

Meeting	Executive
Date	28 January 2016
Present	Councillors Steward (Chair), Aspden (Vice-Chair), Ayre, Brooks, Carr, Gillies, Runciman and Waller
Other Members participating in the meeting	Councillors D'Agorne and Looker
In attendance	Councillors Craghill, Hayes, Kramm and Warters

97. 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.

98. Minutes

Resolved: That the minutes of the last meeting of the Executive held on 15 December 2015 be approved and signed by the Chair as a correct record.

99. Public Participation

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme, and that four Members of Council had requested to speak on the following items:

Matters Within the Remit of the Committee

Brian Watson spoke to acknowledge that, whilst he was aware that the Community Stadium was a long term project he felt that there was little detailed information available about the future proposals.

Cllr Warters spoke to request a review of the Article 4 Direction by the Council's Local Plan Working Group to consider lowering the threshold for student housing.

Additional Primary School Places for Southbank

Cllr Kramm spoke to thank Members for postponing consideration of the Southbank report to the Committee's February meeting which would allow time for consideration of residents views raised at the recent public meeting.

Cllr Hayes also spoke to thank the Executive for agreeing to defer their decision in relation to the proposed options for additional primary school places for the area. He highlighted the need to build in sufficient time for consultation in future projects.

Children's Services Education and Skills Transport Contract (Taxis and Minibuses)

Cllr Kramm confirmed that he had passed on his comments to the Executive Member regarding the use of low emission vehicles in relation to this contract for her consideration. He stated that the use of such vehicles would be key in tackling air pollution and he put forward amendments to paragraph 21 of the report regarding the service specification for the new contract.

Business Improvement District for York City Centre

Cllr Craghill spoke as a Guildhall Ward Member, to support the general principle of the Business Improvement District (BID). However, with a wide range of stakeholders on the BID Board she raised concern that this did not include a local Ward representative and requested further consideration be given to this at the Board's Annual General Meeting.

Inquiry into the Flooding in York over the Christmas period

Gwen Swinburn spoke to raise her concerns at the addition of this late report, using the urgency provisions.

100. Forward Plan

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

In answer to questions raised, it was confirmed that the Community Stadium Lead Members Group would continue to meet as work progressed and that the March Executive meeting had been brought forward to 17 March to ensure that any recommendations relating to the Stadium could be considered at Council on 24 March 2016.

101. Additional Primary School Places for Southbank

Members considered a report which set out in detail the options for providing additional primary school places in the Southbank area of the city, following a consistent rise in demand and trends in the area.

The Executive Member referred to the recent public meeting called by Ward Members to discuss the options for providing the additional school places. In order to take account of the issues raised at the meeting she moved deferral of the report to the Committee's February meeting and it was

Resolved: That consideration of the options for providing additional primary school place in the Southbank area of York be deferred until the Committee's next meeting on 11 February 2016. ¹.

Reason: To allow for full consideration of residents comments following the recent public meeting .

Action Required

1. Defer to 11 February Executive Meeting.

JP

102. Children's Services Education and Skills Transport Contract (Taxis and Minibuses)

Consideration was given to a report on the current Children's Services Education and Skills (CSES) directorate contract for taxis and minibuses which was due to expire on 31 August 2016.

It was noted that the contract currently provided all taxi and mini-bus customer requirements which included mainstream and Special Education Needs home to school transport, contact visits and other ad hoc children's transport requirements.

In view of the success of the current contract and lessons learnt a four year contract was now proposed with a reduction in the procurement lots to three:

- Lot 1 – Applefields & Hob Moor Oaks
- Lot 2 – Contact Service
- Lot 3 – All other CSES Transport

Consideration was given to a request to amend paragraph 21, in the report, to relate to the use of ultra low emission vehicles (with a tailpipe CO2 emission of 75g/km or less) together with the option to extend the contract for a further 3 years by which time all vehicles would be required to comply with this requirement.

Officers confirmed that if Members felt that environmental impact was an important criteria that this was a technical issue which should be brought to the attention of the procurement team.

Following further discussion it was

Resolved: That Executive agree to:

- (i) Commence the process to procure a new transport provider(s); ^{1.}
- (ii) Consider a further paper at a later date to consider changes to the Children's Services, Education and Skills transport policy. ^{2.}

Reason: To ensure that contract(s) are in place to provide the required services (as set out in paragraph 2 of the report) from the 1 September 2016.

Action Required

1. Commence procurement. ME
2. Add report to consider transport policy changes to Council's Forward Plan. ME

103. Business Improvement District for York City Centre

The Executive considered a report which updated Members on the November 2015 vote, by city centre businesses, in favour of a new Business Improvement District (BID) for York city centre.

It was noted that of around 1,150 businesses within the Guildhall, Micklegate and Fishergate Ward, 76% had voted in favour of the BID, which provided a combined rateable value of 80%. As the billing authority, the Council would collect and transfer funds to the BID company and bill the levy payers annually with any administration costs being capped at £25k.

In response to the request for members of city centre wards to have input into the BID the Executive Member confirmed that the two Council Board representatives would arrange to meet ward members prior to future Board meetings.

The Chair confirmed that, in view of the size of the Board membership consideration may be given to possible modifications at the annual general meeting. Other Members raised concerns at the filling of the two CYC posts by the administration Leaders and raised the importance of accountability, transparency and resident engagement.

Resolved: That Executive agree to:

- (i) Note the draft Memorandum of Understanding (MoU) and Operating Agreement, included in Annex A and give the Assistant Director Governance and ICT the authority to negotiate and agree the final terms with the Business Improvement District (BID) board. ¹.
- (ii) The request from the BID board for a cash flow loan of £50,000 that allows the Business Improvement District to become active as soon as possible. This will be reimbursed to the Council from the BID levy by Summer 2016. ².
- (iii) Cllrs Steward and Aspden representing the Council on the BID board, with Officers attending meetings where appropriate.

- (iv) That Officers work with the Business Improvement District to arrange a mechanism to ensure that members from the city centre wards are able to have an input into the BID. ^{3.}

Reason: To support the successful implementation of the Business Improvement District in York.

Action Required

- 1. Negotiate and agree final terms of MoU for the provision of services with the BID Board. AD
- 2. Provide cash flow loan as agreed. PW
- 3. Implement CYC representation on Board and a mechanism for city centre ward members to input into the work of the BID. PW

104. Urgent Item: Inquiry into the Flooding in York over the Christmas period

Consideration was given to a report, which had been added to the agenda as an urgent item in order to allow the full Executive to consider proposals for an inquiry into the flooding in York over the Christmas period 2015.

As it was important that the public received a clear and early statement as to how the Council would take a lead in this matter, Group Leaders had recommended the setting up of an Independent Inquiry. Draft terms of reference and a role description for the appointment of a Chair had been prepared at Annexes A and B of the report.

In answer to earlier questions Executive Members confirmed that the Group Leaders had agreed that the Chairs appointment would be undertaken by the four Group Leaders. A report would be submitted to the Staffing Matters and Urgency Committee setting out details of the process for the selection of the Chair and Panel Members. Also in view of interest in the Inquiry it was suggested that the terms of reference be brought back to the next Executive meeting.

The Chair asked for a record to be made of his appreciation and thanks to all volunteers and staff for their hard work and support during the recent flooding in the city.

Resolved: That the Executive agree to:

- (i) Confirm the decision to hold an inquiry; ¹.
- (ii) The Chief Executive, in consultation with the Inquiry Chair, being delegated the power to make minor amendments to the draft terms of reference subject to the terms being brought back to the Executive on 11 February for final approval. ².

Reason: To allow appropriate lessons to be learned to inform future planning.

Action Required

- 1. Proceed with arrangements for independent inquiry. AD
- 2. Amend draft terms of reference as felt necessary and submit to the next Executive meeting for approval. AD, JP

Cllr C.Steward, Chair

[The meeting started at 5.30 pm and finished at 6.20 pm].