

Meeting	Executive
Date	15 December 2015
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 N Barnes, Hayes, Kramm and Levene

Part A - Matters Dealt With Under Delegated Powers

84. 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.

Councillor Waller declared a personal non prejudicial interest in respect of Agenda item 8 – Discretionary Rate Relief Awards 2016/18 as Treasurer of Chapelfields Community Association based at Sanderson House, Acomb.

85. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during consideration of the following items: Annex 2 to Agenda Item 6 (York Central & Access Project) on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

Annexes A to C to Agenda Item 10 (Holiday Pay & Overtime) on the grounds that they contain information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority or of which a claim to legal professional privilege could be maintained in legal proceedings. This information is classed as exempt under paragraphs 4 and 5 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

86. Minutes

Resolved: That the minutes of the last meeting of the Executive held on 26 November 2015 be approved and signed by the Chair as a correct record.

87. Public Participation

It was reported that there had been five registrations to speak at the meeting under the Council's Public Participation Scheme and that three Members of Council had also requested to speak on items, details of which are set out below:

Matter within the remit of the Committee

Brian Watson referred to points he'd raised at a previous Executive meeting regarding the Community Stadium. He also queried a number of additional points relating to the Stadium, including details of the A1 planning consent, the leases and size of units and possible conflict between the refreshment offers proposed at the site.

York Central and Access Project

Stephen Hind, from Network Rail, expressed his support for the development of the York Central site. He referred to the challenges the site posed and to Network Rail's investment in the site with the opening of the railway operating centre, the largest in the country, adjacent to the railway station. He asked Members to support the development going forward to bring

new infrastructure to the site which was crucial to the city's economy.

Paul Kirkman, Director of the National Railway Museum, also spoke in support of the proposals confirming that the development would transform the Museum and provide a much needed facelift, putting the Museum at the heart of the city centre, increase footfall and economic benefits to the city.

Dilys Jones, representing the Homes and Communities Agency referred to the Agencies work to align investment and funding opportunities for both public and private partners to provide high quality homes and meet the employment needs of areas in a sustainable way. She referred to their work to bring forward and transform the brown field York Central site.

Councillor Levene spoke to welcome the progress made and to express the Labour Groups support for the proposals. He highlighted the need for strong partnership working which they felt would be important in order to achieve the ambitions for the area. He did however raise concerns that the site should not provide high density homes at the expense of family housing and office space.

Cllr Kramm referred to the exciting opportunities the York Central site offered. He asked however that further consideration should be given to school places, air pollution in the Holgate and Leeman Road areas, promotion of a car free development, accessibility for vulnerable groups and a business case for a tram train.

Council Tax Support – Consultation Decision Report

Susan Wood, representing Advice York, spoke in respect of the consultation results, referring to the strong public support in relation to changes to the Council's Council Tax Support scheme. She requested Members to reconsider the support and reduce the level they charged to customers from 30% to 17% by increasing the cap to 83% to help struggling residents.

Councillor Neil Barnes thanked Officers for their work in relation to the consultation and the detailed report. He highlighted that his recent motion to Council had made changes to the scheme and the Council's budget possible. He also questioned the

reasons for not supporting the 17% level requested by Advice York.

88. 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 Members questions Officers confirmed that the reports on Procurement of an Integrated Wellness Service Pilot Programme and the Building Stronger Communities – Adult Social Care funding, previously scheduled on the Forward Plan for this meeting, had been withdrawn in order ensure co-ordination with the wellness programme and public health. It was confirmed that they would be taken forward as part of a wider project and reported back to the Executive at a later date.

89. York Central and Access Project

[See also Part B minute]

Consideration was given to a report which set out progress in the establishment of deliverable proposals for the regeneration of the York Central site. Members were asked to agree a range of actions, including the establishment of a delivery partnership, ways in which to complete land assembly and the approach to planning and commencement of public consultation.

Officers further set out the proposals for the site, highlighting the importance of engagement with residents, businesses and partners in the future development. Officers confirmed the recent award of Enterprise Zone status for the site which would provide funding for infrastructure costs to take the development forward. Officers also highlighted ongoing discussions with Unipart in relation to their land ownership and to assistance being provided to ensure that both the business and their employees remained in the York area.

Members welcomed the report and expressed their support for the regeneration proposals and the suggested approach for delivery of the scheme.

In answer to questions Officers confirmed that comments relating to school provision, low carbon development, use of a

district heating system and sustainable access would be noted as part of the development plan consultation.

The Chair also welcomed the report and thanked earlier speakers for their comments and support. In view of ongoing discussions he requested an amendment to the first recommendation to include a reference to 'all third party land' rather than 'that currently owned by Unipart.'

Following further discussion it was

Resolved: That Executive agree:

- (i) To instruct officers to take all necessary preparatory steps to proceed with Compulsory Purchase Orders (CPO) for all third party land on York Central, to be undertaken in parallel with a negotiated acquisition.
- (ii) To delegate to the Leader the authority to agree the final purchase price, following a negotiated acquisition of land off Leeman Road, in advance of the potential initiation of CPO's, to be funded from the £10m set aside to support the delivery of York Central.¹
- (iii) To agree an emerging York Central Planning Policy as part of the development of the Local Plan.
- (iv) To agree to initiate an informal public consultation on the future development of the York Central site in order to inform the development of a formal Planning Framework.
- (v) To endorse officers to negotiate a detailed partnership agreement with land owners and investors to jointly deliver the York Central Scheme and to bring this back to Executive for agreement.²
- (vi) To bring back to Members a funding strategy to deliver upfront infrastructure to facilitate development of the York Central site, setting

out how any investment will be repaid from future retained business rates arising from the award of Enterprise Zone status and from development values from the York Central site.³.

- (vii) To undertake due diligence on the most appropriate corporate instruments for City of York Council to use to engage in developing a York Central Partnership and to bring this back to Executive as part of the proposal for a legally binding partnership.
- (viii) To delegate the Chief Executive, in consultation with the Leader and Deputy Leader the agreement of the procurement of advisors for the partnership.⁴.

- Reason:
- (i) To complete the land assembly of the York Central site to ensure that a development scheme can be delivered.
 - (ii) To complete the land assembly of the York Central site to ensure that the land required for key infrastructure is available and so a development scheme can be delivered.
 - (iii) To inform the site allocation within the developing Local Plan.
 - (iv) To ensure public engagement in the ongoing development of plans for York Central.
 - (v) To put in place effective partnership arrangements to ensure York Central is developed.
 - (vi) To secure any investment made by the City of York Council.
 - (vii) To create robust delivery arrangements for the York Central project.
 - (viii) To provide the partnership with a range of professional advice specifically focussed in the long term benefit interests of the partnership.

Action Required

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| 1. Prepare to proceed with CPO's in conjunction with negotiated acquisition. | TC |
| 2. Agree York Central Planning Policy for Local Plan; proceed with informal public consultation and negotiation of a partnership agreement. | TC |
| 3. Add reports to Council's Forward Plan for approval of a partnership agreement and funding strategy for the site. | TC |
| 4. Proceed with due diligence and the procurement of advisors as agreed. | TC |

90. Discretionary Rate Relief Awards 2016/18

Consideration was given to details of new applications received for Discretionary Rate Relief (DRR) for the period 1 April 2016 to 31 March 2018, at Annex B of the report.

Members noted the qualifying criteria and that the Council's budget for DRR in 2016/17 was £83k. With increases in value of existing awards, together with the new applications, this would increase the total value of the awards to £73,611.86 for the forthcoming year.

Consideration was given to the following options:

Option 1 – Approve the new applications for discretionary rate relief set out at Annex B;

Option 2 – Decline the new applications for discretionary rate relief set out at Annex B.

Resolved: That the Executive approve the new applications for discretionary rate relief for the period 1 April 2016 to 31 March 2018, as set out at Annex B of the report.
1.

Reason: To provide a transparent process for awarding discretionary rate relief.

Action Required

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| 1. Confirm approval of new DRR awards listed at Annex B. | DW |
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91. Review of Fees & Charges

Members considered a report which sought their approval to increase the following range of Council fees and charges, with effect from 1 January 2016:

- Registrars
- Community Centres
- Bereavement Services
- Waste Services
- Parks & Open Spaces
- Housing Services and
- Planning

It was noted that additional income of £103k would be generated in 2016/17 from these increases, mainly from Bereavement Services and Housing and that a number of additional service areas were to be examined as part of the budget strategy.

Consideration was then given to the following options:

- 1 – Agree the fees and charges as set out in the annexes to the report.
- 2 – Agree a different increase to that proposed.

Following discussion it was

Resolved: That the Executive approve option 1 to increase the relevant fees and charges, with effect from 1 January 2016, as set out in the annexes to the report.¹.

Reason: To enable the Council to effectively manage its budget.

Action Required

1. Implement new charging rates from 1 January 2016.

JC

92. Holiday Pay & Overtime - A Further Report

The Executive considered a report which presented them with the pay and process implications relating to the mitigation and resolution claims for historic back dated holiday pay.

It was noted that negotiations had been undertaken with the recognised trade unions and that 70% of employees involved in the claims fell in to the lower half of the Council's pay and grading structure. Officers thanked the Unions for their constructive engagement in these discussions.

Resolved: That the Executive agree to the partial settlement option relating to back dated holiday pay claims made on a "regular and systematic" basis, as detailed in paragraph 22 of Exempt Annex A, for immediate implementation for the under mentioned reasons.¹.

Reason: In order to deal with claims against the Council and mitigate against potential new claims.

Action Required

1. Implement the partial settlement option for claims.

PS

93. ICT Services Report

Consideration was given to a report which provided Members with an overview of the roles, aspirations and challenges facing the Council's ICT services and its relationship to service efficiency and effectiveness.

Members noted the list of recent achievements and to continuing development and future challenges with continuing budget reductions.

Resolved: That the ICT services report be received and noted, in particular the achievements, the ongoing and future ICT aspirations, opportunities, developments and challenges.

Reason: To update the Executive on the work of the ICT service.

94. Lord Mayoralty 2016/17

Consideration was given to a report which asked Members to consider the points system for the annual nomination of the Lord Mayor for the City of York Council.

It was noted that the system for nominating the Lord Mayor was based on the accumulation of points determined by the number of seats held by each particular Group on the Council and that, with a total of 28 points; the Green Group would qualify for the Lord Mayoralty in 2016/17.

Resolved: That the Executive invite the Green Group to nominate the Lord Mayor for 2016/2017, in line with the existing accumulated points system.¹.

Reason: To ensure that the Council secures the necessary leadership to undertake its civic functions and provides continuity for future selection.

Action Required

1. To note that the Green Group will nominate the next LM.

AP

Part B - Matters Referred to Council

95. York Central and Access Project

[See also Part A minute]

Consideration was given to a report which set out progress in the establishment of deliverable proposals for the regeneration of the York Central site. Members were asked to agree a range of actions, including the establishment of a delivery partnership, ways in which to complete land assembly and the approach to planning and commencement of public consultation.

Officers set out the proposals for the site, highlighting the importance of engagement with residents, businesses and partners in the future development. Officers confirmed the recent award of Enterprise Zone status for the site which would provide funding for infrastructure costs to take the development forward. Officers also highlighted ongoing discussions with

Unipart in relation to their land ownership and to assistance being provided to ensure that both the business and their employees remained in the York area.

Members noted that £10m had been earmarked in December 2013 towards the delivery of York Central, of which £500k had been released to support technical work. Officers confirmed that additional resources were now required to fund professional advisers and assist in the purchase of land off Leeman Road.

Recommended: That Council delegate the Executive the agreement of all future expenditure against the £10m capital budget allocated to the delivery of the York Central capital budget.¹.

Reason: To enable timely progress on delivery of the York Central site.

Action Required

1. Refer to Council.

JP

96. Council Tax Support - Consultation Decision Report

The Executive considered a report which provided details of consultation undertaken with residents regarding the level of financial assistance provided by the Council in respect of its Council Tax Support Scheme (CTS). This included an analysis of the customer consultation feedback, including the costs of the various options, welfare benefit changes and levels of financial support provided by other unitary authorities.

Members were asked to note that any cost would be reflected in a lower Council Tax base number, resulting in a lower level of Council Tax being collected and that any reduction would be reflected in the budget report to Full Council in February 2016.

Officers presented the results of the consultation and confirmed that the proposed changes in welfare benefits would not be passed on to CTS customers. It was noted that it would require an additional 7.5% increase in the CT cap in order to bring the authority in line with the average cost of Council Tax charged to CTS customers in other unitary authority schemes.

The Executive Member thanked all residents who had taken part in the consultation and to Officers for their work on the report. She expressed her support to bring the Council's

scheme in line with the national average weekly payment and also requested Officers and partners to continue their work with vulnerable residents to access all available assistance.

The Chair highlighted Advice York's support for the authorities' CTS scheme and that their concern had focussed on the level of Council Tax Support cap currently set at 70%.

Members were provided with information regarding the impact of different levels of increased support and following further discussion it was

Recommended: That Council agree to increase the Council Tax Support (CTS) cap by 7.5% to 77.5% cap at a cost of approximately £300k pa, which following changes to welfare benefit will deliver an average annual benefit to CTS customers of approximately £55 pa.¹.

Reason: To support financial inclusion and protect financially vulnerable customers from planned Welfare Benefit changes.

Action Required

1. Refer to Council.

JP

Cllr C Steward, Chair
[The meeting started at 5.30 pm and finished at 6.45 pm].