

Executive

Thursday, 28 July 2022

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 28 July 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. Please note that the recommendations to Council at Item 7 cannot be called in.

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

5. Catchment Flood Management Project

Resolved: That the implementation of this project, using the approach summarised in the report, be approved.

Reason: To enable the delivery of the York and North Yorkshire Catchment Flood Management project.

6. City Centre Access – Action Plan Update

Resolved: (i) That approval be given to commence consultation on the proposed '*City of York Guidance and Conditions for Pavement Cafes*'.

(ii) That a report be brought to Executive in November on the outcome of the consultation (the new '*City of York Guidance and Conditions for Pavement Cafes*' to be considered at that meeting would take effect in January 2023 if approved).

(iii) That it be noted that the Government regulatory framework for Pavement Cafes remains uncertain, as the current emergency legislation expires in September 2022 and the new legislation proposed is unlikely to be implemented by this date.

Reason: To ensure the decision making on pavement cafes reflects the current situation and the needs of all city centre users.

(iv) That the update on the '*City Centre Access – Action Plan*' at Annex A be noted.

(v) That the planned commissioning of an Access Specialist Consultant be noted and the prioritised work programme, as set out in the report, be approved.

(vi) That the programme of dropped kerbs for autumn this year and spring 2023 be noted.

(vii) That the work to develop the feasibility of the City Centre Bus Shuttle be brought forward in advance of the original funding source being achieved (this will be co-produced with stakeholders, including the look and feel of vehicles and will require input from an access specialist along with transport input, which will be funded from transport reserves).

(viii) That officers be asked to explore whether the reduction in vehicles within the City Centre enforced in the future through Hostile Vehicle Mitigation Measures would enable a kerb free design to be implemented in the footstreet area.

Reason: To accelerate the delivery of *the 'City Centre Access – Action Plan'* including bringing forward the Feasibility Study of a City Centre Bus Shuttle in the absence of Bus Service Improvement Plan funding being available. If a kerb free design is possible in the footstreets, the Levelling Up bid for the City Centre, if successful, could help deliver elements of this.

(ix) That any decision to undertake statutory traffic regulation order consultation on a permanent change in footstreet hours to 7.00pm be postponed until the Executive have had the opportunity to consider the lived experience of the pavement cafes under the new guidance, and until there is more

clarity about the long term legislative framework and progress has been made in delivering the City Centre Access – Action Plan.

Reason: The major benefit of 7:00 pm is the extended hours in which pavement cafes can operate. Given the uncertainty over the national regulatory framework and the need to carry out work to implement local more accessible guidance, a consultation on footstreet hours is not appropriate and cannot be based upon facts.

(x) That the principle of renewing existing pavement cafes for three months free of charge but restricted to the footstreet hours be approved, and that it be noted that footstreet hours will revert to their normal 5:00 pm in October 2022 but be temporarily extended to 8:00 pm in November for the Christmas Market to end of December 2022.

Reason: Given the uncertainty over national legislation this decision adds a degree of assurance for pavement cafes and allows the council time to consult on its own new guidance and conditions for pavement cafés.

7. Hackney Carriage Licences

Recommended: That Council approve a change to the Taxi Licensing Policy in respect of the type of vehicle to which new hackney carriage licences will be issue; those being wheelchair accessible, ‘fully electric’ or ‘plug in electric hybrid London taxis’, and black in colour (as specified in detail in paragraph 25 of the report to Executive), in accordance with Option 1 in the report.

Reason: To help meet unmet demand for hackney carriage vehicles, particularly from users with a disability, as well as providing a more environmentally friendly and easily recognisable hackney carriage fleet in the city

in response to the declared climate emergency and continuing desire to improve air quality.

8. **Additional Licensing in York - Consultation Results and Decision on Designation**

Resolved: (i) That a designation be made of the following wards in the City of York Council as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all Houses in Multiple Occupation (HMOs), subject to the exemptions specified in Appendix 1 and Appendix 3 to the report, irrespective of the number of storeys, that contain three or four occupiers in two or more households within the following wards:

- Hull Road
- Guildhall
- Fishergate
- Clifton
- Heworth
- Micklegate
- Osbaldwick and Derwent
- Fulford and Heslington.

(ii) That the designation set out in Resolution (i) above shall come into force on 1 April 2023 for a period of 5 years.

(iii) That authority be delegated to the Corporate Director of Place to sign the 'Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2022' in accordance with the provisions set out in the Scheme of Delegations in the Council's Constitution.

(iv) That upon signature of the designation the council will give public notice in accordance with the designation, a current draft of which notice is attached as Appendix 3 to the report.

(v) That the proposed amended fees and charges structure, as set out in Appendix 4, be adopted, and that those fees be reviewed annually to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in

accordance with case law and the EU Services Directive.

(vi) That the amended HMO Licensing Policy 2020 at Appendix 5 be adopted, and that authority be delegated to the Corporate Director of Place to authorise amendments to the standards and conditions contained in the policy where necessary to ensure they remain reasonable and proportionate and in accordance with any relevant legislative changes.

(vii) That the creation of a stakeholders group to work collaboratively on driving up standards in the wider Private Rented Sector be supported - the composition of the group shall include representatives of organisations who have actively taken part in the consultation.

Reason: The proposal is consistent with the Council's ambition to improve management standards and housing conditions in private rented accommodation in the city and reflects the broad support for this approach identified through stakeholder consultation.

9. Housing Asset Management - Planned Investment at Glen Lodge and Bell Farm

Resolved: (i) That approval be given to procure a contractor to resolve water hygiene issues and improve the quality of the building at Glen Lodge, and that it be noted that a business case with final costs will be brought before Executive and recommended to Full Council for consideration prior to contracts being signed.

(ii) That the work being undertaken to agree with residents a move from the old wing of Glen Lodge to the newer wing with a package of support measures to minimise disruption and address individual residents' circumstances prior to the commencement of building works be noted.

(iii) That approval be given to commission design work and submit planning applications for the rear extensions at the identified Bell Farm properties.

(iv) That approval be given to procure a contractor to rebuild the existing bathroom pods and undertake a package of retrofit improvements works at the identified Bell Farm apartments, and that it be noted that a business case with final costs will be brought before Executive and recommended to Full Council for consideration prior to contracts being signed.

(v) That an application be progressed, under Wave 2 of the Social Housing Decarbonisation Fund, to seek grant funding towards the cost of retrofit works to the Bell Farm apartments.

(vi) That the work being undertaken to agree with remaining residents of the Bell Farm apartments a move to a suitable alternative property, with a package of support measures to minimise disruption and address individual resident's circumstances prior to the commencement of building works, be noted.

(vii) That the options for delivering works at the two properties in Bell Farm (Annex 1) which currently belong to leaseholders be noted, and that it be noted that the full business case for the delivery of this project will include details of the preferred option following discussions with the leaseholders and following advice from Legal Services.

Reason: To address significant health and safety issues and bring accommodation up to a decent homes standard, while ensuring that tenants have acceptable, suitable accommodation in the meantime.

10. Inspection of Local Authority Children's Services (ILACS) and Action Plan

Resolved: That York's action plan in response to the areas identified for improvement be agreed.

Reason: In order to share York's agreed action plan with Ofsted and continue to progress improvement activity locally.

11. Developing a 5 Year Dementia Strategy for York

Resolved: That the draft Strategy be approved.

Reason: Having a York Dementia Strategy will clearly establish the common goals for health, social care, and community organisations in the City to deliver quality support to people with dementia and their carers. Once there is an agreed Strategy, progress can be made with a delivery plan to achieve the goals outlined, and improve the experience for the thousands of people living with dementia in our City.