

Executive

Thursday, 16 June 2022

Decisions

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 16 June 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 recommendation to Council at no. 13 on the list cannot be called in.

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

5. Levelling Up Round 2 Funding and UK Shared Prosperity Fund

Resolved: (i) That officers be instructed to undertake the necessary work, including partner engagement and the preparation of an investment plan, to secure the drawdown of York's allocation of funding from the UKSPF.

(ii) That authority be delegated to the Corporate Director of Place, in consultation with the Executive Member for Economy and Strategic Planning and the Executive Member for Finance and Performance, to submit the final Investment Plan required to draw down York's allocation of funding from the UKSPF.

Reason: To allow officers, in consultation with the relevant Executive Members, to prepare and submit an Investment Plan by the end of July 2022 to secure the drawdown of funding from the UKSPF.

(iii) That authority be delegated to the Corporate Director of Place, in consultation with the Executive Member for Finance and Performance, to submit the

round two funding bids identified in this report to the LUF.

Reason: To allow officers to prepare and submit the strongest possible bids to Government on 6 July.

(iv) That it be noted that a report setting out the final bid submissions will be brought to a future decision session of the Executive Member for Finance and Performance.

Reason: To confirm the final bid compositions submitted to Government.

6. Castle Gateway Update

Resolved: (i) That the inclusion of the new public realm at Castle and Eye of York in the council's round two Levelling Up Fund bid be noted.

Reason: To be aware that additional funding is being sought to deliver the Castle Gateway regeneration.

(ii) That, subject to planning permission being secured, officers be instructed to prepare tender documents to procure a contractor for Castle and Eye of York so that the procurement is ready to proceed should the Levelling Up Fund bid be successful.

Reason: To ensure the ability to deliver the Castle and Eye of York project within the Levelling Up Fund timeframes.

(iii) That the termination of the NEC3 PSSC with Wates to produce a RIBA Stage 4 design and construction price for Castle Mills be noted.

Reason: To be aware that the council has not been able to reach a satisfactory outcome on identified challenges, and is in the process of terminating the NEC3 PSSC.

(iv) That authority be delegated to the Corporate Director of Place, in consultation with the Director of

Governance, to take such steps as are necessary to procure a construction contractor to complete the detail design/costing and subsequent construction of the proposed apartments, pedestrian/cycle bridge and riverside park at Castle Mills, and to bring a further report to Executive on the Castle Mills business case before proceeding into the construction contract based upon tendered price.

Reason: To enable the delivery of the Castle Mills project and the Castle Gateway regeneration on a 2 phase re-procurement basis to secure firm prices before commencing construction.

(v) That authority be delegated to the Corporate Director of Place to submit details to secure the necessary statutory consent under s106 of the Highways Act 1980 from the Secretary of State for the new bridge over the Foss navigation and to enter in to a build over agreement with Yorkshire Water in respect of the sewer running across the Castle Mills development.

Reason: To secure the necessary approvals to allow Castle Mills to proceed.

(vi) That the decision on whether to build a multi-storey car park (MSVP) at St George's Field be deferred until Executive has a construction price for Castle Mills.

Reason: Deferring until the inter-related point in time when a construction price is agreed for Castle Mills will allow further evidence to be collected to inform a decision on whether the MSCP still represents the best alternative replacement parking solution for the closure of Castle Car Park.

(vii) That officers be instructed to collect more data on parking demand, further engage with city centre businesses and stakeholders, and explore alternative options to maximise surface car parking provision at St George's Field to inform the future decision on car parking replacement.

Reason: To provide further information and enable consultation with city centre businesses and scrutiny to inform consideration of replacement parking solutions to allow the closure of Castle Car Park.

7. York Outer Ring Road (YORR) - Proposed A1237 (Rawcliffe to Little Hopgrove) Dualling - Update on Progress and Proposed Utility Diversions

Resolved: (i) That it be noted that a planning application for the proposed scheme is about to be submitted.

(ii) That the general progress and ongoing work on the scheme be noted.

Reason: To be informed on the progress of the scheme and take this into consideration for future decision-making.

(iii) That Option 1 be approved; that is, for the project team to identify, procure and undertake utility diversionary works within the existing highway in connection with the scheme, and where possible, in advance of the main works programme.

Reason: To comply with the provisions of the NRSWA 1991, and to maximise the opportunity to eliminate or reduce delay risks and resultant prolongation claims on the main construction programme.

(iv) That authority be delegated to the Director of Transport, Environment and Planning, in consultation with the Director of Governance or her delegated officers, to procure and take all necessary steps to implement the diversions of the Statutory Undertakers' apparatus, as required on the Scheme.

Reason: So that the Director of Transport, Environment and Planning is authorised to take such steps as are necessary to engage and negotiate with Statutory Undertakers for the efficient and timely delivery of utility diversions on the proposed scheme.

8. Minster Precinct Neighbourhood Plan

Resolved: (i) That the results of the referendum be noted and that the Minster Precinct Neighbourhood Plan be formally 'made'.

(ii) That the Decision Statement at Annex B to the report be published in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

Reason: To enable the Neighbourhood Plan to progress in line with the Neighbourhood Planning Regulations.

9. Introduction of Community Infrastructure Levy

Resolved: (i) That approval be given to move forward with the preparation of a Community Infrastructure Levy (CIL) for York.

Reason: To enable the collection of funding from landowners/developers to help support delivery and mitigate infrastructure impacts of the development envisaged in the emerging Local Plan.

(ii) That it be noted that a Draft CIL Charging Schedule setting out proposed rates will be presented to Executive for agreement prior to formal consultation later in 2022, because before CIL can be published and charged, a Draft Charging Schedule must be formally consulted on in line with the CIL Regulations 2010 (as amended 2019).

(iii) That the recommendation of the Local Plan Working Group to seek input from the Economy and Place Policy & Scrutiny Committee on the approach to be taken to neighbourhood funding, prior to making a decision regarding the policy on this, be accepted.

Reason: In accordance with the scrutiny work programme, and to ensure that this aspect of the CIL is properly considered and consulted upon.

10. Finance and Performance Outturn 2021-22

Resolved: (i) That the year end position be noted.

(ii) That the finance and performance information be noted.

(iii) That the extension to March 2024 for the letter of credit to York Museums Trust, as outlined in paragraphs 15 to 21, be approved.

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

11. Capital Programme Outturn 2021/22 and Revisions to the 2022/23 - 2026/27 Programme

Resolved: (i) That the 2021/22 capital outturn position of £78.220m be noted and that the requests for re-profiling from the 2021/22 programme to future years, totalling £49.153m, be approved.

(ii) That the adjustments to schemes reducing expenditure in 2021/22 by a net £211k be noted.

(iii) That the use of £4m contingency to fund the additional costs of the Guildhall refurbishment be approved.

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

12. Treasury Management Annual Report and Review of Prudential Indicators 2021/22

Resolved: That the 2021/22 performance of treasury management activity and prudential indicators outlined in Annex A be noted.

Reason: To ensure that the continued performance of the treasury management function is monitored, and to comply with statutory requirements.

13. Capital Programme Outturn 2021/22 and Revisions to the 2022/23 - 2026/27 Programme

Recommended: That Council approve the re-stated 2022/23 to 2026/27 programme of £525.049m, as summarised in Table 3 at paragraph 97 of the report and detailed in Annex A.

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