

Executive

Thursday, 18 November 2021

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 18 November 2021. 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. My City Centre Strategic Vision - Adoption of Vision and Next Steps

Resolved: (i) That the My City Centre Strategic Vision set out in Annex 1 to the report be approved, and adopted as a guide to investment in the centre, to inform policy decision and as a material consideration in planning (where relevant).

Reason: To establish a long term social, environmental and economic strategic vision for a sustainable future for York city centre, and ensure that decisions are made in accordance with this vision.

(ii) That officers be instructed to prepare a delivery strategy for the vision, by working with partners including the project Stakeholder Group, which will be brought to a future Executive meeting.

Reason: To establish a means for delivering the vision, establish roles and responsibilities with partners, and prioritise the actions contained within the vision.

6. Strategic Reviews of City Centre Access and Council Car Parking

Resolved: (i) That the Strategic Review of City Centre Access and associated Action Plan at Annex 1 to the report be approved, including the creation of an Access Officer post.

Reason: To agree a clear strategy for access to and through the city centre footstreets and approve the action plan (subject to the success of identified funding bids) to implement the improvements to access that have been developed through public and stakeholder engagement.

(ii) That the City Centre Access model set out in the Strategic Review of City Centre Access be approved as a key principle in Local Transport Plan 4.

Reason: To ensure the council's strategic priorities are aligned and consistent.

(iii) That the Strategic Review of Council Car Parking and associated Action Plan at Annex 2 be approved.

Reason: To allow the council to define and invest strategically in its priority car parks and to inform future decisions on which car parks could be used for alternative uses should future parking demand decline through either market conditions or policy based decisions.

(iv) That it be noted that a future report on whether to re-commence the paused procurement of a contractor to build St George's Field MSCP will be brought to Executive as part of a wider delivery update on the Castle Gateway project in February 2022.

Reason: To consider whether to proceed with St George's Field MSCP in light of the outcomes of the Strategic Review of Council Car Parking, a review of the business case, and the wider progress of the masterplan.

(v) That the Access Officer be asked to bring updates on the progress of implementing the Access Action Plan to the relevant portfolio holder for review.

Reason: To ensure that the progress of the plan is monitored.

(vi) That more opportunities be explored for blue badge parking on the edge of the footstreets.

Reason: To increase the availability of blue badge parking close to the city centre where possible.

7. **Consideration of Changes to the City Centre Traffic Regulation Order**

Resolved: Hostile Vehicle Mitigation (HVM) and Future Blue Badge Access to Footstreets

(i) That the responses to the statutory consultation on the removal of blue badge exemptions permitting access to footstreets during pedestrianised hours be noted.

Reason: To recognise the statutory consultation process as part of decision making.

(ii) That the impact of the proposals on Blue Badge holders and the disabled community, as identified through the statutory consultation and the wider engagement work the council has undertaken, be taken into account, noting that some members of this community have made clear that removal of the exemption will remove their ability to access the footstreets, as set out and duly considered within the Equalities Impact Assessment at Annex AA to the report.

Reason: To recognise the Council's duties under the Equalities Act and Human Rights Act and to ensure that the Council strikes the a proportionate balance between the rights of individuals and the interests of the community and to have due regard

to the impacts that the proposals will have on some members of a community with a protected characteristic.

(iii) That, having considered (i) and (ii) above, officers' recommendation to remove the exemption on vehicles displaying a Blue Badge from accessing Blake Street, Church Street, Colliergate, Goodramgate between Deangate and Church Street, King's Square, Lendal, St Andrewgate between its junction with King's Square and a point 50 metres north east and St Helen's Square during the pedestrian hours be accepted and approved.

(iv) That all remaining vehicle access exemptions, such as bullion vehicles, be reviewed to explore how they can be removed or discouraged to protect the integrity of the counter-terrorism measures, and that a report be brought back on a date to be agreed with the Executive Member for Transport, to ensure that the police advice is followed in full.

Reason: To protect more of the footstreets from the risk of a terrorist attack, recognising the responsibilities of the council in relation to the European Convention of Human Rights Article 2, The Right to Life - this article places a positive duty on the state to protect life whilst considering the council's Equalities Duty.

(v) That, having considered (i) and (ii) above, officers' recommendation not to proceed with a permanent change to remove blue badge access to Castlegate at this stage be accepted and approved.

Reason: The case for change at Castlegate is presented in the Castle Gateway Masterplan. Any proposals for this location need to be considered once a delivery and phasing plan for the Castle Gateway project is approved.

(vi) That the additional Blue Badge parking that formed part of the statutory consultation be

implemented, with the exception of the two bays on St Andrewgate nearest to its junction with Bartle Garth.

Reason: Recognising the consultation comments relating to St Andrewgate, and because the bays nearest to the junction with Bartle Garth cause an obstruction to vehicles and cycles as well as hindering access in/out of a private drive.

(vii) That, should the Active Travel Fund bid to Improve Disabled Access Routes into and around the city centre (including improved paving and dropped kerbs) be unsuccessful, authority be delegated to the Executive Member for Transport to reprioritise existing transport funding of £250,000, to ensure that this key element of the action plan in the Strategic Review of City Centre Access is delivered.

Reason: Recognising the impact that removing the exemption on vehicles displaying a blue badge from accessing the pedestrian area will have on the disabled community. Implementing these measures will improve access to the city centre.

(viii) That businesses be informed of, and given the option to comment on, the permanent HVM plans and specific barrier placements before these are brought to Executive for approval.

Reason: To enable businesses affected by the proposals to have an input.

Permanent Footstreet Hours

(ix) That a statutory consultation be commenced on a permanent change to footstreet hours, to be from 10:30 am to 7:00pm.

Reason: To give effect to the My City Centre Vision, which has an aspiration for long-term footstreet hours that run until 7pm,

which was supported in the My City Centre consultation.

Covid Response Recommendations

(x) That it be agreed that Blue Badge access and parking will continue to be suspended on Castlegate until the end of September 2022, at which point Blue Badge exemptions to allow access will return and existing pavement café licenses granted to parklets on the street will not be renewed.

(xi) That a further temporary extension of footstreet hours to 8:00 pm be approved through to the end of the calendar year.

Reason: To extend the existing footstreet hours in line with Christmas Markets.

(xii) That a further temporary extension of footstreet pedestrian hours to 7:00pm be approved from January 2022 through to the end of September 2022, in line with the government's legislation for pavement café licenses, and that pavement café licenses be rescinded and re-issued with an amended finish of 8:00 pm instead of 7:00 pm.

Reason: Extending the existing footstreet hours in line with the government extension for pavement cafés will allow the temporary pavement café licences that have been awarded to continue, and amending the time to match the proposed permanent change to footstreet hours avoids confusion.

8. Dial & Ride: Funding and Delivery Arrangements

Resolved: (i) That authority be delegated to the Corporate Director of Place, in consultation with the S.151 Officer and Director of Governance, to enter into a grant funding model with York Wheels for the Dial & Ride Service.

Reason: To ensure that local community transport services continue to operate at full strength on a stable financial basis.

(ii) That approval be given for the grant-funded replacement of two minibuses, in compliance with current council fleet replacement policies.

Reason: To ensure that the Dial & Ride service meets the highest reliability and safety standards going forward within the available budget.

(iii) That the additional cost of the service going forward be recognised, and that it be noted that this will be funded from Bus Service Operator Grant (BSOG).

Reason: To ensure that new service is funded within available budgets.

(iv) That the Corporate Director of Place be authorised to open discussions with York Wheels about how they may be able to support Blue Badge Holders with access to the City Centre up to the value of £50k.

Reason: To ensure that the Dial & Ride is part of the solution to ensuring disabled access to the city centre in the future.

9. York Railway Station Gateway - Project Update and LNER Funding & Development Agreement

Resolved: (i) That the progress made to date with the regard to the design and delivery of the York Station Gateway scheme in particular with respect to procurement of a new professional services contract, delivery of the Package 1: Enabling Works, Package 2: Highway Works, land acquisition, design, Contractor procurement, and current funding status, be noted.

Reason: To confirm that the Executive has been updated on project progress as a basis for future decisions.

(ii) That the updated budget and Delivery and Procurement Strategy of the scheme be approved, and authority be delegated to the Director of Place (in consultation with the s151 Officer and Director of Governance or their delegated officers) to take such steps as are necessary to procure, award and enter into the resulting contracts for Package 2: Highway Works, Package 4: Loop Road Works (and Package 3: Station Works if agreement on the Funding and Development Agreement with LNER cannot be reached).

Reason: To enable arrangements to be put in place to proceed to procurement of a delivery contractor.

(iii) That approval be granted to enter into a Funding and Development Agreement between the CYC and LNER for the delivery of Package 3: Station Works and that authority be delegated to the Director of Place (in consultation with the s151 Officer and Director of Governance or their delegated officers) to take such steps as are necessary to negotiate and enter into the final agreement.

Reason: To progress the delivery of the station works elements of the scheme which will create space for revised taxi provision at the station and an increase in space for the public realm.

(iv) That approval be granted to enter into a Funding Agreement with WYCA to formalise the merging of the West Yorkshire-Plus Transport Fund and the Transforming Cities Fund, and that authority be delegated to the Director of Place (in consultation with the s151 Officer and Director of Governance or their delegated officers) to take such steps as are necessary to negotiate and enter into the final agreement.

Reason: To progress the delivery of the scheme.

(v) That approval be given to draw down further funds from West Yorkshire-Plus Transport Fund and/or Transforming Cities Fund, to provide funding

for LNER to progress the detailed design of the Package 3: Station Works element of the scheme (and the procurement of a delivery Contractor if agreement on the Funding and Development Agreement with LNER cannot be reached) and that authority be delegated to the Director of Place (in consultation with the s151 Officer and the Director of Governance or their delegated officers) to draw the funds down.

Reason: To enable the production of detailed cost plans and to progress the station works to procurement.

10. Recommissioning of Carers Support Services

Resolved: (i) That Option 1 be approved and a tender exercise be undertaken to re-commission Carers Support Services for adults and young people, in line with the Key Decision criteria as set out in section 7.8 of the council's Contract Procedure Rules.

(ii) That authority to award the contract be delegated to the Director of Prevention and Commissioning, in consultation with the Executive Member for Health & Adult Social Care, the Chief Finance Officer, and the Director of Governance.

Reason: To deliver a sustainable, integrated support model for carers, delivered by a competent and professional external provider who fully understands the needs of carers of all ages and from all backgrounds and works within the principles of the Care Act 2014, placing emphasis on prevention, early intervention and the maximisation of self-care.

11. Refresh of York's Parish Charter

Resolved: (i) That the revised charter be approved, and that the Executive Member for Culture, Leisure & Communities be asked to sign it on behalf of the council.

(ii) That the revised charter be referred to the York Branch of the Yorkshire Local Councils

Association (YLCA) for signature on behalf of the local councils.

Reason: To advance joint working between City of York Council and York's parish councils.

12. Merger of York Coroner Area with North Yorkshire County Council Coroner Areas

Resolved: (i) That approval be given to submit a business case to the Ministry of Justice and Chief Coroner seeking permission to merge the existing City of York Council coroner area and the North Yorkshire County Council coroner areas into one area, and that authority be delegated to the Chief Operating Officer (in consultation with the Director of Governance or her delegated officers) to make minor changes to the business case should they be required.

(ii) That the proposed Service Level Agreement with North Yorkshire County Council be approved, and that authority be delegated to the Chief Operating Officer (in consultation with the Director of Governance or her delegated officers) to take such steps as are necessary to finalise and enter into the resulting agreement.

Reason: To improve resilience and efficiency, with minimal financial impact, and in line with the Chief Coroner's Guidance.

13. 2021/22 Finance and Performance Monitor 2

Resolved: That the finance and performance information, and the actions needed to manage the financial position, be noted.

Reason: To ensure expenditure is kept within the approved budget.

14. Capital Programme - Monitor 2 2021/22

Resolved: (i) That the 2021/22 revised budget of £143.262m, as set out in Table 1 at paragraph 6 of the report, be noted.

(ii) That the restated capital programme for 2021/22 – 2025/26, as set out in Table 2 at paragraph 44, be noted.

Reason: To enable the effective management and monitoring of the Council's capital programme.

15. Treasury Management Mid-Year Review and Prudential Indicators 2021/22

Resolved: (i) That the Treasury Management activities to date in 2021/22 be noted.

(ii) That the Prudential Indicators set out in Annex A to the report, and the compliance with all indicators, be noted.

Reason: to ensure the continued performance of the Council's Treasury Management function.

16. Capital Programme - Monitor 2 2021/22

Recommended: That the adjustments resulting in a decrease in the 2021/22 budget of £15.142m, as detailed in the report and contained in Annex A, be approved.

Reason: To enable the effective management and monitoring of the Council's capital programme.