



Notice of a public meeting of

Decision Session - Combined Executive Member Decision Session

To: Councillor Kilbane (Deputy Leader of the Council and Executive Member for Economy and Culture)

Date: Tuesday, 7 October 2025

Time: 10.00 am

Venue: West Offices - Station Rise, York YO1 6GA

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00pm on Tuesday, 14 October 2025**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any items that are called in will be considered by the Corporate Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5:00pm on Friday, 3 October 2025**.

1. Appointing a Chair

To confirm arrangements for chairing the meeting as follows:

Councillor Kilbane – All agenda items 1-7, including Heworth Without Multi Use Games Area (MUGA) Outcome and Next Steps.

2. Apologies for Absence

To receive and note apologies for absence.

3. Declarations of Interest (Pages 5 - 6)

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see attached sheet for further guidance for Members]

4. Minutes (Pages 7 - 18)

To approve and sign the minutes of the Combined Executive Member Decision Sessions held on 5 August and 2 September 2025.

5. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee. Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Friday, 3 October 2025.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services.

Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

6. Heworth Without Multi Use Games Area (MUGA) Outcome and Next Steps (Pages 19 - 30)

This report will outline the reasons why the MUGA could not be delivered in line with the consultation outcomes, including that the Heworth Without Parish Council (HWPC) on 28 April 2025 'Resolved that HWPC does not wish to have a MUGA on Stray Road Play Area/Playing field'. The next steps will also be considered for the s106 funding allocation of £46.7k.

7. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

Alternative formats

If you require this document in an alternative language or format (e.g. large print, braille, Audio, BSL or Easy Read) you can:



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我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

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City of York Council	Committee Minutes
Meeting	Decision Session - Combined Executive Member Decision Session
Date	5 August 2025
Present	Councillor Lomas (Executive Member for Finance, Performance, Major Projects, Human Rights Equality, and Inclusion) Councillor Kilbane (Deputy Leader of the Council and Executive Member for Economy and Culture) Councillor Steels-Walshaw (Executive Member for Health, Wellbeing and Adult Social Care)
In Attendance	Jonathan Byrne (Head of City Strategy and Partnerships) Nick Collins (Head of Property Services) Graham Hogben (Asset Manager) Garry Taylor (Director of City Development)

18. Appointing a Chair (10.04am)

The Executive Member for Finance, Performance, Major Projects, Human Rights Equality, and Inclusion opened the Decision Session. She explained that she would Chair the Decision Session until Agenda Item 6 - Application for Community Right to Bid under the Localism Act 2011 (The Fox Inn, Stockton on the Forest), after which the Deputy Leader of the Council and Executive Member for Economy and Culture would then take over as Chair for Agenda item 7 – York Economic Inactivity Trailblazer and Agenda Item 8 – Urgent Business.

19. Apologies for Absence (10.05am)

Apologies for absence were received and noted for Cllr Fisher, who had been registered to speak at the Decision Session.

20. Declarations of Interest (10.05am)

The Executive Members were invited to declare any personal interests not included on the Register of Interests, any prejudicial interests, or any

disclosable pecuniary interests that they might have in respect of business on the agenda. There were none.

21. Minutes (10.05am)

Resolved: That the minutes of the Environment and Climate Emergency Executive Decision Session held on 20 May 2025 and the Minutes of the Combined Executive Member Decision Session held on 1 June 2025 approved and signed by the Chair as a correct record.

22. Public Participation (10.06am)

It was noted that there had been one registration to speak at the meeting under the Council's Public Participation Scheme. Flick Williams spoke on Agenda item 7 – York Economic Inactivity Trailblazer. She explained that long term absence was complicated. She made a number of comments in relation to the barriers to work faced by different groups of people the trailblazer was intended to support. The Chair thanked her for her comments.

23. Application for Community Right to Bid under the Localism Act 2011 (10.06am)

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion considered a report detailing an application to list The Fox Inn, 90 The Village, Stockton on the Forest, York, as an Asset of Community Value (ACV).

The Head of Property Services outlined the report and confirmed that the property met the eligible criteria for the ACV listing. The Asset Manager noted that the new owners of the pub supported the application and he listed the community events that took place at the pub. He added that Cllr Fisher was fully supportive of the application. It was then;

Resolved: That the Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion approves the listing of The Fox Inn, 90 The Village, Stockton on Forest, York, YO32 9UW, as an Asset of Community Value (ACV).

Reason: To ensure the Council meets its legislative obligations (pursuant to the Localism Act 2011 and the Assets of Community Value

(England) Regulations 2012) and promotes community access to community facilities.

[The Deputy Leader of the Council and Executive Member for Economy and Culture took the Chair for the remainder of the Decision Session at 10.12am].

24. York Economic Inactivity Trailblazer (10.12am)

The Deputy Leader of the Council and Executive Member for Economy and Culture considered a report that requested acceptance of York-specific funding agreed as part of the £10m Economic Inactivity Trailblazer, awarded to York and North Yorkshire Combined Authority as part of the government's Get Britain Working programme. The Executive Member for Health, Wellbeing and Adult Social Care was also in attendance for the item.

The Director of City Development thanked the Executive Members for accepting the report. He explained that the York specific was worth £1,038,250 from the York and North Yorkshire Combined Authority (YNYCA), under the Government's Get Britain Working programme (which was is part of a £10m fund overall). He explained that funding would enable the Council to deliver and/or commission a broad range of schemes targeted at supporting residents currently economically inactive, particularly those experiencing ill health, disability, or caring responsibilities, into good jobs, volunteering opportunities, and other forms of positive economic activity.

He explained that the suite of schemes had been developed rapidly and in close partnership with our voluntary sector, health partners, and other local authorities, and was designed to deliver maximum benefit in a single financial year. He added that the schemes were pragmatic, targeted, and focused on those with the greatest barriers to employment. He detailed the delivery risks and mitigation measures to address them. He explained how the programme would meet the Council's strategies and Council Plan.

The Director of City Development then noted the updated recommendation for approval, which was to:

1. Accept funding worth £1,038,250 from the York and North Yorkshire Combined Authority (YNYCA) to deliver and/or commission the individual projects and schemes set out in this paper as part of the Economic Inactivity Trailblazer programme.
2. Approve that City of York Council (CYC) enters into a Grant Agreement with YNYCA for the above funding.

3. Delegate authority to the Director of Public Health, in consultation with the Chief Finance Officer and the Director of Governance, to:
 - Negotiate and conclude the Grant Agreement and any modifications/extensions.
 - Commence and conclude any compliant procurement processes in line with the Council's Contract Procedure Rules and the Procurement Act 2023.
 - Negotiate and agree any onward grant agreements or financial assistance to third parties, ensuring compliance with the Subsidy Control Act 2022.

The reasons for the recommendation were to:

- To support economically inactive residents back into employment, improve public health, reduce inequality, and enhance affordability.
- To ensure compliance with the relevant legal frameworks: Subsidy Control Act 2022, Procurement Act 2023, and the Council's own Financial and Contract Procedure Rules.
- To enable timely and effective delivery of schemes within the single-year funding timeframe.

The Director of City Development noted that the intention was to focus on good jobs. He added that because of the timeframe, the programme had to align with current programmes. He noted that the programme allowed scope for codesigning across sectors.

The Executive Member for Health, Wellbeing and Adult Social Care noted that the Trailblazer funding would support people to be independent. She noted that she knew the challenges faced by people and that with the right support they could thrive. She added that the schemes could be tailored to support people's needs and she was looking forward to how the programme and initiatives would be used across the city.

The Deputy Leader of the Council and Executive Member for Economy and Culture thanked officers, noting that the turnaround for the Trailblazer would be quick. He noted that it would be fair to ask how the money would be spent and he noted that the money would be spent sticking to the social model of disability. It was then;

Resolved: That the Deputy Leader of the Council and Executive Member for Economy and Culture gave approval:

1. To accept funding worth £1,038,250 from the York and North Yorkshire Combined Authority (YNYCA) to deliver and/or commission the individual projects and schemes

set out in the published report as part of the Economic Inactivity Trailblazer programme.

2. For the City of York Council (CYC) to enter into a Grant Agreement with YNYCA for the above funding.
3. To the delegation of authority to the Director of Public Health, in consultation with the Chief Finance Officer and the Director of Governance, to:
 - Negotiate and conclude the Grant Agreement and any modifications/extensions.
 - Commence and conclude any compliant procurement processes in line with the Council's Contract Procedure Rules and the Procurement Act 2023.
 - Negotiate and agree any onward grant agreements or financial assistance to third parties, ensuring compliance with the Subsidy Control Act 2022.

Reasons:

1. To support economically inactive residents back into employment, improve public health, reduce inequality, and enhance affordability.
2. To ensure compliance with the relevant legal frameworks: Subsidy Control Act 2022, Procurement Act 2023, and the Council's own Financial and Contract Procedure Rules.
3. To enable timely and effective delivery of schemes within the single-year funding timeframe.

Cllr Lomas, Chair

[The meeting started at 10:00am and finished at 10:24am].

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Meeting	Decision Session - Combined Executive Member Decision Session
Date	2 September 2025
Present	Councillors Pavlovic, Webb and Lomas
Officers in Attendance	Pauline Stuchfield - Director of Housing and Communities David Walker - Head of Customer Finance Risk & Insurance Paul Morrison - Community Safety Manager

25. Appointing a Chair (10:02)

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion opened the meeting and would chair items 1 to 5. The Executive Member for Housing Planning & Safer Communities would then chair items 6 to 8.

26. Apologies for Absence (10:03)

There were no apologies.

27. Declarations of Interest (10:04)

The Executive Members were invited to declare any personal interests not included on the Register of Interests, any prejudicial interests, or any disclosable pecuniary interests that they might have in respect of business on the agenda. None were declared.

28. Public Participation (10:04)

It was noted that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme.

Flick Williams raised concerns regarding the UK welfare system becoming harder to navigate she also enquires regarding individuals being moved over to Universal Credit from other forms of welfare and whether this will increase Council tax bills on these individuals.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion asked that Flick Williams share her specific concerns relating to Council Tax and Universal Credit with the Executive Member to allow officers to investigate any impact of these changes.

Denise Craghill spoke on behalf of the Green Party. She noted that the party supported the Public Space Protection Orders but had concerns regarding the new additional powers that were to be included within the orders. She raised particular concerns regarding how these powers would affect the homeless and could be used to drive homeless people out of the city.

29. Financial Inclusion/Welfare Benefits Outturn 2024/25 and progress 2025/26 (10:11)

Officers introduced the report highlighting the work the Council has undertaken and the impact this has had working alongside the community voluntary sector. Officers noted that they were seeking the Executive Members to note the support provided to residents to date and agree to delegate any decision-making relating to the Government's expected Crisis and Resilience Fund. Officers also noted that in the future they hoped-for longer-term funding from Government to give more certainty and the opportunity for greater planning around support.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion and the Executive Member for Children, Young People and Education thanked officers and partners for the important services that they provided to support people. The Executive Member noted that the widening levels of inequality in our society was a national scandal which meant the kinds of support the Council provided was important. The Executive Member made particular note of the school holiday support which provided activities to young people and children, as well as, providing balanced meals outside of school term time. The Executive Member welcomed the strong partnership work the Council was engaged with and hoped to see even greater outcomes with partners as the Council moved towards a Local Neighborhood Support Model.

Resolved:

- i. Noted and comment on the details of the report regarding providing support to residents affected by the impacts of the continuing high cost of living;
- ii. Delegated any decision-making relating to the Government's expected Crisis and Resilience Fund (details awaited)

requirements to the Director of Finance (s151) in consultation with the Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion.

Reason: To ensure councillors, residents and stakeholder groups are aware of the ongoing financial inclusion activity across the city.
To ensure the council reacts quickly to any new government.

Councillors Lomas and Webb left the meeting.

Councillor Pavlovic took over the chair at this point in the meeting.

30. Public Space Protection Order City Centre Consultation (10:34)

Officers introduced the report outlining the proposal to go for public consultation on the Public Space Protection Order for the City Centre. It was confirmed that this area had had persistent issues with drinking and begging and North Yorkshire Police believed having a broader public safety protection order like other areas of the country would assist in addressing issues.

The Executive Member for Housing, Planning and Safer Communities noted the comments from public speakers and concerns raised in the media, the Executive Member confirmed that these changes to the Public Space Protection Order would not aim to evict people from York. Officers also clarified in relation to homelessness and rough sleepers the Council had a specific Homelessness and Rough Sleeper Strategy that aimed to make homelessness rare, brief, and non-recurring.

The Executive Member for Housing, Planning and Safer Communities noted that the city centre had issues relating to drinking and aggressive behaviour with an increase in anti-social behaviour in recent months. He welcomed everyone to engage in the consultation.

Resolved:

- i. Approved the decision to consult with the public and partners on the extension of the PSPO which would ensure that the Council would have greater powers to deal with anti-social behaviour within the city walls including the following possible options the council could consider:
 - A ban on drinking alcohol in public within the area;
 - The ability to remove large groups of 3 or more people who are causing anti-social behaviour for both sites;

- Begging, no person shall make any verbal, non-verbal or written request for money, donations or goods, including the placing of hats, clothing or containers so as to cause or is likely to cause harassment, alarm, distress, nuisance or annoyance.
- No return within 24 hours if asked to leave. No person shall, after being requested to leave by an authorised officer due to them behaving in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the city Centre without reasonable excuse, remain or return to the city Centre within a period of 24 hours.
- Loitering, no person shall loiter, sit or lay on the floor or on temporary structures in or adjacent to doorways or around pay machines (including banks, supermarkets) in a manner causing or likely to cause harassment, alarm, distress, nuisance or annoyance to any person within the city Centre.

Reason: To consult on providing the Council with greater powers to deal with anti-social behaviour within the city walls.

31. Public Space Protection Order Union Terrace and Clarence Gardens Consultation (10:50)

Officers introduced the report, outlining that the This item was similar to the Public Space Protection Order for the City Centre and that they were seeking to go to consultation on a Public Space Protection Order for Union Terrace and Clarence Gardens. Officers noted that the area had had issues with anti-social behaviour and drinking. The Executive Member for Housing, Planning and Safer Communities thanked officers for the report and once again encouraged everyone to engage in the consultation.

Resolved:

- i. Approved the decision to consult with the public and partners on the extension of the PSPO which would ensure that the Council would have greater powers to deal with anti-social behaviour in these areas, including the following possible options the council could consider:
 - A ban on drinking alcohol in public within the area;
 - The ability to remove large groups of 3 or more people who are causing anti-social behaviour for the sites.

Reason: To consult on providing the Council with greater powers to deal with anti-social behaviour within the Union Terrace, Clarence Street Gardens and the Groves area.

Councillors Lomas and Pavlovic, Chairs

[The meeting started at 10.02 am and finished at 10.54 am].

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Meeting:	Combined Executive Member Decision Session
Meeting date:	7 October 2025
Report of:	Director of Housing & Communities
Portfolio of:	Deputy Leader and Economy & Culture

Decision Report: Heworth Without Multi Use Games Area (MUGA) Outcome and Next Steps

Subject of Report

1. In accordance with a Section 106 Agreement dated 11 October 2019, on 6 September 2022 the then Executive Member resolved the following in respect of a Multi Use Games Area (MUGA) to be sited in Heworth Without:

That authority be delegated to the Director of Customer and Communities to:

- a. undertake a public consultation on where the MUGA should be sited;
 - b. apply for planning permission for the new scheme on the preferred site as necessary;
 - c. appoint the contractor to undertake the works, in accordance with the council's contract procedure rules and subject to the project being deliverable within the available budget and planning permission being granted.
2. This report will outline the reasons why the MUGA could not be delivered in line with the consultation outcomes, including that the Heworth Without Parish Council (HWPC) on 28th April 2025 '*Resolved that HWPC does not wish to have a MUGA on Stray Road Play Area / Playing field*'. The next steps will also be considered for the s106 funding allocation of £46.7k.

Benefits and Challenges

3. Challenge - this report outlines the non delivery of previous delegations (b and c above) given the outcome of protracted discussions and issues regarding the location and cost of a MUGA in Heworth Without.
4. Benefit – the funding can be still used with a refreshed approach within the boundaries of the original agreement, and the funding is safeguarded for that purpose.

Policy Basis for Decision

5. Aside from statutory planning regulations and a locally determined s106 planning agreement, contents of the report meet the following core competencies set down in the Council Plan.
 - a. **Equalities and Human Rights** - S106 funding for the purpose of sports and leisure activities funds activities that should be able to be available to all in a local area;
 - b. **Affordability** – these facilities should be or low cost to access for local residents;
 - c. **Climate and Environment** – the facilities should be nearby to reduce the need for costly in inefficient travel and transport;
 - d. **Health** – s106 funded activities of this nature contribute to community wellbeing and active activity, improving health healthy lives.

Financial Strategy Implications

6. There is no cost to this report, rather a return of £46.7k funding to be reallocated to another equivalent purpose which meets the relevant planning obligation.

Recommendation and Reasons

7. The Executive Member is asked to:
- a. note the outcome of the original public consultation undertaken in late 2022;
 - b. note the outcome of the Heworth Without Parish Council vote on 28th April 2025;
 - c. authorise the return of the £46.7k s106 Hungate funding for reallocation to a new project;
 - d. agree for officers to work with the planning team on a suitable alternative provision, and Public Health to target health and sports provision needs in the area, securing any associated agreed variations to the original s106 planning obligation.

Reason: To secure the spending of the Section 106 contribution from the Hungate Development for the purposes set down in the planning permission to help meet the demand for increased sports and leisure facilities for children and young people in the area.

Background

Background Information

Planning Decision

8. Pursuant to a Section 106 Agreement dated 21 April 2017 (as varied by Deeds of Variations dated 26 October 2017, 20 December 2017 and 11 October 2019) relating to the Hungate Development, the council secured an Open Space Contribution part of which (£45k) is to be used to build a MUGA in the Heworth Without Ward. The other named schemes are Burnholme Sports Centre and Hull Road Park buildings and sports areas.
9. The Hungate Development required a S106 contribution for Sport because it did not provide on-site facilities. Options for the proposed beneficiaries were considered at a Planning Meeting on 18 April 2019:
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=132&MIId=11088>

This meeting was where the decision was made regarding updates to the S106 through a S106 Deed of Variation.

The Proposed MUGA

10. For the new facility, officers reviewed suitable community sites within the Heworth Without Ward that could support the installation of a MUGA which was to be a free-to-access facility for children and young people.
11. In an Executive Member Decision report dated 6th September 2022 the proposal was made to offer the following options in a public consultation on where the MUGA could best be sited:
 - a. To build a MUGA on the existing grass football pitch in Stray Road Play Area;
 - b. To build a MUGA on the existing Hempland Field;
 - c. To build a MUGA on another site within Heworth Without Ward, to be suggested by consultees, that is in line with the Section 106 agreement.
12. Following the September 2022 report. the public consultation described in Paragraph 17-25 below was undertaken.
13. After the passage of time, by early 2025 it became clear that there was little agreement between different parties around whether to proceed with the MUGA, particularly within the local Parish Council (HWPC).
14. In light of this, had the design work started in preparation for a tender pack this would have put £10k of the expected £46.7k of funding at risk. There was also a financial risk for the Parish Council to be considered as ongoing maintenance costs would fall to the Parish Council in future.

15. The Director (now of Housing & Communities) become aware that the HWPC were aiming to become closer involved in the procurement of the MUGA, but advised them that this sat outside of their powers in this matter. In light of her own delegations from the previous Executive Member decision (in 2022) she asked for a final decision from the HWPC as a major stakeholder in the project, and was informed of the following by the Parish Council made on 28th April 2025:

To vote on whether HWPC wishes to have a MUGA (Multi Use Games Area, with an artificial surface installed on Stray Road Playing Field.

This vote will clarify HWPC's intention to accept the new legal situation, outlined by Pauline Stuchfield on 17th March 2025. HWPC's Clerk will then inform Pauline Stuchfield, CYC Director of Housing and Communities with the outcome of this vote.

It was Reported that CYC Officer has authority to take the MUGA to tender. Currently HWPC cannot vote after tender, which is not what they were initially led to believe, this is why the vote is taking place.

It was Resolved that HWPC does not wish to have a MUGA on Stray Road Play Area / Playing field.

16. As such the Executive Member is being asked to make a decision on the next steps as the Director cannot fulfil her original delegations approved in September 2022.

Consultation Analysis

17. The following options were consulted upon with residents as per the requirements of the 6 September 2022 report:
- To build a MUGA on the existing grass football pitch in Stray Road Play Area.
 - To build a MUGA on the existing Hempland Field.
 - To build a MUGA on another site within Heworth Without Ward, to be suggested by consultees, that is in line with the Section 106 agreement.

18. The public consultation was undertaken from 23 November 2022 through to 30 December 2022, this consisted of publishing the consultation on the council consultation webpage and a public meeting at The Centre @ Burnholme on 13 December 2022.
19. The consultation summary showed the Council survey had 263 respondents of which 80% were in favour of siting a MUGA at Stray Road.
20. 189 / 79.08% said they would use a MUGA in the Heworth Without Ward. 50 / 20.92% said they wouldn't use it. Regarding the preferred location 169 / 80% said Stray Road Play Area and 42 / 19.81% said Hempland Field. 35 comments were received regarding where else should be considered to site a MUGA in the Heworth Without Ward with most popular locations suggested to be: Heworth Stray, within the Hungate area and Burnholme Sports Centre.
21. Regarding the age of respondents 82 / 35.50% were Under 16 and 74 / 32.03% were 40-45 years. Of all the respondents who supplied a home postcode 199 / 75.67% were from a YO31 postcode.
22. At the same time Heworth Without Parish Council (HWPC) pursued their own survey with the following questions and responses with a deadline of 3 January 2023.
 - They had 149 respondents. 74 respondents selected *I would like a MUGA on Stray Road Playing Field*, 65 respondents selected *I do not want a MUGA on Stray Road Playing Field*.
 - 41 respondents selected *I would like the alternative offer of a separate basketball shooting area (one goal) and moveable goal mouths on Stray Road Playing Field*, 24 respondents selected *I do not want any additional sport facilities on Stray Road Playing Field*.
 - The HWPC suggested that a number of responses should not be taken into consideration as they appeared to be photocopied or from the same household. If the questionable papers are taken out 74 becomes 15 in favour of a MUGA on Stray Road and 65 becomes 63 not wanting a MUGA on Stray Road.

23. The HWPC Survey did not ask about Hempland Field as this is just outside the Parish Council's boundary.
24. The HWPC Survey does not reflect the delegated options given to the Assistant Director by the Executive Member on 6 September 2022 and therefore would not be taken into account any officer decision to progress to procurement.
25. Notwithstanding this, all results are shown for transparency but given that the HWPC survey has been disregarded for the purpose of this decision, no further scrutiny of the alleged questionable papers has been undertaken.

Options Analysis and Evidential Basis

26. The current Executive Member is being asked to rescind the previous delegation from the former Executive Member decision as outlined in paragraph 1b and c above, despite the consultation outcome in 2024 which the HWPC originally disputed. The HWPC appeared to eventually accept the site to progress to the design and procurement phase, with the possible intention of not appointing a contractor after procurement. The funding would be returned to be allocated back into the funds for the original areas as specified in the 2019 Deed of Variation. Further variations to the agreement can be made if all signatories are in agreement, this would need to be initiated and costs borne by the council. This decision is recommended.
27. The Executive Member could accept the original consultation outcome, however the key stakeholder, the Parish Council is likely to be opposed to the site and its ongoing costs. Given the passage of time this is no longer recommended.
28. The Executive Member could consider recommencing the process with a fresh up to date consultation, including the option not to have a MUGA at all. This is not guaranteed to have any new outcome, and in the meantime the s106 money remains unspent when it could be delivering positive health and wellbeing outcomes for residents. This option is not recommended.

Organisational Impact and Implications

29.

- **Financial**, A sum of £46.7k is held within the council accounts paid by the developer for expenditure on open spaces. Further variations to the agreement can be made if all signatories are in agreement, this would need to be initiated and costs borne by the council.
- **Human Resources (HR)**, there are no Human Resources implications to this report.
- **Legal**, there are no additional legal implications of this report, Any changes to the Section 106 Agreement would need to be agreed by all parties to the Agreement and formally executed as a Deed of Variation.
- **Procurement**: All works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Further advice regarding the procurement process and development of additional procurement strategies must be sought from the Commercial Procurement team.
- **Health and Wellbeing**: While open spaces for exercise and leisure are welcome, the continued use of MUGAs (Multi-Use Games Areas) is not supported. Evidence, including *Make Space for Girls (2021)*, highlights that MUGAs are often male-dominated and exclusionary by design—described as "caged areas" that discourage use by girls and younger or less confident individuals.

Consultation appears to have focused solely on the inclusion of a MUGA, rather than asking the broader question: "What kind of facility should we have?" This overlooks successful alternative models, such as the community-led *Creating Space for Teenage Girls* project in Rowntree Park.

Public Health recommends reconsidering both the locations proposed for MUGAs and the assumption that a MUGA is the default or only option. Feedback from residents, HWPC, and evidence against the inclusivity of MUGAs should inform a broader, more inclusive approach—one that also considers the needs of older people, currently unaddressed in the proposal.

- ***Environment and Climate action***, there are no direct environment and climate action implications of this report.
- ***Affordability***, The recommendations in this report mean that free to use facilities will no longer be available at the original site selected by public consultation. It is hoped that the recommendation will ensure an alternative facility will become available for use in the near future.
- ***Equalities and Human Rights***, whilst there was an EIA for the original proposal, this may change if the recommendation in this report is to be supported. It is likely that any new projects are likely to have positive impacts but of a different form given the nature of funding, and requirement to have accessible and affordable facilities.
- ***Data Protection and Privacy***,
The data protection impact assessment (DPIAs) screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be reviewed following the approved recommendations and options from this report and a DPIA completed if required.
- ***Communications***,
This issue will be dealt with as part of business as usual reactive corporate communications support, should the need arise. No proactive corporate communications around the decision at this point. We may wish to highlight next steps for the reallocation of funding at an appropriate time.
- ***Economy***, there are no economic implications of this report.

Risks and Mitigations

30. In compliance with the council's risk management strategy the main risks that were identified in this report are those which could lead to the inability to meet business objectives and failure to meet stakeholders' expectations, which was the case. The action proposed in this report seeks to mitigate these impacts and the risk score has been assessed at "Low". This means that the risk level is acceptable and that regular active monitoring of progress against delivery of an alternative scheme will be required.

Wards Impacted

31. Heworth Without Ward.

Contact details

For further information please contact the authors of this Decision Report.

Author

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Service Area:	Housing & Communities
Report approved:	Yes
Date:	29 September 2025

Background Papers:

Planning Committee 18th April 2019

Agenda for Planning Committee on Thursday, 18 April 2019, 4.30 pm (york.gov.uk)

Decision Session – Executive Member for Culture, Leisure and Communities 6th September 2022

Agenda for Decision Session - Executive Member for Culture, Leisure and Communities on Tuesday, 6 September 2022, 10.00 am

Annexes

None

Abbreviations

CYC	City of York Council
DPIA	Data Protection Impact Assessment
EIA	Equalities Impact Assessment
HWPC	Heworth Without Parish Council
k	Thousand
MUGA(s)	Multi Use Games Area(s)

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