

Meeting	Executive
Date	21 June 2018
Present	Councillors Gillies (Chair), Aspden, Ayre, Dew, Douglas, K Myers and Waller
Apologies	Councillor Runciman
In Attendance	Councillors D'Agorne and S Barnes

Part A - Matters Dealt With Under Delegated Powers

1. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. No additional interests were declared.

2. Minutes

Resolved: That the minutes of the Executive meetings held on 26 April and 8 May 2018 be approved and then signed by the Chair as a correct record of those meetings.

3. Public Participation

It was reported that there had been 7 registrations to speak at the meeting under the Council's Public Participation Scheme and 3 requests to speak from ward members.

The following spoke on Agenda Item 5 (York Central – York Central Masterplan and Partnership Agreement):

- Aileen Hingston, of York Liberal Democrats, voiced concerns about the effects of the proposed Leeman Road diversion on access from St Peter's Quarter to the city centre. She submitted further written comments on a number of issues; these were circulated at the meeting.

- Dr Jamie Wood, of York Cycle Campaign, highlighted the need for clear crossing points and safe access routes that respected cycling priorities, in accordance with the Local Plan objectives.
- Andrew Dickinson, a local resident, objected to the masterplan on the basis that it would provide low quality homes and add to traffic problems without committing to low car ownership or integrated public transport.
- Robert Adamson, Chair of York Central Action Group, outlined actions recommended by the group to minimise disruption during site works, ensure flexibility of land use for the future, promote health and well being and integrate facilities with existing areas.
- Richard Clark, Chair of Labour Housing Forum, argued that the balance of the development on this critical site be altered to support commercial use, as it could not deliver adequate affordable housing.
- Cllr Crawshaw, member for Micklegate ward, suggested that a music venue and theatre workshop be included on the site and that the masterplan needed flexibility, to support economic development.
- Cllr K Taylor, member for Holgate ward, highlighted the issue of the Leeman Road diversion and the need for a safe, well lit alternative route, and argued that the partnership agreement did not adequately reflect the council's investment in the site.
- Emily Nelson, a local resident, said that some Holgate residents felt they had no voice in the consultation and pointed to the lack of a safe option for pedestrians and cyclists in the proposals for diverting Leeman Road.
- Andrew Cox, a local resident, expressed concerns about pedestrian access to the site and the quality and percentage of affordable housing, which he felt should be increased.

Cllr Warters, member for Derwent ward, spoke on Agenda Item 10 (Finance & Performance Outturn 2017/18), referring to paragraphs 16 and 11 of the report. He asked that the design of

the new York boundary signs be approved by York Civic Trust and that an update be provided on the trialling of machinery to cut rural road verges and encourage wildflowers.

4. Forward Plan

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

5. York Central - York Central Masterplan and Partnership Agreement

The Assistant Director for Regeneration & Asset Management presented a report which put forward an illustrative masterplan and development parameters for the York Central site, and a Memorandum of Understanding to set the outline terms of a proposed formal agreement between members of the York Central Partnership (YCP).

Feedback from an extensive 6-week public consultation event, 'Festival of York Central', held between March and April 2018 was set out in Annex 2 to the report. Annex 3 summarised the outcomes of the event and Annex 4 set out the parameter plans, illustrative masterplan and development schedules agreed by YCP partners on 25 May. These had been informed by the response to consultation and would form part of the outline planning application to be submitted later this year. The Memorandum of Understanding was attached at Annex 5. The proposed diversion of Leeman Road to facilitate the expansion of the National Railway Museum (NRM) was explained in paragraph 40 of the report.

In response to questions from Members and matters raised under Public Participation, Officers confirmed that:

- The masterplan was intended to illustrate how the site might look and create a framework for the planning application, but did not represent a finalised design for the scheme.
- Work was under way to engage with affected communities on potential changes to access from St Peter's Quarter.
- Discussions could be arranged with the NRM on the issues relating to the Leeman Road diversion.
- A sustainability strategy would be prepared to examine how green energy and traffic issues would be dealt with;

transport assessments and design guidelines would also address this aspect.

The Chair acknowledged the points made by the public participants and the challenges that would need to be overcome, emphasising the need to balance competing issues in moving forward with the development.

- Resolved:
- (i) That the York Central Partnership (YCP) master plan, which it is noted will inform and regulate future planning application submissions, be supported.
 - (ii) That the draft parameter plans and development schedules for York Central be endorsed, to enable the completion of the Environmental and Transport Impact Assessments and form the basis of planning submissions by the partnership.
 - (iii) That the final sign off of the York Central Design Guidelines be delegated to the Leader and Deputy Leader prior to the submission by the YCP of an outline planning application.
 - (iv) That the Memorandum of Understanding with the YCP be agreed.
 - (v) That approval of the layout and the submission of a detailed planning application for the first phase infrastructure of the York Central scheme be delegated to the Executive Member for Transport and Planning.
 - (vi) That further reports be received from Autumn 2018 setting out:
 - a) a partnership agreement and
 - b) funding arrangements.

Reason: To ensure the delivery of the York Central scheme.

- (vii) That Officers be instructed to undertake further work to bring forward proposals to support and enhance the delivery of affordable housing on York Central.

(viii) That officers be instructed to bring back a detailed business case for the early investment in office accommodation on York Central as part of the council's commercial portfolio.

(ix) That officers continue to work with city partners and community groups to identify early community facilities to be developed on York Central.

(x) That the council work with YCP to support the delivery of high sustainability standards on the site.

(xi) That YCP be encouraged to continue their community engagement approach throughout delivery of the scheme.

(xii) That officers work with YCP to develop proposals for the detailed design of public spaces on York Central.

(xiii) That further engagement be undertaken with businesses to focus the occupier strategy and integrate the commercial spaces within the broader area.

Reason: To ensure that the York Central scheme delivers the economic and social benefits described.

6. Homeless Strategy 2018-2023, 'Preventing Homelessness Together', and Action Plan

The Corporate Director of Health, Housing & Adult Social Care presented a report which asked Executive to sign off the completed action plan for the 2013-18 Homeless Strategy and to approve the adoption and publication of the new 2018-23 Strategy (the Strategy), called 'Preventing Homelessness Together'.

As a result of the 2013-18 strategy, statutory homelessness in York had reduced and homeless prevention remained high. 77% of the actions in the action plan had been completed or were on track, as shown in Appendix 1 to the report. The remainder would be carried over to the new Strategy and action

plan at Appendices 1 and 2 respectively. These would focus on tackling rough sleeping and meeting the new duties under the Homeless Reduction Act 2017 to prevent and relieve homelessness. Members had the option to approve or amend the Strategy.

The Executive Member for Housing & Safer Neighbourhoods thanked officers who had prepared the Strategy, and commended it to Members. She indicated that, as of this week, the number of rough sleepers in the city was down to 16.

Resolved: (i) That the completed action plan for 2013-18 be signed off.

(ii) That the new Strategy for 2018-23, 'Preventing Homelessness Together' and action plan, which outlines the national and local context affecting and contributing to homelessness and the actions that will be taken in York to address these issues, be adopted and published.

Reason: To comply with the legal requirement to have a Homeless Strategy, and to have plans in place to prevent and relieve homelessness, in accordance with the new duties placed on local authorities by the Homelessness Reduction Act 2017.

7. The Library and Archives Service: Procurement of Operator

The Assistant Director of Communities and Equalities presented a report which sought approval to begin the procurement process for the operation of the council's library and archives service, currently run by Explore Libraries and Archives Mutual Limited ('Explore').

The five year contract awarded to Explore in 2014 would come to an end on 31 March 2019, so a tendering process must be carried out. As required, a Comprehensive Assessment of Need, attached as Annex A to the report, had been prepared. This had been informed by the results of a public consultation, York's demographics, the council's objectives and the current service. It culminated in a vision for the service, as set out in paragraph 12. A 15 year contract was proposed. The service specification, detailed in Annex B, set out how the vision would be realised. It was proposed to lease the existing buildings to

the operator and to set an affordability limit for tenders based on the existing budget, amounting to £31,980m over 15 years. Members were asked to decide the percentage price/quality split for the tender evaluation, based on the options and recommendation in paragraph 35.

The Executive Member for Leisure, Culture & Tourism welcomed the continuing investment in the city's libraries and the positive public response to consultation.

- Resolved:
- (i) That the outcome of the public consultation conducted between November 2017 and February 2018 be noted.
 - (ii) That the key aspects of the service specification for the new contract set out in paragraphs 14 to 20 of the report be approved.
 - (iii) That the term of the contract be 15 years, with an option for a 5 year extension.
 - (iv) That the financial framework for the contract set out in paragraphs 21 to 30 of the report be approved.
 - (v) That a 'Sinking Fund' of £147,000 per annum be established from existing budgets and used to address the council's building maintenance liabilities over the term of the contract.
 - (vi) That the recommended price/quality split of 40% price, 60% quality, as set out in paragraph 35, be approved for use in the evaluation.
 - (vii) That authority be delegated to the Director of Children, Education & Communities to:
 - a) develop and implement the procurement framework as set out in the report, including establishing the final evaluation criteria and headline weightings to be used in assessing bids, and
 - b) award the contract at the end of the process, provided the price is within budget.

Reason: To enable the council to meet its statutory duty with regard to the provision of library services.

8. Transfer of Be Independent into the direct management of the City of York Council

The Corporate Director of Health, Housing & Adult Social Care presented a report which sought approval to transfer the council's community alarm and equipment service, currently operated by Be Independent, back into direct council management.

The transfer had been agreed in principle by officers in discussion with the board of Be Independent, after a drop in the number of paying customers and the loss of additional contracts and income had contributed to the service being financially challenged. Due diligence undertaken on the proposed transfer had not identified any major concerns. The assessment was that the financial challenges could be turned around by integrating aspects of the Be Independent business with the council's services. Other options had been considered, as summarised in paragraph 32 of the report, but none could provide the same security and continuity for both customers and staff within the available timescale.

Members thanked officers for their work in negotiating this proposal, which was considered to be a sensible solution.

Resolved: (i) That the transfer of Be Independent to the direct management of City of York Council be approved.

(ii) That the transfer of all assets and liabilities from Be Independent to City of York Council, and the transfer of staff under TUPE as detailed in the report, be approved.

(iii) That it be noted that, following the transfer, a review of the service will take place to ensure that the service is operating efficiently and secure its longer term sustainability.

Reason: To ensure continuity of service for customers and staff providing the service, and to mitigate any risks.

9. Capital Programme Outturn 2017/18 and Revisions to the 2018/19-2022/23 Programme

[See also under Part B]

The Corporate Director of Customer & Corporate Services (Deputy Chief Executive) presented a report which set out the out-turn position on the council's capital budget for the 2017/18 financial year and the re-stated programme for 2018/19 to 2022/23.

An out-turn of £70.809m was reported on the approved 2017/18 budget of £88.586m; a net variation of £17.777m. This comprised requests to re-profile £20.514m to future years and adjustments of £2.767m to schemes in 2017/18. However, the overall programme continued to operate within budget.

The level of re-profiling reflected the scale of the programme, which contained a number of major schemes. Variations and re-profiling requests under each portfolio area were set out in paragraphs 11 to 73 of the report and in Annex A. Details of the 2018/19 – 2022/23 programme, updated to reflect these changes, were provided in paragraph 77 and in Annex A.

- Resolved:
- (i) That the 2017/18 capital out-turn position of £70.809m be noted and that the requests for re-profiling from the 2017/18 programme to future years, totalling £20.544m, be approved.
 - (ii) That the adjustments to schemes increasing expenditure in 2017/18 by a net £2.767m be noted.
 - (iii) That the adjustments to schemes increasing expenditure in future years, totalling £27.235m in 2018/19, be noted.
 - (iv) That approval be given to retain the unspent balance on West Offices for any future major repairs.
 - (v) That approval be given to bring forward £1m of funding from 2019/20 to 2018/19 for Highway repairs, as set out in paragraph 28 of the report.

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

10. Finance and Performance Outturn 2017/18 (formerly 'Q4 Finance and Performance Monitor')

The Corporate Director of Customer & Corporate Services (Deputy Chief Executive) presented a report which provided an analysis of the council's overall finance and performance position at the end of the 2017/18 financial year, including progress on delivering savings.

A provisional out-turn of £620k was reported on the council's net General Fund budget of £119.6m for 2017/18. This maintained the council's overall financial health and provided a strong platform from which to meet the challenges ahead. Good progress had also been made on achieving savings during the year, with delays in some areas generally being mitigated by savings in others. It was proposed to use the underspend, and part of the unallocated contingency referred to in paragraph 65 of the report, to invest in a number of key front line service areas, as described in paragraphs 8 to 20.

An update on performance under the core indicators built around the priorities in the 2015-19 Council Plan was provided in paragraphs 70 to 176 of the report. It was noted that, of the 15 strategic indicators reporting new annual data, 9 had shown improvements. York had also gained recognition as the Sunday Times' 'Best Place to Live' for 2018 and as a top quartile performer under the Happy City Thriving Places Index.

- Resolved:
- (i) That the year end underspend of £620k and the unused contingency of £761k be noted.
 - (ii) That the underspend of £620k and £511k of the unused contingency be allocated to the schemes outline in paragraphs 8 to 21 of the report.
 - (iii) That the remaining contingency of £250k be transferred to the 2018/19 contingency.
 - (iv) That approval be given to fund the employment issue outlined in paragraph 63 of the report from the reserve relating to costs for ongoing and future pay and employment claims, and that

authority be delegated to the Director of Customer & Corporate Services to make the final payment due.

(v) That the financial risks outlined in the report, and the need to continue to maintain a prudent contingency and reserves that are reflective of the risks set out in the report, be noted.

(vi) That the continued effective financial management across the council, and the ongoing delivery of savings, be noted.

(vii) That the performance information set out in paragraph 68 onwards be noted.

Reason: To ensure that significant financial issues can be appropriately dealt with.

PART B - MATTERS REFERRED TO COUNCIL

11. Capital Programme Outturn 2017/18 and Revisions to the 2018/19 - 2022/23 Programme

[See also under Part A]

The Corporate Director of Customer & Corporate Services (Deputy Chief Executive) presented a report which set out the out-turn position on the council's capital budget for the 2017/18 financial year and the re-stated programme for 2018/19 to 2022/23.

An out-turn of £70.809m was reported on the approved 2017/18 budget of £88.586m; a net variation of £17.777m. This comprised requests to re-profile £20.514m to future years and adjustments of £2.767m to schemes in 2017/18. However, the overall programme continued to operate within budget.

The level of re-profiling reflected the scale of the programme, which contained a number of major schemes. Variations and re-profiling requests under each portfolio area were set out in paragraphs 11 to 73 of the report and in Annex A. Details of the 2018/19 – 2022/23 programme, updated to reflect these changes, were provided in paragraph 77 and in Annex A.

Recommended: That Council approve the re-stated 2018/19 to 2022/23 capital programme of £302.185m, as summarised in Table 3 at paragraph 77 of the report and detailed in Annex A.

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

Cllr I Gillies, Chair

[The meeting started at 5.30 pm and finished at 7.10 pm].