transport, Environment & Planning (in consultation with the Director of Governance or her delegated officers) to enter into the Bridge Agreements with Network Rail and Homes England.

(ix) That authority be delegated to the Director of Transport, Environment & Planning, in consultation with the Executive Member for Transport, to certify the discharge of conditions to permit the Stopping Up of Leeman Road.

(x) That approval be given to dispose of the former Canteen Building on Chancery Rise to Network Rail in order to facilitate the removal of their operational uses from the York Central site, and delegate to the Director of Housing Economy and Place to agree the final value, following an independent valuation exercise.

Reason: To ensure the delivery of York Central and to provide funding for enabling infrastructure including a new access route to York Central, and to support the commercial development of the scheme to generate EZ income to fund that infrastructure.

9. Future of Acomb Front Street - Enhancing Economic Growth for Secondary Shopping Areas

Resolved: (i) That the key findings from the community engagement, and the consultants' ideas for potential physical improvements to the public realm to make long term impact in line with the study brief approved in 2018, be noted.

(ii) That the improvements and events that have been funded through the Acomb Front Street project to date be noted.

Reason: To conclude the project and confirm it has been delivered in line with the brief approved in 2018.

(iii) That the immediate improvements proposed to Front Street from the remaining project budget and existing budgets be approved.

Reason: To continue to support the economic growth and vibrancy of Acomb Front Street.

(iv) That the proposed long term ideas that will be considered should future external regeneration funding bids be successful be noted, noting also that any long term idea(s) taken forward will be subject to further feasibility and engagement and require an Equalities Impact Assessment to be undertaken.

Reason: To inform the scope of future funding bids.

10. The Future of Primary School Places in Naburn

Resolved: That Option 3 be approved: to follow a twin track approach of working to identify an academy sponsor within the next 6 to 8 months, whilst at the same time consulting on the future of primary school places in the village of Naburn.

Reasons: a) To ensure that the local authority is fulfilling its statutory duty to manage the sufficiency and quality of school places in an efficient and cost effective way, given that the school has received a directive academy order as a result of being placed in special measures and is vulnerable due to falling rolls and the impact this is having on its future financial sustainability.

b) The publication of the statutory notice proposing the closure of Naburn Primary School, followed by a six-week representation period, will allow the LA to fully consider all further observations and comments received and decide whether to proceed with the proposals; at the same time work will continue to take place to support the school's improvement and to continue the search for an academy sponsor.

11. **Actions in Response to DfT's Bus Funding Announcement**

- Resolved: (i) That authority be delegated to the Director of Transport, Environment & Planning, in consultation with the Leader of the Council, Executive Member for Transport and the Director of Governance or her delegated officers, to:
- a) prepare and submit a draft Bus Service Improvement Plan summary table to Department for Transport by 2 May 2022;
 - b) prepare and submit a finalised Bus Service Improvement Plan summary table to the Department for Transport by 30 June 2022;
 - c) prepare and submit a draft Enhanced Partnership Plan and Scheme to Department for Transport by 30 June 2022;
 - d) commence the statutory 28 day operator consultation objection period;
 - e) commence the statutory 28 day stakeholder consultation.
- (ii) That it be noted that a further report will be brought to Executive setting out the final arrangements that have been submitted to Department for Transport.

Reason: To ensure that £17.36m in Department for Transport Bus Service Improvement Plan funding is secured and that the council can proceed with the process of establishing a statutory bus Enhanced Partnership to deliver its stated Bus Service Improvement Plans objectives in line with the National Bus Strategy.

12. **Adoption of Enforcement Powers under part 6 of the Traffic Management Act (TMA) 2004**

- Resolved: (i) That authority be delegated to the Director of Environment, Transport & Planning to write to the Chief Constable seeking support for the Council to take on the responsibilities for enforcement of part 6 of the Traffic Management Act 2004.
- (ii) That a public consultation on implementation on Traffic Management on the responsibilities for enforcement of part 6 of the Traffic Management Act

2004 as per Department for Transport guidance be approved.

(iii) That authority be delegated to the Director of Environment, Transport & Planning to apply to the Department for Transport to take on the responsibilities for enforcement of part 6 of the Traffic Management Act 2004.

(iv) That approval be given to explore a pilot scheme, and that authority be delegated to the Executive Member for Transport to make the decision on implementation.

(v) That authority be delegated to the Executive Member for Transport to approve the further roll-out and enforcement of extended regulations.

Reason: To ensure that the safety of the Highway network is further strengthened.