
MEETING	EXECUTIVE
DATE	14 APRIL 2009
PRESENT	COUNCILLORS WALLER (CHAIR), STEVE GALLOWAY, SUE GALLOWAY, MOORE, REID, RUNCIMAN AND VASSIE

215. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

Cllr Runciman declared a personal, non prejudicial interest in agenda item 6 (Final Report of the 'Cultural Quarter' Ad Hoc Scrutiny Committee) as a Trustee of the York Theatre Royal.

216. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 31 March 2009 be approved and signed by the Chair as a correct record.

217. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

218. EXECUTIVE FORWARD PLAN

Members received and noted details of those items that were currently listed on the Forward Plan for the next two Executive meetings.

219. MINUTES OF WORKING GROUPS

Members considered a report which presented the draft minutes of the meeting of the Social Inclusion Working Group (SIWG) held on 11 March 2009 and asked them to consider the advice given by the Group in its capacity as an advisory body to the Executive.

Members were asked to consider in particular the following recommendation in Minute 43 of the draft minutes attached at Annex A to the report, relating to improvements at York Railway Station:

“That the Executive be requested to give full consideration to the issues raised by SIWG in respect of the proposed changes to the station and to the Equality Impact Assessment when this was submitted by National Express.”¹

Attention was also drawn to the Group’s advice in respect of the Democratic Services Equality Impact Assessment, contained in Minute 40.

RESOLVED: That the minutes of the Social Inclusion Working Group be noted and that the specific recommendations made by the Group in their Minute 43, as set out in paragraph 6 of the report be approved.¹

REASON: In accordance with the requirements of the Council’s Constitution regarding the role of Working Group’s, and in order to take account of the Group’s advice.

Action Required

1. Ensure that the Group's advice is taken into account in any reports to Members regarding proposed changes to the station / National Express's equality impact assessment SS

220. FINAL REPORT OF THE 'CULTURAL QUARTER' AD HOC SCRUTINY COMMITTEE

Members considered a report which presented the findings of the ‘Cultural Quarter’ Ad Hoc Scrutiny Committee following their review of a proposed ‘Cultural Quarter’ for York. Cllr Taylor, who chaired the Scrutiny Committee, and Cllr Hogg, who proposed the original scrutiny topic, were in attendance to present the Committee’s report and answer any questions.

Members were invited to note and comment on the findings of the Committee’s report and to consider the eight recommendations contained within it. The report and recommendations had been endorsed by Scrutiny Management Committee at their meeting on 24 March 2009.

Members thanked the Committee and supporting Officers for their hard work in producing the report and welcomed its emphasis on the Council’s leadership role, working with partners to draw in external funding to help realise a joint vision for the City. They noted that the Council was already supporting a number of cultural developments within the City, including the Minster developments and the Yorkshire Museum refurbishment.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: That the following comments and proposals be agreed in response to the recommendations set out in the Scrutiny Committee’s final report:¹

Scrutiny Recommendation	Comment	Executive Proposal
<p>1 That City of York Council takes the lead in the comprehensive business plan and design masterplan for this area, especially in terms of implementing any changes to the public realm works, pedestrian links etc between the various investment areas.</p>	<p>The City Centre Area Action Plan is still work in progress and so the Scrutiny Report should feed into that Plan in order that there is a comprehensive city centre plan. The Executive recognises the need to set out clear medium term and long-term goals for the development of the part of the city defined as the Cultural Quarter. The report correctly identifies the area between the NRM, York Railway Station and the Minster to York as being of vital significance not only to cultural provision in the city but also as the gateway to the York Central site which is so important to the future development of the city.</p> <p>The Executive acknowledges the work that has been done by York@Large, as representative of the cultural sector across the city.</p>	<p>That the Ad Hoc Scrutiny Committee report is input to the Local Development Framework Team for inclusion with the final submission document which is scheduled for public examination in 2010.</p>
<p>2 That, with the backing of partner organisations*, the Chief Executive of City of York Council opens negotiations with Yorkshire Forward and other appropriate public bodies with regard to funding the proposed cultural master plan for the city and seeking</p>	<p>The funding for the City of York Council area from Yorkshire Forward is being developed through the “Geographic Programme” (to cover the period 2009/14) for which Yorkshire Forward are in the process of putting more detail into how the</p>	<p>That the Chief Executive and Leader include reference to the ‘Cultural Quarter’ in discussions with Yorkshire Forward and the Development of the Geographic Programme for York, and that there is a clear reference document on plans</p>

Scrutiny Recommendation	Comment	Executive Proposal
<p>major investment for realising the opportunities available for improvements to the public realm and civic spaces.</p> <p>*Yorkshire Museums Trust, Rushbond PLC, York Theatre Royal, York Minster, National Railway Museum, Kings Manor (University of York), Visit York, York @ Large and appropriate departments within the local authority.</p>	<p>programme will be delivered, and the exact amount of funding that will be allocated.</p>	<p>for a Cultural Quarter.</p>
<p>3. In view of the fact that development of the York North West site will create more traffic both vehicular and pedestrian:</p> <p>i. The Committee recommends that substantial improvements be made to the area known as 'Marble Arch' (both road and pedestrian tunnels).</p> <p>ii. The Committee recommends that City of York Council should seek to agree a new pedestrian/cycle river crossing (linking the National Railway Museum and Museum Gardens) as part of the York North West development plans.</p>	<p>The York Central area is owned by Network Rail who have engaged upon a procurement strategy for development of the area. This would include the improvement of pedestrian access from the City Centre, and a new link across the river in the area discussed. As the land is not in the ownership of the council, the major influence is through the Planning Process, and continued engagement in the York Central Steering Group (which the Labour Leader has tried to kill off prematurely).</p>	<p>That the Scrutiny Report is included in the consultation process for the the York North West Area Action Plan as part of the LDF work in this area.</p>
<p>4. That the Head of Arts & Culture prepares the relevant documentation to propose York as a British City of Culture, should this proposed government initiative go ahead.</p>	<p>See notes below.</p>	<p>That a further report comes to Executive in the next 4 months, or after details have been published by DCMS, to detail the funding and officer time resource in proposing York as a British City of Culture. That this report</p>

Scrutiny Recommendation	Comment	Executive Proposal
		details to the Executive the financial cost, and financial and job creation opportunities.
5. That a wider strategy for 'Cultural Development Areas' within the city as a whole, be pursued by York @ Large to engage other cultural attractions and leisure providers e.g. a Castle Area.	This is a request to York@large	That the York@large board receives the report with a request that it responds to the Executive in the next four months.
6. That the boundary of the proposed 'Cultural Quarter' be used for investment purposes only. That a fixed boundary is not the most appropriate for a 'Cultural Quarter' in the long term and the position of a permeable boundary should, therefore, be revisited by York @ Large at a future date.	This is a request to York@large	That the York@large board receives the report with a request that it responds to the Executive in the next four months.
7. That York @ Large be requested to revisit the name 'Cultural Quarter' as part of the work on the comprehensive business plan and the group should consider either a geographical or historical name for the area.	This is a request to York@large	That the York@large board receives the report with a request that it responds to the Executive in the next four months.
8. That the recommendations of the report commissioned by City of York Council to look at the future of York City Archives be fully implemented to ensure that the Archives are suitably funded and are	The Scrutiny report was received by the Executive on 23/12/08 with the recommendations below being approved. Estimates were received in relation to the possible physical	That the Executive asks officers to establish a group to look at application for funding sources for the relocation of the Archives from the Art Gallery to the Central Library to involve the

Scrutiny Recommendation	Comment	Executive Proposal
presented as a key part of the 'Cultural Quarter' area.	relocation of the Archives to the Central Library. At a meeting between the Leader and Janet Barnes an offer was made by JB to become part of a group to look at a complete funding package for the relocation of the Archives and re-development of the basement of the Art Gallery as it is likely that both schemes would be applying to the same sources of funding and therefore it would be of benefit to both parts of the scheme to develop a coherent plan.	Chief Executive of the York Museums Trust.

REASON: In order to provide an appropriate response to the Scrutiny Committee's recommendations and to ensure that actions are linked where possible with existing plans for the City.

Action Required

1. Liaise with Officers in appropriate departments on action to be taken in response to Executive decisions on the Scrutiny Committee's recommendations GR

221. COUNCIL HEADQUARTERS – UPDATE REPORT

Members considered a report which provided an update on the outcome of Stage 2 of the four-stage procurement process for the delivery of the Council's new headquarters and outlined key activities for the next two stages.

The Stage 2 evaluation of bids was now complete and the following developers and sites had been shortlisted for Stage 3:

- Norwich Union – a redevelopment and revitalisation of Yorkshire House, Rougier Street
- Tarras Park Properties Ltd. – a redevelopment and revitalisation of West Offices, Station Rise.

The shortlisted developers had been invited to submit their detailed proposals by the end of July 2009. In developing their proposals, they would be required to take part in a process of consultation with Council staff and the general public, details of which were set out in

paragraphs 17 to 21 of the report. If successful, each developer would be invited to take part in Stage 4 of the process and submit a tender for their developed scheme.

Following evaluation of the tenders, a recommendation for the award of the contract would be brought to the Executive in December 2009. The overall project was still set to be delivered within the previously agreed timescales of mid to late 2012. It was noted that all costs of the new arrangements to acquire a Council headquarters building had been included within the approved project budget of £43.8m and therefore placed no additional burden on the taxpayer.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the content of the report be noted, with particular regard to the procurement of the new headquarters and the forthcoming process of consultation.

(ii) That Officers be requested to ensure that there is co-ordination of public communications around this period in relation to the production of HQ consultation, Local Development Framework consultation and the Your Ward / Your City publications.¹

(iii) That a further update report be presented to the Executive when the results of public consultation are available and again at the end of Stage 3 of the procurement process in September 2009.²

REASON: To enable Members to monitor the progress of this project and to ensure a thorough and co-ordinated approach to public consultation.

Action Required

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| 1. Liaise with relevant Officers to ensure co-ordination of public communications, as requested | SS |
| 2. Schedule update reports on Executive Forward Plan | SS |

222. SUSTAINABLE COMMUNITIES ACT 2007

Members considered a report which provided an update on the current actions being undertaken by the Neighbourhood Management Unit in response to the motion on the Sustainable Communities Act (SCA) approved at Full Council in November 2008 and sought approval for a suggested course of action to deal with proposals arising from the SCA consultation process.

In agreeing the motion, Council had resolved to *'use the Act by preparing and submitting proposals for local sustainability to central government by 31st July 2009'* and also to encourage local community organisations to hold meetings enabling 'citizen panels' to put forward appropriate

proposals. To help fulfil the second part of this resolution, the Neighbourhood Management Unit (NMU) had taken steps to facilitate discussion of the SCA at the next round of ward committees, scheduled for April and May, and to encourage the involvement of parish councils and community groups. Details of this process (Phase 1) were attached as Annex 2 to the report

To ensure full compliance with the SCA and the associated Statutory Guidance, a wider course of action (Phase 2) was required, involving Officers across a range of Council departments. The proposed course of action, culminating in the submission of the final proposals to government by 31 July, was set out in Annex 3 to the report and summarised in paragraph 8. The process would include the formation of an Officer project group and a Citizens' Panel, and a screening of all proposals by the Without Walls Board before advice was sought from the Executive on which proposals to submit. A list of matters to which the Council must have regard in agreeing and prioritising the proposals was attached as Annex 1 to the report and the detailed information to be submitted with each proposal was set out in Annex 4.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the information provided in paragraphs 3 to 9 of the report and in Annexes 1 and 4 be noted.

REASON: So that Members are informed in detail of the specific requirements of fulfilling the SCA.

(ii) That the current action detailed in Annex 2 be endorsed.

REASON: To approve the actions that have already been carried out by Officers in the Neighbourhood Management Unit to progress the requirements of the Council motion.

(iii) That the proposed course of action and timetable detailed in Annex 3 to the report, to ensure that the Council submits proposals under the SCA which comply with the requirements of the Act and associated Statutory Guidance, be approved.¹

REASON: To ensure that the requirements of the Council motion are fulfilled, along with those of the SCA and the Statutory Guidance.

Action Required

1. Implement proposed course of action and timetable, as agreed

KS

223. VEHICLE MAINTENANCE PROCUREMENT

Members considered a report which provided an update on progress towards the procurement of a replacement for the Council's current vehicle maintenance provider and made recommendations for a short to medium term solution.

The current provider, Defence Support Group (DSG), wished to give up their contract with the City of York Council as soon as possible, along with all their other non-defence contracts, and had offered the sum of £50k to assist with the cost of any future procurement exercise. Because the procurement process would take longer than DSG were prepared to continue working for the Council, a solution would need to be found to enable them to withdraw from their contractual obligations.

Members were invited to consider the following options for management of the service pending the outcome of the efficiency review currently being carried out across the Council by efficiency partners Northgate Kendrick Ash (NKA):

Option 1 – bring the service back in-house and manage it directly. This was not considered a viable option in the short term and could lead to a conflict of interest with the efficiency review.

Option 2 – employ external expertise to manage the service. This would require a procurement exercise, causing further delay, and could also lead to a conflict of interest with the efficiency review.

Option 3 – utilise NKA to manage the service as part of their efficiency review. This was the recommended option, on the basis that NKA already had a track record of success within the Council and would need to manage services directly in order to apply their risk based model as part of the efficiency review.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the options set out in the report be noted.

(ii) That Option 3 - using Northgate Kendrick Ash (NKA) to provide interim management for, and an efficiency review of, vehicle maintenance, to be funded from the Council's Corporate Efficiency Project – be approved.¹

REASON: In accordance with Officers' advice regarding NKA's existing track record of success within the Council and the need for them to manage services directly in order to apply their risk based model as part of the efficiency review.

Action Required

1. Enter into contract with NKA, as agreed

KS

224. URGENT BUSINESS - HOUSING RENT INCREASE 2009/10

Members considered a report which informed them of the revised 2009/10 rent guidelines issued by the Department for Communities and Local Government (CLG) and sought approval to implement a lower rent increase, in line with the revised guidance, backdated to 1 April 2009.

The Chair had agreed to deal with this item as urgent business, to enable a decision to be taken on the matter and communicated to CLG by the deadline of 10:00 am on 24 April 2009.

On 3 February 2009, the Executive had agreed to implement an average rent increase of 6%, in accordance with the original CLG guideline increase of 6.2%. On 6 March, following pressure from tenants' groups and councils (including CYC), the Housing Minister had announced a last minute change. The guideline rent increase would be reduced to 3.1%, with a subsidy available from CLG, backdated to 1 April, to compensate for loss of income. The options available to the Council were to continue with the original agreed increase (Option 1) or approve a revised increase of 2.86%. Option 2 was recommended, on the basis that it would benefit tenants and comply with the revised guidance and that the resulting loss of income would be compensated.

Members expressed regret that the government had not issued this guidance earlier and that, in view of the deadline for consultation with local authorities, the reduced rent increase could not be implemented until the summer. They asked to be informed of the outcome as soon as the results of the consultation were known.

RESOLVED: That Option 2 be approved and that an average rent increase in York of 2.86% be agreed.¹

REASON: In accordance with the revised government guidelines and to ensure a balanced Housing Revenue Account.

Action Required

1. Respond to CLG by 24 April deadline

SB

A Waller, Chair

[The meeting started at 2.00 pm and finished at 3.00 pm].