

Executive

Thursday, 6 October 2022

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 6 October 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 Services no later than 4pm on the Monday 10 October 2022.

If you have any queries about any matters referred to in this decision sheet please contact Robert Flintoft.

5. Agree the Devolution Deal and commence consultation

Resolved: That the recommendations in the report be approved.

Recommended: That Council:

- (i) Approve the minded to Devolution deal.
- (ii) Approve The Governance Review as identified in Appendix 1 to the report.
- (iii) Approve publication of the Scheme at Appendix 2 for consultation and delegate to the Monitoring Officer any changes and actions needed to ensure that a full consultation exercise is conducted for the area.
- (iv) Delegate authority to the S151 Officer, in consultation with the Executive Members for Finance and Major Projects, to approve with North Yorkshire County Council (NYCC), work up the details of, and implement the financial

arrangements, including a risk share mechanism and funding source.

- (v) Grant approval to cashflow, with NYCC, initial implementation costs of £600k (ahead of the funding being available to be drawn down) and agree to receive a further report once the full implementation costs are known.
- (vi) Approve the creation of a Joint Devolution Committee with NYCC and delegate authority to the Monitoring Officer, in consultation with the Leader, to approve the final terms of reference as agreed with NYCC.
- (vii) Approve the addition of £2m to the Capital Programme for affordable low carbon homes with any expenditure subject to the agreement of the S151 Officer upon business case approval and confirmation of grant conditions.

Reason: On the basis of the content of the report, and the beneficial Devolution Deal.

6. Update to the Community Asset Transfers Affecting Community and Parks Assets

Resolved:

- (i) That the progress to date on the Community Asset Transfers be noted.
- (ii) That the five comments received in response to the Section 123 Notices published in respect of those properties qualifying as public open space be noted.
- (iii) That the approval for the disposal of the two former herdsman's cottages at 103 Heslington Road and 159 Mount Vale be amended to be on the basis of granting a 250 year lease for each property, with

each to contain a user clause restricting the use of the properties to private main/principal residences, rather than disposing of the freeholds.

Reason: To obtain a capital receipt from the disposal (by way of grant of long lease) of both properties on the open market which have been deemed surplus to requirements, whilst seeking to ensure that the cottages are only used as private main/principal residences, as opposed to holiday lets.

(iv) That the assurances and further information provided in the report be noted regarding the three public comments received in respect of the intention to dispose through the granting of a lease of:

- Land at Mayfield South;
- Rowntree Park Tennis Pavilion; and
- Land at Chapman's Pond.

Reasons: a) To support York communities to access external funding and grants, to develop the facilities in line with local community aspirations and secure their long term sustainable care providing savings to the Council if it were to otherwise operate and manage these facilities itself.

b) To support the health and wellbeing of people in the local community by providing the use of council assets which can be actively managed and improved by the involvement of the local community.

7. Enhanced Partnership and Bus Service Improvement Plan

Resolved: That the Executive agree the below:

(i) That the Executive notes that a statutory Enhanced Partnership between the council and local bus operators has been made by officers on Tuesday 27th September under delegated powers. The EP is a prerequisite to secure the confirmed £17.36 million in Bus Service improvement Plan (BSIP) funding from DfT.

(ii) That the Executive Recognise the £17.36m BSIP funding for 2022-25 and confirms that the relevant sums should be added to the council's

capital programme and revenue budgets for the current, 2023/24 and 2024/25 financial years.

(iii) That authority be delegated to the Director of Transport, Environment and Planning, in consultation with the Executive Member for Transport, to draft a bespoke amendment to the Plan and Scheme in the likely event that further detail is required by DfT in order to release the full BSIP funding allocation. Any substantive changes will be brought to a future Executive Decision Session for approval.

Reason: To help ensure that £17.36m in DfT BSIP funding is secured, and accounted for in the council's budget programming, and that the council and bus operators can proceed with the process of delivering the stated York BSIP objectives in line with the National Bus Strategy.

8. Director of Public Health Annual Report 2020-2022

Resolved: That the publication of the report be approved, subject to the correction of typographical errors and any formatting issues.

Reason: To meet the statutory duty as set out in the Health and Social Care Act 2012.

9. Haxby Station – Update and Next Steps

Resolved:

(i) That the additional £1.1m funding allocated to the project from government be noted.

(ii) That the results of the public consultation undertaken earlier in 2022 be noted.

(iii) That the recent application to Round 2 of the government's *Levelling Up Fund* be noted.

(iv) That authority be delegated to the Corporate Director of Place, in consultation with the Executive Member for Transport, to submit a planning

application for the anticipated future construction of the new station.

(v) That authority be delegated to the Corporate Director of Place, in consultation with the Executive Member for Transport and the Director of Governance (or his delegated Officers), to:

- a) Undertake such steps as are necessary to commission Network Rail, as the council's delivery partners, to progress the next stage of development (*GRIP 4 & 5* stages), up to the point of delivery, noting that a further report will be brought to Executive to report on the actual build costs and to seek approval to proceed with construction.
- b) Carry out a procurement to engage a consultant to undertake the required design services to deliver all Highways aspects of the project which are outside the station site and to take such steps as are necessary to award and enter into the resulting contract.
- c) Carry out a procurement to engage a construction contractor to undertake the required construction works to deliver all Highways aspects of the project which are outside the station site, noting that a further report will be brought to Executive to report on the actual build costs and to seek approval to proceed with construction.

Reason: To afford City of York Council the best possible opportunity to progress this project in a timely fashion and enable the full delivery of a new rail station at Haxby by early 2024, as mandated by government.