
MEETING	Executive
DATE	13 March 2007
PRESENT	Councillors Steve Galloway (Chair), Sue Galloway, Jamieson-Ball, Macdonald, Orrell, Reid, Runciman and Sunderland
APOLOGIES	Councillor Waller
IN ATTENDANCE	Councillor Vassie

177. Declarations of Interest

The Chair invited Members to declare at this point any personal or prejudicial interests they might have in the business on the agenda. No interests were declared. However, Cllrs Sue Galloway, Macdonald and Reid, as Members of the West and City Centre Area Planning Sub-Committee, announced their intention to withdraw from the meeting during consideration of agenda item 9 (Proposed Sale of Housing Revenue Account Land for the Development of Affordable Housing), so as not to prejudice any subsequent decision they might make on related planning applications, under the terms of the Planning Code of Good Practice.

178. Exclusion of Press and Public

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex 7 to agenda item 9 (Proposed Sale of Housing Revenue Account Land), on the grounds that it contains information relating to the financial or business affairs of particular persons, which is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

179. Minutes

RESOLVED: That the minutes of the Executive meeting held on 27 February 2007 be approved and signed by the Chair as a correct record.

180. Public Participation

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Philip Crowe spoke in relation to agenda item 8 (Scrutiny Report – Guidance for Sustainable Development). He welcomed the report in broad terms, but drew attention to some omissions, in particular the lack of discussion and consultation on biodiversity issues. He also stressed the

need to incorporate the recommendations into enforceable strategies if they were to be effective, and asked what measures were in place to achieve this and to ensure that the necessary information was disseminated to relevant staff across the Council.

181. Executive Forward Plan

Members received and noted an updated list of items included on the Executive Forward Plan at the time the agenda for this meeting was published.

182. Minutes of the Social Inclusion Working Group

Members considered a report which presented the minutes of the most recent meeting of the Social Inclusion Working Group, held on 17 January, and asked them to consider the advice given by the Working Group in its capacity as an advisory body to the Executive.

The report drew attention to the Group's comments in respect of the Forthcoming Employment (Age) Regulations 2006, at Minute 23, and to their decision to support an application for funding from the York Racial Equality Network in the sum of £950 (Minute 24). In respect of the latter, it was noted that the Equalities Officer had delegated authority to determine funding applications of this nature.

RESOLVED: That the minutes of the Social Inclusion Working Group meeting held on 17 January 2007 be noted.

REASON: To fulfil the requirements of the Council's Constitution in relation to the role of Working Groups.

183. Deciding and Delivering Council Priorities – Audit Commission Report

Members considered a report which summarised the main findings and recommendations arising from the Audit Commission's study of arrangements for deciding and delivering the Council's priorities.

The full report of the Audit Commission had been considered on 31 January 2007 by the Audit and Governance Committee, who had recommended that the key matters raised therein be referred to the Executive. The Commission had commented positively on the way that the Council had identified its priorities as part of the development of the Corporate Strategy. However, it had identified a significant amount of remaining improvement work to deliver the priorities and embed them into the Council's day to day business.

The Organisational Effectiveness Programme (OEP) approved by the Executive in July 2006 had included a number of actions to address the Commission's recommendations and good progress had since been made in delivering these. A key area that remained to be improved was the way in which priorities influenced the allocation of resources. Work on this had been planned and would need to be completed quickly, as it would be

critical in terms of CPA, as well as a focus of attention for the Audit Commission.

The Chair noted the difficulty of providing measurable linkages between the priorities and budget allocation and indicated that it would be helpful in future to receive examples of systems used by other authorities to relate resource allocation to their corporate priorities.

RESOLVED: That the report be noted and that further development work be undertaken to develop the Council's prioritisation processes.

REASON: To note the progress already made in improving prioritisation arrangements and support work on further improvements.

184. Scrutiny Report - Guidance for Sustainable Development

Members considered a report which presented the final report of the Sustainable Development Scrutiny Sub-Committee in relation to the topic 'Guidance for Sustainable Development'. The final report, attached as Annex A, had been endorsed by the Scrutiny Management Committee at its meeting on 26 February 2007, for referral to the Executive. Cllr Vassie, as Chair of the Scrutiny Sub-Committee, attended and spoke in support of the Sub-Committee's report.

The report set out 25 recommendations and sought Executive support in particular for Recommendations 1, 2, 3(i), 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16 and 17, to ensure that these were taken forward as part of the Local Development Framework (LDF). All of the recommendations had been reviewed by Officers, as requested by SMC, to identify any potential gaps or duplication. Detailed Officer comments were included in a 'summary of implications' grid within the report.

In response to the matters raised on this item under Public Participation, it was confirmed that biodiversity issues were already part of the core LDF strategy and that a tracking system was in place to ensure that all Scrutiny recommendations endorsed by the Executive were followed up by the appropriate Officers. Members commented that the LDF and, in the short term, the Special Planning Guidance (SPG), would provide the ideal platform to ensure that the recommendations were included as core policies. For example, it would be able to encompass a policy requiring an increase in the amount of tree cover in the City overall. Some of the recommendations had already been included in the draft SPG, which was currently out for consultation.

The Chair thanked all Members and Officers involved for their work on this important scrutiny topic.

RESOLVED: (i) That **Recommendations 1, 2 and 7** in the Scrutiny report be referred for consideration by the LDF Working Group in the light of public consultation results and emerging national and regional guidance.

(ii) That **Recommendation 6** be referred for consideration by the LDF Working Group in the light of public consultation results and emerging national and regional guidance, and that it be noted that this proposal is included in the draft SPG that is currently being consulted on.

(iii) That, in respect of **Recommendation 8**:

a. The Executive's support for the establishment of new woodland be recorded and the Director of City Strategy be requested to develop options for achieving this and for sustaining existing tree cover in the City.

b. This recommendation be referred to the LDF Working Group with a request that they consider and advise on establishing a policy that would increase the percentage of tree cover in the City, and

(iv) That **Recommendations 3, 4, 5, 9, 10, 12, 13, 15, 16 and 17** be referred for consideration by the LDF Working Group.

(v) That, in respect of **Recommendation 11**, the Executive has reservations about whether this form of boundary treatment would be appropriate in every case and requests the LDF Working Group to consider carefully the implications of adopting such a blanket policy of this nature.

(vi) That, in respect of **Recommendation 14**:

a. The Executive recognises merits in the general approach of the recommendation but in the absence of agreed definitions finds it impossible to understand the practicality of implementing the suggestion, and

b. The recommendation be referred to Officers for further information and to incorporate the views of the LDF Working Group.

(vii) That Officers report back on the operational, workload and financial implications of **Recommendations 18, 19, 20 and 21**, following consideration of these proposals by the LDF Working Group.

(viii) That Officers be asked to report back on the financial implications of **Recommendation 22** as part of the budget build exercise for next year and, in the meantime, that such information as is readily and economically available be posted on the existing Council website.

(ix) That Officers be asked to report back on the implications of **Recommendation 23**.

(x) That **Recommendation 24** be referred for consideration by the LDF Working Group in the light of public consultation results and emerging national and regional guidance, and that Officers report back on the financial and practical implications of adopting a blanket policy of this sort, but that the attention of the Working Group dealing with the new City Hall project be drawn to this important issue.

(xi) That Officers be asked to provide additional information about **Recommendation 25**, in the light of existing regional and emerging national policies and, in respect of ITT applications, resource, capacity and financing issues.

REASON: To ensure that the recommendations of the Scrutiny Sub-Committee are considered for incorporation into the Local Development Framework, subject to further investigation of their implications, where appropriate.

185. Proposed Sale of Housing Revenue Account Land for the Development of Affordable Housing at Dane Avenue, Morrill Close and Chapelfields Road

Members considered a report which sought approval for the leasehold sale of three Housing Revenue Account (HRA) owned sites to housing associations, for the building of new affordable homes for rent. The sites in question were located in Dane Avenue, Chapelfields Road (the former Chapelfields Play Area) and Morrill Close.

The report outlined three options for Members' consideration:

Option 1 – to support the long leasehold sale of all or some of the sites, subject to satisfactory planning permissions being obtained. This was the recommended option, on the basis that it would contribute towards meeting the Council's affordable homes target, help address a shortage of family homes, enable access to an estimated £1.25m of government subsidy and provide opportunities to increase security at two of the sites.

Option 2 – not to support development of the sites.

Option 3 – to sell the freehold of the three sites for private housing development at the best price achievable via an informal tender procedure. A full analysis of the options was set out in paragraphs 42 to 46 of the report. On balance, Option 1 was considered to achieve the best outcome in respect of the Council's financial, affordable housing and corporate priorities.

Members commented on the increasing difficulty in finding Council owned land for housing development. They also noted the concerns expressed about a lack of children's play facilities in the Chapelfields area and the need to establish an alternative playground within the Westfield school boundary.

RESOLVED: (i) That Option 1 be approved, and the long leasehold sale of all or some of the three sites to housing associations

be supported, on the basis outlined in the report and subject to:

- a) Satisfactory planning permissions being obtained for development of the sites as affordable housing.
- b) An alternative playground, plus dedicated public open space being provided to serve the Chapelfields community.
- c) Officers giving consideration, in developing the proposals further, to the requests of the Shadow Executive, that is:
 - that there should be a more comprehensive redevelopment scheme for the wider area in relation to Morrith Close, “as there are two other derelict sites that could be used for affordable housing” (and possibly incorporating improvements to the 68 Club);
 - provision of a communal garden area for the use of existing Morrith Close area residents;
 - designing the scheme to avoid potential overlooking problems in relation to the Dane Avenue proposals.

REASONS: a) To increase the stock of affordable family housing in York, to which the Council will have nomination rights, thus helping to meet the housing needs of York residents who are unable to access the private housing market;

b) To respond to the concerns of the Shadow Executive and Ward Members in respect of the proposed developments, and to ensure that a co-ordinated area approach is taken to the developments.

(ii) That approval of the precise boundaries, and the net capital receipt received for the sites, be delegated to the Head of Housing Services and the Corporate Landlord.

REASON: To avoid unnecessary delay in progressing the sale.

(iii) That the method of calculating discretionary payments to tenants for the loss of use of part of their gardens, as detailed in paragraph 17 of the report, be approved as policy.

REASON: This will provide a consistent basis for the calculation of such sums should any similar circumstances arise in the future.

Note: Cllrs Sue Galloway, Macdonald and Reid left the room during consideration of the above item and took no part in the discussions or decisions thereon.

S F Galloway, Chair
[The meeting started at 2.00 pm and finished at 2.55 pm].