

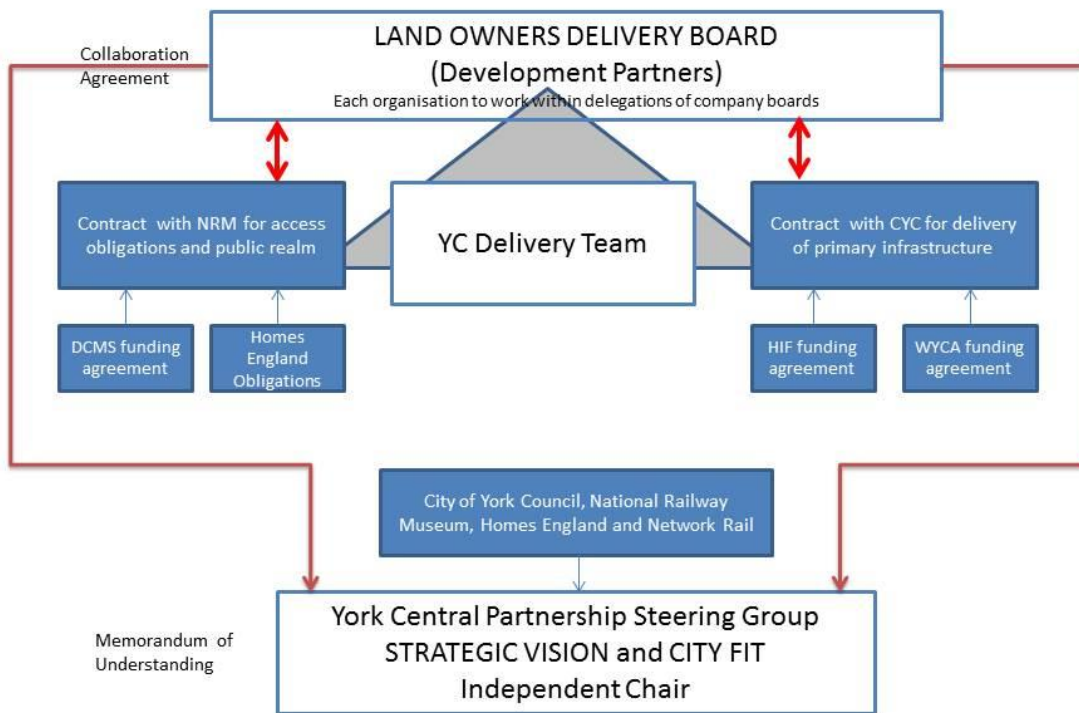
York Central

Draft Memorandum of Understanding

Introduction

This Memorandum of Understanding sets out the proposed relationship for the Partnership of Homes England, National Railway Museum (NRM), City of York Council (CYC) and Network Rail (NR) for the York Central project. This Partnership will provide the strategic vision for the project as set out in the following governance structure and set out the obligations of each partner to help to deliver York Central in line with the agreed masterplan. The delivery of the development will be led by the Development Partners (Development Partners to be confirmed) and the Development Partners will be the decision makers for the housing and commercial land, within the parameters and obligations of this MoU for the Partnership.

Delivery of YC



This agreement is being progressed on the assumption Housing Infrastructure Fund (HIF) funding is available to contribute to the Off-Plot infrastructure costs.

Objectives

The purpose of this Memorandum of Understanding is to:

- Set vision and quality aspirations as per masterplan and design codes
- Set out delivery and management of scheme
- Commit all parties to the delivery of the masterplan
- Establish key principles including basis of contribution

The Partnership wishes to ensure the comprehensive delivery of the York Central Project. This is to be in line with the principles of the agreed masterplan for York Central, Outline Planning Application and to the agreed target timescales (as at Annex 1). The aim is to create a high quality, sustainable mixed use development and associated infrastructure and public realm.

Vision (note this vision will evolve with the project and in agreement by the Partners)

York Central provides a transformational opportunity to realise the significant ambition for economic and housing growth in York. York Central's excellent location in the heart of the city and next to York Railway Station will deliver a well-connected and sustainable neighbourhood accessible to all. Drawing on its railway heritage, it will be a place full of life and vitality, delivering a vibrant new part of the city, providing homes and jobs for the people of York.

The buildings and spaces at York Central will be high quality and complement the historic setting and fantastic connections to the city centre and railway network. Homes will range from first homes to those for families and for older people, suitable for all stages of life and affordable to all.

Businesses will benefit from a range of innovative and flexible workspaces for growing local companies and start-ups, as well as providing the capacity and quality of space to make York a landmark business destination and attract national and international businesses around York's growing industry strengths, such as in rail, insurance and digital. York Central will enable business growth and attract inward investment to create good quality jobs for the people of York.

The National Railway Museum will be the cultural heart of York Central. It has an exciting and ambitious emerging masterplan to tell the epic stories of the impact of railways on the world. The Museum will contribute to York's tourist industry with significant growth in visitor numbers discovering its world-class collection, with a new Central Gallery showcasing the latest innovations from the modern railway industry. A lively public square will be at the heart of the new community and will create a bold sense of arrival for residents, visitors and workers alike. Extensive public spaces and a wonderful public park for formal and informal cultural events will be available for community interaction, play and recreation.

High-quality digital and physical infrastructure will be provided from the outset, encouraging low carbon living and providing the flexibility needed for sustainable energy solutions fit for the 21st century.

York Central will prioritise pedestrians and cyclists with excellent public transport, creating convenient and safe pedestrian and cycle access through the site to the city centre, railway station and surrounding communities and linking into city-wide footpaths and cycle ways, to enjoy the wider York environment.

Partner Roles

National Railway Museum (NRM) will act as the cultural heart of York Central. They will improve their existing facilities in York Central and deliver their expansion plans as per the Outline Planning Permission within the wider context of the York Central site.

City of York Council (CYC) will deliver infrastructure, be the planning applicant for infrastructure and recipient of funding, enable and facilitate inward investment, have the potential for their own investment and act in their statutory planning and highways functions.

Network Rail (NR) and Homes England will lead on the development of the site, acting as master developers for the site and bring forward development in line with the Masterplan. Homes England will seek to contribute to the funding of the infrastructure through the HIF.

The relationship between the Development Partners and delivery of the scheme will be governed by a separate Collaboration Agreement and supporting Agreements..

Individual obligations of the Partnership are set out under the headings below, all within the agreed target timescales as set out in Annex 1.

Land

All to provide land and rights for delivery of the masterplan within dates of the agreed target timescales.

No Partner will seek to extract a ransom value over another by virtue of its ownership.

Land ownership and availability specifics:

- CYC to take freehold of adopted highway
- CYC to transfer freehold of portion of Leeman Rd where it bisects the Museum's existing land ownership at nil value to NRM to support the delivery of the NRM masterplan subject to statutory consent for the Stopping Up of Leeman Road where it bisects the museum
- NRM to lease its land lying within the proposed Museum Square to the Development Partners
- NR and Homes England to transfer the freehold of the land under the rail link to NRM. NRM to be granted permanent rights to use the siding connection to the National Rail Network.
- NRM to grant rights of access across the Steam-ride line at the designated point to facilitate the Masterplan objectives of circulation through the site.
- All reasonable endeavours to achieve Vacant Possession of York Yard South for purposes of York Central masterplan.
- All reasonable endeavours to deliver Vacant Possession of relevant areas of land to facilitate progress of Off-Plot infrastructure and development of plots.

Access specifics:

- CYC to acquire the required land to support the Western Access
- NR to make all reasonable endeavours to secure an alternative location for trackside access to facilitate Western Access route
- Western Access route design to ensure provision of adequate track side access to the Up Line of the ECML either adjacent to the Western Access route or at a suitable alternative location.
- NRM to provide pedestrian access through the Central Gallery during its normal opening hours (currently 10am to 6pm, 363 days per year)
- Improvements to Leeman Road pedestrian and cycle linkages from Marble Arch to Lendal Gyratory
- CYC (with NR) to progress improvements to Front of Station(East side)
- NR to progress improvements to West side of Station as part of Off-Plot infrastructure works.
- NRM to improve South Yard area, including adjacent to Homes England's Concrete Works site, and increase permeability in opening hours through the Museum external spaces.
- NRM to seek to bring the Stables back into repair and beneficial use.

If appropriate the Development Partners will seek to acquire further land for the York Central scheme such as land to the north of Leeman Road.

Planning

Homes England and Network Rail commit to submitting an outline planning application in August 2018 for York Central, including specifically details of the area of Leeman Road to be stopped

Homes England and Network Rail to also submit a Stopping Up Order, under Section 247 of the Town and Country Planning Act 1990, to the Department for Transport.

CYC commit to submit a detailed application within the Agreed Target Timescales for York Central for the:

- Access road
- Bridge
- Spine road and associated works
- NRM rail link

Future reserved matters applications for other Off-Plot infrastructure will be submitted in line with the agreed target timescales.

The outline planning application will include Design Guidelines which will set the quality aspirations for the development. The application will include a commitment to 20% affordable homes.

CYC to make all reasonable endeavours to determine the outline planning application within the 16 week period.

CYC to make all reasonable endeavours to determine future Reserved Matters applications within the target timescales.

Delivery

All to promote the scheme as per the masterplan.

The Development Partners will agree the Delivery Strategy for the site within the parameters of this MoU.

York Central shall be built out in line with the Parameters of the Outline Planning Permission and related Design Codes, with development agreements with private sector partner(s) requiring this.

CYC commitment to delivery of the new highway through the site subject to funding.

Development Partners commitment to developing the site and establishing long term management plan for public spaces.

Commitment from the Development Partners to exploring the opportunities for Custom Build/Community Led Housing.

Commitment from the Partnership to exploring the opportunities for sustainability/low carbon.

Commitment from the Partnership to the creation and delivery of an Employment and Skills Plan which seeks, where possible, to maximise local employment and skills opportunities.

The Partnership will continue to undertake wide ranging community engagement in the further development and delivery of York Central in line with an Engagement Framework agreed by the Partnership.

Governance

This Memorandum of Understanding forms the basis of the Partnership Steering Group as set out in the diagram at page one. This Partnership will comprise a senior representative from each of the Partnership with appropriate delegations and will meet on a monthly basis.

Partnership Steering Group will have an Independent Chair who will be selected through a transparent process.

The Partnership agrees to be open and transparent in all transactions within their individual organisations, including land procurements and investment opportunities/decisions.

Funding

CYC may choose to make further investment in additional broader social and economic benefits to be funded from EZ income should it arise, s106 monies or Council budgets and the Development Partners would seek to support this subject to the business case for this investment.

In the instance that the Off-Plot infrastructure is not fully funded the Development Partners will not look to the EZ income to support this in the first instance.

The Partnership will each support the other Partnership members to submit external funding bids for York Central.

The Partnership will seek external funding support where the YC objectives and outcomes closely align with grant funding objectives.

Related Agreements

This agreement will be accompanied by the following related agreements:

- Collaboration Agreement between the Development Partners
- Planning Performance Agreement between the outline planning applicants and CYC
- Funding Agreement between the Development Partners and CYC for infrastructure delivery
- National Railway Museum and Development Partners Agreement

Private Sector Partner(s) Procurement

The Development Partners will procure private sector partner(s) for the delivery of the development. The procurement of the private sector partners will be framed by a Delivery Strategy agreed by the Development Partners and transactions will be open and transparent.

Long Term Management

The Development Partners will seek to establish a governance and charging mechanism for the long-term management of the completed development and its public realm.

CYC will adopt the highways where appropriate.

Duration

York Central is a long term project, this Memorandum of Understanding will therefore last the duration of fifteen years from the point of signature.

Should the in-built flexibility to the Parameters of the Outline Planning Permission and related Design Guidelines not be sufficient to respond to any changes the Partnership may require in future or a departure from these is sought as part of the site's development then a member of the Partnership will be able to request an exception to the aforementioned requirement that York Central must be built out in line with these. The Partnership member must present a justification case to the Steering Group and seek agreement to this exception and this will require the relevant planning permissions to be sought.

Termination

The Agreement can be terminated if there is a material breach by one or more Partners which is incapable of rectification. *[Note: The definition of material breach will recognise that this cannot be for something that is outside individual Partnership members' control]*

Annex 1 - Agreed Target Timescales

Key dates:

- Outline planning application to be submitted in August 2018
- Full planning application for access road, bridge, spine road and rail link submitted by October 2018
- Appoint an Independent Chair by end of October 2018
- Determination of outline planning application by January 2019
- Determination of full planning application by end of Feb 2019
- Submission of Stopping Up order by end of December 2018
- Agree Development Partners by end of March 2019
- Start on site of infrastructure by end of March 2019
- Delivery of funded infrastructure completed by end of March 2021
- Start on site of first phases of housing and commercial delivery by end of March 2020
- Delivery of National Railway Museum's Central Gallery by 2025
- CYC to transfer freehold of portion of Leeman Rd where it bisects NRM's existing land ownership to NRM on granting of Stopping Up consent
- NRM to lease museum square to the Development Partners at timescales in accordance with future Development Partners' Collaboration Agreement and supporting Agreements
- Vacant Possession of land and premises as per the project's target Vacant Possession Plan
- CYC to acquire the required land to support the Western Access by Spring 2019
- NR and Homes England to transfer the freehold of the land under the rail link to NRM at timescales in accordance with future Development Partners' Collaboration and supporting Agreements
- Improvement of Leeman Road pedestrian and cycle linkages from Marble Arch to Lendal Gyatory by March 2021

- Improvements to the Front of Station by March 2021
- Improvements to the West Entrance of the Station by March 2021
- NRM to seek to improve South Yard area, including adjacent to Homes England's Concrete Works site by March 2021
- Southern pedestrian link to be improved by March 2021