

## Notice of meeting of

### Executive

<b>To:</b>	Councillors Waller (Chair), Steve Galloway, Sue Galloway, Moore, Reid, Runciman and Vassie
<b>Date:</b>	Tuesday, 28 April 2009
<b>Time:</b>	2.00 pm
<b>Venue:</b>	The Guildhall, York

### AGENDA

#### Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

**10:00 am on Monday 27 April 2009**, if an item is called in *before* a decision is taken, *or*

**4:00 pm on Thursday 30 April 2009**, if an item is called in *after* a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

#### 1. **Declarations of Interest**

At this point, Members are asked to declare any personal or prejudicial interest they may have in the business on this agenda.

#### 2. **Minutes** (Pages 3 - 12)

To approve and sign the minutes of the Executive meeting held on 14 April 2009.

### **3. Public Participation**

At this point in the meeting, members of the public who registered their wish to speak regarding an item on the agenda or an issue within the Executive's remit can do so. The deadline for registering is **5:00 pm on Monday 27 April 2009**.

### **4. Executive Forward Plan (Pages 13 - 14)**

To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.

### **5. Listening, Informing and Working Together: York's Community Engagement Strategy (Pages 15 - 46)**

This report presents for approval a draft Community Engagement Strategy, designed to ensure that the Council and Without Walls (the Local Strategic Partnership for York) can understand what people want and need from them.

### **6. The Barbican Auditorium (Pages 47 - 68)**

This report asks the Executive to agree the next steps in a strategy designed to bring the Barbican Auditorium back into public use.

### **7. Community Stadium - Update Report (Pages 69 - 80)**

This report provides an update on the progress of the Community Stadium project and asks the Executive to endorse the approach being taken and to receive a report on the outline business case at their meeting in June 2009.

### **8. Access York Phase 1 Park & Ride Development - Update and Outcome from the Clifton Moor Site Options Consultation (Pages 81 - 96)**

This report provides an update on the progress of the Access York project, provides information on the consultation exercise for the Clifton Moor site options and seeks a decision on the preferred site to enable the planning process to begin.

**9. Local Area Agreement (LAA) Delivery Fund** (Pages 97 - 126)

This report presents the outcome of the process to assess bids made to the LAA Delivery Fund, together with a list of the projects recommended for funding, and asks Members to support the recommendations of the Executive Delivery Board in funding the short listed projects.

**10. Petition from Sovereign Park Residents** (Pages 127 - 130)

This report provides a response to a petition received from the residents of the Sovereign Park development and presented to Full Council in January 2009, requesting a rebate and reduction in Council Tax.

**11. Code of Corporate Governance** (Pages 131 - 154)

This report presents a draft Local Code of Corporate Governance, for consideration and approval by Executive Members.

**12. Refuse Vehicle Procurement** (Pages 155 - 158)

This report provides details of the procurement process for the replacement of six new refuse collection vehicles and one additional cage collection vehicle and asks Members to approve the outcome of the evaluation process and the making of a purchase order.

**13. Urgent Business**

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

Democracy Officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – [fiona.young@york.gov.uk](mailto:fiona.young@york.gov.uk)

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

Contact details are set out above.

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

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### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

### Access Arrangements

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If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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### **Holding the Executive to Account**

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

### **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

### **Who Gets Agenda and Reports for our Meetings?**

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

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.”<sup>1</sup>*

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.<sup>1</sup>

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:<sup>1</sup>

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 &amp; 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 <a href="#">York@large</a>	That the <a href="#">York@large</a> 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 <a href="#">York@large</a>	That the <a href="#">York@large</a> 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 <a href="#">York@large</a>	That the <a href="#">York@large</a> 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.<sup>1</sup>

(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.<sup>2</sup>

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 31<sup>st</sup> 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.<sup>1</sup>

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

Action Required

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| 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.<sup>1</sup>

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.<sup>1</sup>

**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].

**EXECUTIVE FORWARD PLAN**

<b>Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 12 May 2009</b>		
<b>Title &amp; Description</b>	<b>Author</b>	<b>Portfolio Holder</b>
<p><b>Roll Out of Kerbside Recycling Across the City</b></p> <p><i>Purpose of report: To inform Members of the outcomes of the Groves trials and the timetable for roll out to the remainder of the City.</i></p> <p><i>Members are asked to: Note the outcomes of the Groves trials and to agree the timetable for roll-out.</i></p>	Geoff Derham	Executive Member for Neighbourhood Services
<p><b>Customer Strategy</b></p> <p><i>Purpose of report: The report presents a revised Customer Strategy and Delivery Plan following previous consultation with the Executive in October 2008 and extensive internal and public consultation.</i></p> <p><i>Members are asked to: Approve the final strategy, new Customer First Standards and Customer Care Behaviours, agree the proposed governance arrangements and delivery plan and approve the draft customer leaflet.</i></p>	Jane Collingwood	Executive Member for Corporate Services

<b>Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 26 May 2009</b>		
<b>Title &amp; Description</b>	<b>Author</b>	<b>Portfolio Holder</b>
<p><b>The Efficiency Review</b></p> <p><i>Purpose of report: To report back on the outcomes of the 12 week Efficiency review undertaken by the CYC efficiency Partner, Northgate Kendric Ash. The report will set out detailed findings of the review and proposals for establishing an efficiency programme to deliver £15m savings over three years.</i></p> <p><i>Members are asked to: Approve the proposals contained in the report</i></p>	Tracey Carter	Executive Member for Corporate Services

<p><b>City of York Council Data Quality Policy</b></p> <p><i>Purpose of report: To outline the Data Quality Policy.</i></p> <p><i>Members are asked to: Sign off this corporate policy. It has been used in draft for some time and has been to Audit &amp; Governance Committee. It now needs the Executive's seal of approval</i></p>	<p>Nigel Batey</p>	<p>Executive Member for Corporate Services</p>
<p><b>Single Improvement Plan (SIP) Refresh</b></p> <p><i>Purpose of report: To set out potential topics for inclusion in the 2009/10 Single Improvement Programme.</i></p> <p><i>Members are asked to: Decide on the final list of areas for corporate improvement.</i></p>	<p>Helena Nowell</p>	<p>Executive Member for Corporate Services</p>

<p><b>Table 3: Items slipped on the Forward Plan with the agreement of the Group Leaders</b></p>
<p>None</p>



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**Executive**

28 April 2009

Report of the Chief Executive

# Listening, informing and working together: York's Community Engagement Strategy

**Summary**

1. This strategy is designed to make sure that City of York Council and the Local Strategic Partnership can understand what people want and need from us. It is a response to a number of drivers, especially the new Duty to Involve and (for the council) the Single Improvement Programme (SIP).
2. This report presents the strategy at Annexe A and summarises the consultation process the council has gone through, detailed in Annexe B.

**Background and key drivers**

3. York has a good reputation for community engagement but it is important that we continually improve what we do. The drivers for the strategy are:
  - we want to be sure our services are responsive and meet the needs of our communities, as our communities have a right to know and to have their say
  - we want to be sure our services and policies anticipate future concerns, reasonable aspirations and needs
  - we want active and involved citizens, participating in decisions and shaping services so that they feel that policies and services reflect this involvement and are tailored to local needs
  - we want to be sure that information, consultation and involvement opportunities are provided on the right issues, targeted at the right people in an accessible way
  - we want to have a corporate approach to providing information, consulting and involving, which flows through the organisation from

strategic policies to the individual service delivery, and that this is coordinated with partners

- we want to be sure there is no duplication of effort or risk of overloading stakeholders with uncoordinated engagement.

4. The context for this strategy has been as follows:

- The Comprehensive Performance Assessment said that while there were examples of good engagement, there was an absence of a systematic approach within the council. As a direct response, the council has put new emphasis on engagement by including it in the Single Improvement Plan. In addition, the proposals for the new Comprehensive Area Assessment focus on outcomes of engagement across the city, highlighting the importance of a coordinated approach across the council and city partners. The assessment will look at the process and impact of engagement to delivering empowered residents.
- The Duty to Involve (see point 6 below) comes into force in April 2009. The duty is set out in the Local Government and Public Involvement in Health Act 2007.
- The effective implementation of the new duty will at least in part be assessed by a national indicator, NI14 – the percentage of people who feel that they can influence decisions in relation to the area within a 15-20 minute walk from their home. The council has agreed to the LSP recommendation that NI14 is included as a key measure in the Local Area Agreement. To support the information collected by the Place Survey on this indicator, the Government Office have also developed a framework for NI14. This places a great expectation on quality engagement that leads to an involved population who can influence decisions of the council and our partners. NI14 asks ten key questions (Annexe D). The strategy and toolkit aims to deal with the majority of these issues.
- Research in recent years through the residents' opinion survey and has shown a majority of people feel they do not get enough information. In last years' survey less than half (45%) feel the council keeps them very or fairly well informed. Only 37% are satisfied with the opportunities for participation in local decision-making provided by the council, although 45% do not express a strong opinion one way or the other. Around 20% of all respondents would like to be more involved in decisions with another 66% wanting to be, depending on the issue. However, 14% would not like to be more involved in such decisions.

5. The Executive received a paper in December 2008, detailing the work up to that point on the engagement strategy and asking members approval to finalise the strategy and toolkit. Members approved that the strategy should contain:

- a. a set of principles that should form the basis of a strategy intended to be published electronically

- b. a toolkit to deliver the strategy as a user-friendly online document.

### **Legislative context - the Duty to Involve**

6. The Duty to Involve has three component parts: provision of information, consultation, and involvement.

- a. *Provision of information*

Provision of information should support communities to have their say and get involved 'where appropriate'. This goes beyond standard information on services and must be provided in a way that can be easily accessed and understood. It is important that stakeholders are aware of what the council and our partners are doing, both in the services they use and the services they don't. More than this we need to ensure people have the information required to have informed opinions on the development of those services. Finally, we need to make sure that all communication is in language appropriate to the audience.

- b. *Consultation*

Consultation allows people to have their say about the decisions and services that affect them, providing genuine opportunities for people to be involved. The distinction between research and consultation is that research is the collection and analysis of data to provide greater understanding, whereas consultation is a process of dialogue that leads to a decision. In good consultation the public should be aware of the different options available, the pros and cons of these, background information, how decisions are made and who by, and how views will shape that decision.

- c. *Involvement*

Involvement gives people greater influence over decisions or delivery. It can include:

- working with us in designing policies and being involved in the commissioning of services
- carrying out some aspects of services such as looking after a community centre, street clean ups or environmental conservation work
- working with us to assess services through mystery shoppers and as co-opted members of committees.

### **The consultation process**

7. Details of the results of the consultation process are outlined in Annxe B.

The process involved:

- an extensive round of 1-1 meetings with interested parties
- a website consultation

- self-assessment
- review of other councils' approach to engagement
- review of the national guidance

### **Meetings with representative groups**

8. As part of the formal consultation process, 1-1 meetings were held with the following groups. The views expressed are included in Annexe B.
  - Higher York (for the views of higher education in the city)
  - York Council for Voluntary Service
  - NHS North Yorkshire and York (formerly North Yorkshire and York Primary Care Trust)
  - Healthy City board
  - York Business Forum
  - Mental Health Forum
  - York Racial Equality Network
  - York People First
  - York Older People's Assembly
  - York LGBT (Lesbian Gay Bisexual Transgender) Forum, Yorkshire MESMAC
  - York Inter Faith Forum

### **Website consultation**

9. The draft strategy and toolkit was published on the council's website in December 2008 when the progress report was presented to members. It was republished on the consultation part of the council's website 'consultation finder' on 13 February, to run for a further consultation period of one month. Four comments were received.

### **Self-assessment**

10. Work has been steered by an Engagement Reference Group of council officers from all directorates and levels of seniority. In addition there has been a workshop of senior managers and the views of key officers were sought on a 1-1 basis.
11. Councillors were consulted in two ways: through a workshop with members from each political party in November 2008 and via email in February 2009.
12. As well as the steering group, meetings were set up with the key internal contacts from council directorates who have an especially strong interest engagement – Neighbourhood Services, City Strategy, HASS and LCCS.
13. Corporate Management Team was consulted on 11 March for their views on the strategy and toolkit. Their comments have been incorporated into both documents.

## **Role of the Local Strategic Partnership**

14. Other local authorities have agreed a joint approach to engagement through their LSPs, with shared principles for all of the members as an overarching engagement framework. Following consultation over earlier drafts of the strategy, the Without Walls Board has agreed to adopt the strategy as a joint piece of work.

## **Review of other councils' approach to engagement**

15. As part of our consultation and research we reviewed other councils' engagement strategies including Manchester, Knowsley and Newcastle. The model most other authorities have adopted is a strategy and toolkit approach. Most authorities have looked to engage along with their respective LSPs, with the LSP being the owner of the strategy.

## **Engagement strategy and toolkit**

16. The strategy and toolkit are being published as web pages on the council's website when the strategy is launched in May. This is to allow them to be cross-referenced and link to other pieces of engagement, both inside the council and from our partners. The toolkit also allows council staff and partners to see examples of good engagement drawn from previous activities and make sure there is duplication is kept to a minimum through the engagement calendar and engagement log.
17. A key element of the strategy is the statement of principles in the three defined area of engagement. These are as follows.

### *Principles of engagement - Informing*

18. Communities need to be in a position to know how to access services, so that they can have their say and get involved in influencing those services, decisions and policies. They need to have accurate and comprehensive information relating to when and how the council makes decisions affecting services and future policy.

The key principles of good communication are that it should be:

- open and transparent
- as accessible as possible to everyone in the community
- easily understood and up-to-date
- a two-way process where possible, so we can hear and understand residents' views
- coordinated, so that Without Walls or the council can speak with one voice
- easily and instantly identifiable as coming from Without Walls or City of York Council.

*Principles of engagement - Consulting*

19. Consultation allows people to have their say about the decisions and services that affect them. It needs to provide genuine opportunities for people to take part, and for their views to be heard and acted upon. Consultation can vary from citywide surveys to direct dialogue such as focus groups and panels. The engagement strategy toolkit has good examples of existing consultation.

The key principles of good consultation are that it should:

- be meaningful, relating to a decision, service or policy that must be able to be affected by the results of the consultation
- have a clear purpose, saying why it is being carried out and how the results will be used, so that everyone understands what is being asked and why and how their involvement will influence the final decision.
- be well timed, so that decisions are informed at the earliest stage possible
- represent a balanced cross section of the local community, including those who work, live, visit and study in the city, as well as groups,
- organisations and businesses if that is appropriate be accessible in the way it is written and presented and in any venues used
- be co-ordinated and linked with other relevant services or partners to avoid 'consultation fatigue' and duplication of effort, time and cost
- be analysed and used to inform decisions, with clear feedback on what has changed as a result of the consultation provided to those consulted and the wider general public.

*Principles of engagement - Involving*

20. Involving is the most interactive form of engagement, which is over and above being informed and consulted. It needs to give the ability for genuine influence over decision-making and delivery, and can include influencing or directly participating in decisions, co-designing or commissioning services and working with the council to judge how effective services are.

Individuals can be involved through expressing an opinion at (for instance) council meetings (publicised in the council's forward plan), working with us to design policies and services and actually carrying out some services - such as being mystery shoppers to assess service quality, or working with councillors through Scrutiny Reviews to look at services and policies.

The key principles of involvement are that it should:

- be the starting position rather than the exception, so that all services seek to include local people in the design of policies and services as matter of course
- encourage direct participation in decision making
- encourage aspects of services themselves to be delivered directly by the users of those services

- encourage individuals to work with Without Walls and the council in assessing services
- be inclusive and accessible
- be transparent so that it is clear how the involvement has fed into the final decision-making.

### **Equalities**

21. The council has a legal and moral obligation to cater for the needs of all residents and stakeholders as a matter of course, especially the six equalities 'strands' of age, gender, disability, race, religion/belief and sexual orientation. We want to make sure that council engagement is accessible to all parts of the community. Guidance is published to council staff by the council's equalities team in 'Making Connections - how to make communication accessible and inclusive' and a section in the toolkit 'making sure we leave no one out of our engagement' summarises this document.

### **Implementation**

22. In order to implement the standards and a consistent approach to engagement:
  - the Marketing and Communications team (m&c) will advise on coherence and coordination, and the customer service and governance team will give assurance that there is a consistent approach across the council
  - the m&c team will manage a log of engagement activity (informing, consulting and involving) and check the log for consistency and quality and ensure there is no duplication
  - an amendment to the report writing protocol will be added to acknowledge the importance of engagement and to request officers inform members ahead of every decision what engagement has taken place
  - an Equalities Impact Assessment of the strategy will be produced to address effective engagement with all of the six equalities strands
  - in response to the consultation process the m&c team will publish a simple accessible summary leaflet about the strategy for distribution to key groups, libraries and council offices
  - risks will be logged in the council's risk register and reviewed on a regular basis to ensure they remain relevant
  - the strategy, toolkit and leaflet will be launched formally the week of 18 May.

### **Financial implications**

23. There are no extra resources available for engagement over and above what is already spent by the council. Instead the strategy aims to coordinate better the existing work on engagement, giving greater focus to the outcomes of our

engagement and show clearer action as the result of the more clearly defined principles of engagement.

### **Sustainability issues**

24. Better coordinated engagement will mean less duplication and therefore less paper in written documents used by the council in communicating and consulting
25. There is the potential for better engagement to add to the socio-economic viability of the city.

### **Legal**

26. There are no legal implications in this paper

### **Crime and Disorder**

27. There are no crime and disorder implications in this report

### **Information Technology (IT)**

28. The toolkit is a web-based document.

### **Property**

29. There are no property implications in this report.

### **Human Resources**

30. There are no HR implications in this report.

### **Other**

31. All other implications have been covered in the report.

### **Risk Management**

32. Risks will be logged in the council's risk register and reviewed on a regular basis to ensure they remain relevant

### **Consultation**

33. The council's Corporate Management Team has been consulted on the strategy. Other consultation is outlined in the body of the paper and at Annexe B.

### **Recommendations**

34. Members are asked to comment on and approve the strategy.

## Contact Details

**Author:**

*Matt Beer*

Head of Marketing & Communications

**Chief Officer Responsible for the report:**

*Bill McCarthy*

Chief Executive

**Report  
Approved**



**Date**

16/4/09

## Specialist Implications Officers:

NA

## Wards Affected:

All ✓

For further information please contact the author of the report

## Annexes

- A: *Listening, informing and working together* - York's Community Engagement Strategy
- B: External consultation record
- C: Proposed text for leaflet to be published with easy-read graphics
- D: National Indicator 14 Framework

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Annexe A:

Draft Strategy

# Listening, informing and working together: York's Community Engagement Strategy

1. Aim of this strategy
2. What we mean by engagement
3. Principles of engagement – Informing
4. Principles of engagement – Consulting
5. Principles of engagement – Involving
6. An engagement toolkit

## 1 Aim of this strategy

The aim of this strategy is to make sure that Without Walls (the Local Strategic Partnership for York) and City of York Council can understand what people want and need from us. We will do this by making sure:

- our communities know about the services we provide and our decisions
- our communities can have their say, participating in decisions and shaping services through effective consultation
- all groups (who share an interest) and geographical areas in York are included in opportunities for consultation and engagement.

## 2 What we mean by 'engagement'

When we say 'engage' in this strategy, we use it in the sense of getting involved, so that to engage someone is to attract their attention, communicate with them, and work together for a shared purpose.

The government has set out a 'Duty to Involve' in the Local Government and Public Involvement in Health Act 2007. This defines engagement in three ways.

- **Providing information**, which is more than standard information on services and should be provided in a way that can be easily accessed and understood by all.
- **Consultation**, which allows people to have a say about the decisions and services that affect them and that their views are acted upon.
- **Involvement**, which is the most interactive form of engagement and leads to more empowered individuals and communities. It can include direct participation in decision making and working with us in designing policies.

There are different types of engagement, which have varying levels of outcomes.

Some engagement is about having views heard, other types concern having views heard and acted upon, possibly changing policies and influencing decision-making.

Different aspects of work will require different approaches, with engagement being a spectrum, from communication and providing information over to the transfer of assets, commissioning and service delivery.

### **3 Principles of engagement - Informing**

Communities need to be in a position to know how to access services, so that they can have their say and get involved in influencing those services, decisions and policies. They need to have accurate and comprehensive information relating to when and how the council makes decisions affecting services and future policy.

The key principles of good communications are that they should be:

- open and transparent
- as accessible as possible to everyone in the community
- easily understood and up-to-date
- a two-way process where possible, so we can hear and understand residents' views
- coordinated, so that Without Walls or the council can speak with one voice
- easily and instantly identifiable as coming from Without Walls or City of York Council.

### **4 Principles of engagement - Consulting**

Consultation allows people to have their say about the decisions and services that affect them. It needs to provide genuine opportunities for people to take part and for their views to be heard and acted upon.

Consultation can vary from citywide surveys to direct dialogue such as focus groups and panels. The engagement strategy toolkit has good examples existing consultation.

The key principles of good consultation are it should:

- be meaningful, relating to a decision, service or policy that must be able to be affected by the results of the consultation
- have a clear purpose, saying why it is being carried out and how the results will be used, so that everyone understands what is being asked and why and how their involvement will influence the final decision.
- be well timed so that decisions are informed at the earliest stage possible
- represent a balanced cross section of the local community, including those who work, live, visit and study in the city, as well as groups,

- organisations and businesses if that is appropriate be accessible in the way it is written and presented and in any venues used
- be co-ordinated and linked with other relevant services or partners to avoid 'consultation fatigue' and duplication of effort, time and cost
- be analysed and used to inform decisions, with clear feedback on what has changed as a result of the consultation provided to those consulted and the wider general public.

## **5 Principles of engagement - Involving**

Involving is the most interactive form of engagement which is over and above being informed and consulted. It needs to give the ability for genuine influence over decision-making and delivery and can include influencing or directly participating in decisions, co-designing or commissioning services and working with the council to judge how good services are.

People can be involved through expressing an opinion at (for instance) council meetings (publicised in by the council's forward plan), working with us to design policies and services and actually carrying out some services - such as being mystery shoppers to assess how things are going or working with councillors through Scrutiny Reviews to look at services and policies.

The key principles of involvement are that it should:

- be the starting position rather than the exception, so that all services seek to include local people in the design of policies and services as matter of course
- encourage direct participation in decision making
- encourage aspects of services themselves to be delivered directly by the users of those services
- encourage individual to work with Without Walls and the council in assessing services
- be inclusive and accessible
- be transparent so that it is clear how the involvement has fed into the final decision-making.

## **6 An engagement toolkit**

As mentioned above, a toolkit has been developed that outlines what the standards mean in practice. The toolkit provides practical information to

## Draft

council staff and any other interested person on best practice for community engagement. The toolkit is a cross-referenced online document.

We will continue to develop innovative ways to listen to and engage with the wider community, through developing best practice and harnessing new technologies. This will enable a greater influence and participation by young people in particular in the decisions that affect them, allowing the commissioning of services where possible.

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## **Annexe B: External consultation record**

# Listening, informing and working together: **York's Community Engagement Strategy**

### **List of one to one consultations**

1. Higher York - <http://www.higheryork.org/>
2. York Council for Voluntary Service - <http://www.yorkcvs.org.uk/>
3. North Yorkshire and York Primary Care Trust - <http://www.nyypct.nhs.uk/>
4. Healthy City board - <http://www.yorkwow.org.uk/healthy-wow/>
5. York Business Forum - <http://www.yorkwow.org.uk/business-wow/>
6. Mental Health Forum
7. York Racial Equality Network - <http://www.yren.co.uk/>
8. York People First - <http://www.peoplefirstltd.com/members-yorkshire-york.php>
9. York Older People's Assembly - <http://www.yorkassembly.org.uk/>
10. York LGBT (Lesbian Gay Bisexual Transgender) Forum, Yorkshire MESMAC - <http://www.mesmac.co.uk/>
11. York Inter Faith forum - <http://www.interfaith.org.uk/local/diryh.htm>

### **Key themes from on-line and one-to-one consultation**

Themes relate to:

#### **The documents themselves (the strategy & toolkit)**

Need to be more accessible

- too dry, too many words
- working in a bubble, needs plain English
- sentences need to be simpler eg for those with English as a second language
- needs to be a public document – digest version?

Need to be inspiring

Need more of a spirit of partnership working

- refer to work with Older People's Assembly, Social Services Users Forum, Valuing People board, Tenants' Federation (HASS)
- more reference to voluntary/community service
- more reference to LSP (the document is written just for CYC)

Examples of good practice

- consultations done by Libraries and on the Heritage Strategy
- CVS newsletter
- LINKS newsletter
- Bus tokens, 50+ festival fair

Other specifics:

- at 3.1 use 'those individuals' rather than 'those people'; use terminology of 'individuals we need to reach' rather than 'the hard to reach'
- at 4.3 use 'with open-ness and transparency' rather than 'honestly and openly'; use 'a two-way process' rather than 'two-way'
- 6.1 needs re-wording in parts (!)
- 7.3 add 'third sector'
- p110 – identify the six equality strands ; point 5, bullets 3&6 need re-wording, not sure about the word 'active'
- p111 – replace the word 'centrality'; pt 7, use 'need to reach' rather than 'hard to reach'; pt 8 use 'available in a variety of appropriate formats'
- p112 – pt15 use 'the media protocol makes it clear that the press office...'

### **What we should do**

Need to be more inclusive in engagement itself

- a real cross-section, not just self-interested pressure groups
- encourage attendance at council meetings
- just dealing with 'representative bodies' may not reach all those concerned with an issue eg p/t volunteers
- students are economically important to York; many are local residents
- hardest group to reach are those with mental health issues
- need to consider not just standard equalities strands, but also other marginalised groups
- in some cases, face-to-face conversations in informal settings are more appropriate
- translate information into accessible terms – easy-read?
- Older people do not always use Internet

Procedural based concerns

- keep surveys brief
- be careful about ‘not duplicating’ past work, as views may change
- confidentiality may be important for some groups

Live the spirit of engagement

- no biased questions, or manipulation of results
- internally, avoid engagement just being a ‘tick-box exercise’
- encourage groups to communicate with each other and think strategically for the whole city

Work with partners

- use as route to residents eg via churches
- use established mechanisms (networks & forums), build on what’s already there, develop closer links eg WOW, SIWG
- make toolkit public and accessible
- work with LINKs

New ideas and methods for consultation

- give everyone on electoral register a personal online account with CYC, for email contact and survey participation
- reach out to people where they are eg surgeries, care homes, travellers sites, community centres

Other

- allow groups to advertise in the Calendar

**The detailed responses to the comments received are annotated below. We have removed who gave each comment as some responders wished to remain anonymous.**

What was said	Decision	Reasoning
<p>Surveys need to be brief</p> <p>Need to engage with real cross-section of community, not just self-interested pressure groups &amp; individuals</p>	<p><i>Accepted</i></p>	<p><i>Talkabout especially looks to engage with a cross-section of residents.</i></p>
<p>1. Need to be careful about ‘not duplicating’ past work, as views change over time (as do the extent to which people are informed about an issue, and the way questions are phrased)</p> <p>2. Consultation should be a two-way process - too often,</p>	<p><i>Accepted</i></p>	<p><i>The engagement strategy is designed to deal with points 1&amp;2, especially the second point as</i></p>

What was said	Decision	Reasoning
<p>CYC asks biased questions and manipulates replies</p> <p>3. Need campaign to encourage public attendance at council meetings – better publicity and simpler explanation of issues being considered</p>		<p><i>the principles correctly followed will ensure this cannot happen. We will consider the first part of point 3 in the light of council publicity budgets. The second part of point 3 should be addressed by the Plain English section of the Engagement Strategy</i></p>
<p>Need to recognise diverse ways that churches impact on council issues – may be a route to residents, may be affected by specific proposals</p> <p>Communication with representative bodies may be effective for some matters, but may not reach those with no formal position eg p/t volunteers</p>	<p><i>Noted</i></p>	
<p>Major culture change needed at council to make this strategy more than a ‘tick-box exercise’</p>	<p><i>Noted</i></p>	<p><i>We recognise that an effective strategy will require a change of culture – the strategy is a first step but it is part of a process that will ultimately lead to different ways of working</i></p>
<p>Lacks reference to consultation with: Older People’s Assembly, Social Services Users Forum, Valuing People board, Tenants Federation (HASS)</p>	<p><i>Accepted</i></p>	<p><i>Added in engagement strategy toolkit</i></p>
<p>Division of engagement into sub types a good idea</p> <p>There are already a host of established mechanisms (networks and forums)</p> <p>Good examples include consultations done by libraries and on the Heritage Strategy</p> <p>Build on what’s already there and develop closer links Promote through the WOW board for example</p> <p>Students are important economically to the City</p>	<p><i>Accepted</i></p>	

What was said	Decision	Reasoning
<p>Many students are local residences from the area</p> <p>Groups to be encouraged to talk to one another and think strategically as a city</p>		
<p>Welcome a corporate approach</p> <p>Good to see reference to NI14</p> <p>Greater mention of the voluntary and community service needed</p> <p>LSP could be mentioned more</p> <p>The document is written just for CYC</p> <p>There are other major players</p> <p>To promote engagement the toolkit and strategy needs to be inclusive and consider a wider audience. For example other examples could be used as good examples of engagement such as CVS newsletter or the LINKS newsletter</p> <p>Share resources and good advice with the community Toolkit made public and accessible</p> <p>The LINKs (previously patient forums)- are we linking to these?</p>	<p><i>Accepted</i></p>	<p><i>The document has been redrafted to reflect the LSP's joint ownership</i></p> <p><i>Voluntary and community service linked to via toolkit</i></p> <p><i>Will look to link to non- council examples</i></p>
<p>Welcome the strategy</p> <p>Can we clarify partnership working</p> <p>Are we linking with LINKs?</p>	<p><i>Accepted</i></p>	<p><i>LINKs will be added into toolkit</i></p>
<p>Meeting 10<sup>th</sup> of March</p>		
<p>Develop a capability for those who are on the electoral register to login to a personal account with CYC. This would enable email contact and survey responses to be sought and collated. It would enable opt out of paper receipt and be more likely to gather a representative view of the local electorate.</p>	<p><i>Accepted</i></p>	<p><i>This isn't in the strategy at present, but we will look at the feasibility as part of a second stage of work on the strategy</i></p>
<p>Welcome closer links with CYC</p> <p>Hardest of the hardest to reach group are those suffering from mental health issues</p>	<p><i>Accepted</i></p>	<p><i>Happy to link into group on the toolkit</i></p>

What was said	Decision	Reasoning
<p>Acknowledge the difficulty in terms of a dialogue with these individuals</p> <p>Traditional equalities driven paper and while this is important need to also look at other marginalised groups</p> <p>Vulnerable people seem to be tacked on</p> <p>Can the group advertise in the calendar?</p>		
<p>3. Reaching all of our communities</p> <p>3.1 - Can I suggest that we use the word 'those individuals' rather than 'those people'. <i>Reference removed from latest version of strategy</i></p> <p>Could you add in somewhere about individuals that we 'need to reach'. This is a more empowering term which is used rather than 'hard to reach' - just a thought. <i>Agreed – have removed references to 'hard to reach' by referring to six equality strands</i></p> <p>4. Informing</p> <p>4.3 - Bullet point 2 - can I suggest that we use the terminology "the council will communicate with openness and transparency" rather than "honestly and openly" - again, just a thought. <i>Changed in strategy, but will keep honest in plain English leaflet</i></p> <p>Bullet point 6 - Can I suggest that we use the terminology .....communication should be a two way "process" rather than "two-way". <i>Changed in strategy, but use different words plain English leaflet</i></p> <p>6. Implementing the Strategy in City of York Council</p> <p>6.1 - This needs re-reading and re-wording in parts. <i>Reworded in latest version of strategy</i></p> <p>7. Working with partners</p> <p>7.3 - You may wish to add the "third sector" in here. <i>Third sector added into toolkit</i></p> <p>Page 110 'About the toolkit'</p> <p>3. You may want to identify the six current equality strands here. <i>Agreed</i> 'What does 'good' look like</p>	<p><i>Accepted</i></p>	<p><i>See 'what was said' on left hand column comments</i></p>

What was said	Decision	Reasoning
<p>Point 5 - bullet points 3 and 6 - need re-wording, not sure about the word "active". <i>This section has been rewritten in being published on the web</i></p> <p>Page 111 'making sure we leave no one out of our engagement - the centrality of equalities'.</p> <p>Not sure about the word "centrality" - probably better to use an alternate word here. <i>Agreed – word removed</i></p> <p>Point 7 - not sure whether you can change "hard to reach" or "need to reach" here - I leave it with you. <i>Wording of hard to reach in inverted commas implies that this name is given but these groups are not actually hard to reach. Text goes on to explain about six strands</i></p> <p>Point 8 - last sentence - can I suggest you use the word "available in a variety of appropriate formats". <i>Agreed – wording changed</i></p> <p>Page 112 Point 15 – “The media protocol makes it clear that the press office.....” <i>Changed</i></p>		
<p>Welcome closer links with CYC and officer visits</p> <p>Need to consider that traditional methods of communication are not always appropriate. Face to face conversations and informal settings may be more appropriate</p> <p>Need to translate information into accessible terms</p> <p>Can some things go into 'easy read'.</p>	<i>Accepted</i>	<p><i>Attempts made to simplify the language in writing for the website</i></p> <p><i>Leaflet being prepared in easy read</i></p>
<p>SIWG members all have access to a broad range of groups which can facilitate a dialogue</p> <p>York Older Peoples Assembly - Good examples of consultation such as bus tokens and 50 + festival fair</p> <p>Documentation is too dry and too much words, shrink it, inspire</p> <p>Older people do not always read the web</p>	<i>Accepted</i>	<p><i>York Older Peoples Assembly acknowledged in toolkit</i></p> <p><i>Attempts made to simplify the language</i></p> <p><i>Strategy and</i></p>

What was said	Decision	Reasoning
<p>Need to reach out to specific groups with different views rather using traditional methods, in surgeries, care homes, travellers sites for example</p> <p>Make sure we give them feedback on the impact of their voice - what has happened</p> <p>Make it accessible – large print and different languages</p> <p>For accessibility advertise this round's result in the press</p>		<p><i>toolkit designed to provide framework for engagement, innovation will be in how it is used</i></p> <p><i>Equalities and need for feedback acknowledged</i></p>
<p>Happy with current CYC mechanisms build on these</p> <p>Sign post existing groups with links to this community</p> <p>Link on CYC website – specialist venues and sexual health</p> <p>Methodology complex - confidentiality crucial but not invisible</p> <p>Use the forum as a sounding board and partner to help for confidentiality</p>	Accepted	<p><i>MESMAC linked to through toolkit</i></p>
<p>Welcome the approach of joining up which will prevent same questions been asked twice</p> <p>Need to work closely with PCT, Police act to work out how this will work in practice</p> <p>One example is that we have a list of organisations for different sectors which can facilitate engagement such as ward meetings, LINKS, York Health Group and Chapter 10</p> <p>We should think of new ways we can engage and think of innovative practice</p>	Accepted	<p><i>LINKs will be added into toolkit</i></p>
<p>Its all there, but not accessible</p> <p>There is a big gap between a government report and ordinary language. To dry. Working in a bubble and inaccessible</p> <p>Don't know if there a quick answers but must have plain English -</p> <p>It needs to be a public document – could have digest version/two documents</p> <p>Make meetings and the council more accessible</p> <p>Interfaith – deal with people who culturally do things</p>		<p><i>Attempts made to simplify the language in writing for the website</i></p> <p><i>Leaflet being prepared in plain English and easy read</i></p>

<b>What was said</b>	<b>Decision</b>	<b>Reasoning</b>
<p>differently – need to simplify language. English as a second language for example, the sentence structure will need to be simpler – for translation.</p> <p>Consultation should not just be about council offices but also at community centres. Reach out to their locality</p> <p>Not just about information and printed paper but need community leaders talks have an informal dialogue</p>		

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**Annexe C: Proposed text for leaflet to be published with easy-read graphics**



# Listening, informing and working together

## **York's Community Engagement Strategy**

City of York Council works with other organisations (such as the police and the health service) in a group called 'Without Walls'. This works to develop a shared vision for the future of York and to look at ways to improve people's quality of life.

To do this the council and Without Walls would like to understand what people want and need from us. We want to make sure that everyone from every background who uses our services knows about what we do, and the things we decide to do. And we want everyone to be able to have a say in those decisions, be involved in how we provide services and take part if they want to.

We call this 'community engagement' and we have written a strategy that looks at how we give information and how we listen to and involve people in our work.

In the strategy we have written some principles that all parts of the council and Without Walls will follow – these make up the rest of this leaflet.

### **Giving information**

People need to know about services before they can become involved in changing those services, and take part in making decisions about them.

We want our information and communications to be:

- open and honest
- as accessible as possible to everyone
- easily understood and up-to-date
- not just about informing, but also asking for comment where we can and it is needed
- properly co-ordinated to avoid doing things twice
- obvious that they are coming from Without Walls or City of York Council.

### **Consulting and listening to you**

Consultation lets people have their say about the decisions and services that affect them. For people to have their views heard and acted upon, it needs to provide genuine opportunities for people to take part.

We want all of our consultation to be:

- about a decision, or a service or policy that can be *changed* by the results of the consultation
- clear why it is being carried out and how the results will be used (so that everyone understands what is being asked and why, and how their answers will influence the final decision)
- well timed, so that decisions are informed at the earliest stage possible
- from a balanced cross-section of the local community
- accessible in the way it is written and presented and in any buildings used
- co-ordinated to avoid 'consultation fatigue' and doing things twice
- considered and used to help make decisions, with clear feedback on what has changed as a result of the consultation given to those consulted and the wider general public.

### **Being involved in our work**

Involving people can include them having a direct say in decisions, directly designing services or working with the council or Without Walls to judge how good services are.

We want to follow these principles in how we involve people. Involvement should:

- be our starting position, so that we include people in the design of policies and services as matter of course
- encourage direct participation in decision making
- encourage aspects of services themselves to be delivered by the people who use those services
- encourage individuals to work with Without Walls and the council in judging how good services are
- be inclusive and accessible for everyone
- be clear how the involvement has fed into the final decision-making.

For full details of the community engagement strategy and how it will be applied, please see the council's website on *address*.

*Language box*

*Equalities information*

*Easy read version*

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## **Annexe D: National Indicator 14 Framework**

The effective implementation of the new Duty to Involve will at least in part be assessed by a national indicator NI14 – the percentage of people who feel that they can influence decisions in their locality in relation to the area within a 15-20 minute walk from the respondent's home.

To support the information collected by the Place Survey on this indicator, the Government Office have also developed a framework for NI4. This places a great expectation on quality engagement which leads to an involved population who can influence decisions of the council and our partners.

NI14 asks ten key questions:

1. How well does the local authority and its partners know and engage with communities?
2. How far engagement extends to vulnerable, disadvantaged and marginalised groups?
3. How far have communities and their representatives been engaged effectively in developing the outcomes for their area, and in assessing whether they have been delivered?
4. Are local people provided with a spectrum of opportunities to have their say and get involved in activities over and above being informed and consulted?
5. How effective are local authorities and their partners in co-ordinating their engagement activity and communicating its impact on their decisions?
6. How far is the local authority making increased efforts to revitalise local democracy by ensuring the profile of elected members is moving towards that of the population as a whole, as well as promoting and facilitating democratic engagement?
7. Is the third sector being developed actively so that it can work with partners to enable diversity of views to be heard?
8. Are governance arrangements in place across the partnership and within agencies so that there is effective challenge of empowerment activity?
9. Do commitments made in partner strategies around community involvement in service design make their way into delivery?
10. Are arrangements in place to ensure that frontline workers are themselves empowered to deliver community engagement commitments?

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**Executive**

28 April 2009

Report of the Director of Learning Culture and Children's Services

**The Barbican Auditorium****Summary**

1. This report asks the Executive to agree the next steps in a strategy designed to bring the Barbican Auditorium back into public use.

**Background**

2. This report follows the initial briefing reports to Executive on 20 January and 3 March 2009. Those reports described the need for the authority to intervene directly to prevent further delay in reopening the Barbican Auditorium. A conditional development agreement had been entered into with Absolute Leisure Limited (ALL) in 2004 following a thorough procurement exercise. Action in the High Court delayed progress on ALL's scheme in the first instance but once this action had been cleared away ALL's failure to complete the agreement led to the Council terminating it on 9 January 2009. At the same time, the Council terminated the lease that had allowed ALL to operate the facility in the interim.
3. The 20 January report described the successful steps the Council had taken to gain access to the building, make it secure, and tidy up its external appearance. The report recognised the need for early informed planning to bring this important city asset back into use. However, the report also recognised that the desire to see early progress should not result in hasty, uninformed decision making, since this could lead to a return to the kind of unsuccessful arrangements of the past which had led to the Council's original decision to go to the market, or to future failure with a new partner.
4. The 3 March report agreed the need to seek specialist advice in two areas:
  - 4.1 Entertainment market advice: the report described the need to appoint entertainment industry specialists to support officers in early consideration of the potential for long term use of the Barbican Centre, the current market for entertainment uses, and future trends within the industry.
  - 4.2 The physical condition of the building: inevitably a delay of some five years in the active use of the building has had an impact on its condition. The report highlighted a significant number of issues concerning the physical fabric of the building. It was recognised that a

thorough analysis of the building is essential before any decisions about future use can be made.

5. With respect to 4.1, the 3 March report briefed members on the appointment of Drivers Jonas following a formal procurement process. Their bid benefited from the inclusion of the expertise of David Pratley Associates (theatre and entertainment) and Pan Leisure Ltd (conferencing and leisure). They were instructed to advise on the potential for market interest from the theatre / entertainment industry to acquire and attract capital investment into the Barbican Centre and then operate it, as well as on the potential for market interest in complementary uses, e.g. conferencing or other leisure uses.
6. Following the 3 March report a specialist firm of surveyors / architects, the LHL Group (one of the Council's framework partners), was commissioned to complete the work described at 4.2. Their brief was to undertake a full condition survey focussing on the needs of the building to operate in the short and long term, including an assessment of all key systems, Disability Discrimination Act (DDA) compliance, and fire risk assessments.
7. Both pieces of commissioned work have been progressed in a timely and, in the view of the Project Steering Group, high quality manner. The findings are discussed in the next section below.
8. We have, since the last report, also completed some improvements to the condition of the building:
  - Some of the outside doors have been repainted where they were powder coated and damaged by graffiti.
  - Notice Boards have been cleaned, restored, repainted and are back in use.
  - Graffiti has been removed from the masonry.
  - The broken paving stones have been removed from the roof terraces.
  - The perimeter fencing is being realigned where it is displaced.
  - Rubbish has been removed from around the building on a couple of occasions.
  - A security company has been employed to make regular patrols with electronic tags in place and keep an eye out for any more damage.
  - Replacement stones have been ordered for the damaged Rotunda - the work is now underway and should be completed by the time of the Executive meeting. The circular planter will be planted up imminently.

## **The Specialist Advice**

### **Drivers Jonas**

9. Drivers Jonas's work has comprised a number of stages including:
  - a review of the Barbican's facilities, locational attributes and connectivity.
  - a brief review of historic usage and trading.
  - consultation and soft market testing with a number of key leisure and theatre/entertainment operators both locally and nationally including Visit

York, the Universities, hotel operators, and key theatre and events operators.

- a review of the property market in York and the planning history and policies associated with the site.
  - exploration of the options regarding trusts.
10. Drivers Jonas have reviewed the possible market uses for the Barbican Centre, considering them in terms of market growth, and their suitability in the light of the historic uses of the Barbican Centre, the configuration of the building, and adjacent land uses. The following paragraphs set out their key findings.
  11. There is a strong market for future leisure and cultural growth in York. Culture and tourism are growth areas at regional level and there are clear opportunities for York to take advantage of this focus as a consequence of the city's relatively strong performance in both areas. Drivers Jonas's assessment of the market for the Barbican Centre demonstrates a potential audience for a range of arts events, developed by the extensive professional and amateur arts infrastructure in the region, and opportunities to develop an audience for a limited number of rock and pop concerts as well as for classical music within the immediate catchment area.
  12. Their assessment points to growth in the conference and exhibitions market at regional and national levels which represents a potential market for future use of the Barbican Centre. Growth is also evident in the hotel market and, significantly, York has been one of the few areas that has so far managed to withstand the economic downturn, suggesting that the hotel market in the city remains relatively strong (supported by York's occupancy figures).
  13. Drivers Jones have taken an overview of the competitive supply relevant to the Barbican Centre, focusing on a broad range of leisure uses. They have assessed the likely demand for each of the primary and secondary uses that they identify including theatre / entertainment and conferencing / exhibition uses. They believe that there is clear demand for increased theatre / entertainment space within York; it is also clear that some interest exists from a number of key operators.
  14. Interest has also been identified in the Barbican Centre from local and national organisations for a conference facility. As such it would provide conference / exhibition space alongside a 4\* hotel to be sited on the land to the east. Whilst entertainment and conference operations are not fully compatible a conference would also be expected to be able to attract and run entertainment events, particularly at weekends.
  15. Drivers Jonas have reviewed each of the options. They recognise that the range of options is limited for a re-use in line with the Centre's original function but point out that this is to be expected given the unusual nature of the building, its location and the anticipated costs involved in returning the building to a safe and functional state. Their assessment stresses that the options identified are at "an embryonic stage – their development is unlikely to be without further risk and cost to City of York Council".

16. Drivers Jonas recommend that the options are taken forward by the Council and developed further with the parties who have expressed an interest, in order that the Council can be properly advised about the likely financial basis on which any agreement could be entered into with any of the parties identified. They note that in the event that interest is pursued with any of those who have expressed an interest, formal marketing of the Council's interest will be required in order that the Council can demonstrate best consideration.
17. They also considers the broader issues in relation to the commercial property market and the Council's options in relation to the Barbican Centre as a site should none of the above options prove viable. They draw attention to the site's current town planning allocation which restricts the use of the site to D2 (Assembly and Leisure) in the emerging Local Development Framework recommending that this is reviewed.
18. In summary, Drivers Jonas recommend that a succinct brief is now prepared to be used as a basis for further structured dialogue with the interested parties currently identified. As a minimum, they advise that this strategy should consider and articulate:
  - The Council's aspirations for the Barbican Centre and any non-negotiable requirements for its ongoing use which an operator would wish to understand from the outset;
  - Details of the practical approach and time scale to be taken to approach the two markets;
  - Details of the Council's ability and willingness to fund either improvements to the building's fabric or a third-party operation;
  - Congruence of this approach with the Council's obligations to obtain best consideration of their assets in entering into agreements with third parties;
  - The approach to be taken to discussions with interested parties in light of embryonic stadium proposals for York;
  - Timescale for the exercise – how much time will the Council give to this exercise before considering a different approach to their freehold interest?
19. Drivers Jonas advise that it will be sensible for the Council in the meanwhile to maintain and protect the value of their freehold interest by:
  - Carrying out any absolutely essential repairs identified by the LHL Group to make the Barbican Centre wind and watertight and secure from intruders.
  - Re-considering the town planning allocation which restricts the use of the site to D2 (Assembly and Leisure) in the emerging Local Development Framework.
  - Working with adjoining landowners to understand their intentions for their land holdings and assessing how, if the opportunity were to arise, the Council could embark upon a joint marketing exercise for the island site, plus elements of the Kent Street site, in the event that a sustainable operator and user cannot be found for the existing building.

### **The LHL Group**

20. An executive summary of the LHL Group report is provided in the Annex to this report. It identifies a cost of £818k to bring the Auditorium back into a usable condition, with an additional £1.097m required over the next 5 years. This could be seen as the inevitable consequence of the lack of any significant renewal or refurbishment of the building since it first opened and the lack of basic maintenance since it closed in 2004. It might be thought that the occasional use of the building over recent years challenges the conclusions that the LHL Group have reached. However, this use was not without its difficulties and furthermore, any future use by the Council would always comply fully with licensing and health and safety regulations, statutory testing and servicing obligations.
21. The £818k identified represents the cost of only the minimum works required to operate the building in line with statutory requirements. For example, where the executive summary refers to:
- “reinstatement” of catering facilities: this provides for only the minimum facilities that would be required to allow an external caterer to operate in the building (e.g. providing work surfaces and power); it does not provide facilities and equipment such as would be required to operate in-house catering
  - “decoration”: this includes only the smallest amount for making good. No provision is included for overall redecoration

Whilst there could be some potential to shave costs by closing off some rooms and not repairing them, in reality the building operates as an integrated whole with use of the Auditorium requiring supporting spaces. In any event the savings from this approach would be minimal.

### **Options**

22. It is proposed that the Council should progress the work recommended by Drivers Jonas to develop options for the Barbican Centre through structured dialogue with the identified interested parties, and, at the same time, either:
- Option 1: Undertake immediately all the work necessary to return the building to a usable condition
  - Option 2: Undertake immediately that part of the work that is necessary to make the building wind and watertight, safe and secure, keeping the Council’s options open regarding the remainder

### **Analysis**

23. The Drivers Jonas report provides confidence that it will be sensible for the Council to pursue options for the Barbican Auditorium with the market. They recommend that the Council sharpens its focus on the market and conclude that the entertainment, events and conferencing markets are the ones most likely to attract commercial interest and be consistent with locally assessed need.

24. Option 2 would, for a reasonable level of investment, i.e. £90k, protect the integrity of the asset, prevent further deterioration, and allow time for the options for the Centre's future use to be explored. Work to be undertaken immediately would include:

- Essential testing of and repair to the mechanical and electrical systems
- Repairs to prevent water penetration
- Additional hoarding and protection
- Making good where the passageway to the pool was removed

This work would contribute towards the total work required to re-open the building should a decision be taken to do this following the further market testing.

25. With regard to Option 1, the immediate capital investment required would be the £818k identified by the LHL Group. In addition, a decision to operate the building would involve set-up costs (as well as annual running costs). Drivers Jonas advise against spending the full £818k now for a number of reasons including:

- they have not been able to identify significant demand for interim use; in the 5 years that the building has been closed previous users have generally made alternative arrangements
- they feel that pursuing interim use at this stage would represent a major drain on officers' time and a distraction from the principal focus, i.e. identifying a medium to long-term sustainable use for the Centre
- the necessary works would take 6 to 9 months to complete by which time work on market options should be well advanced
- there is a risk that work undertaken would not be compatible with emerging longer term plans for the building

26. It should also be noted that the nature of any interim use is currently ill defined; it would inevitably take time to build. Previous reports have described the additional revenue costs likely to be incurred should the Council operate the Centre on an interim basis. Given this the 3 March meeting of Executive supported a potential role for an external partner / partnership. However, such a partnership would need to be established whilst work to the building was being completed. It is likely that there would still be additional revenue costs for the Council in such an arrangement together with the need for further capital expenditure over time from the £1.097m requirement noted by the LHL Group.

27. On the basis of the above analysis Option 1 is not recommended. It would see significant expenditure for a potentially limited period, delivering an as yet ill-defined but almost certainly limited programme of events. Focusing on Option 2 on the other hand gives a positive and informed basis for moving forward, focussing on pursuit of a solution that will bring the necessary investment to the building, protecting the asset in the meanwhile, and keeping the Council's options open.

**Next Steps:**

28. The next step will be development of the recommended brief to be used as the basis for further structured dialogue with interested parties. In response to the issues raised by Drivers Jonas (set out in paragraph 18 above) the following principles for this brief are proposed for members' consideration:

- a) **The Council's aspirations for the Barbican Centre** - The Centre should provide:
- The major conference and/or entertainment facilities for the city.
  - High quality facilities for the residents of York and for visitors acting as a focus for important city events and a focus for civic pride.
  - Opportunities for community involvement and activities.
  - An operation that does not require long-term revenue subsidy from the Council.

It is not advised that the Council should specify particular activities or events at this stage in order not to stifle the potential to generate creative ideas and opportunities through open dialogue.

- b) **Timescale for the exercise: How much time will the Council give to this exercise?** – It is proposed that the Council offers a further three months for structured discussions to take place and that a further report is brought back to members at the end of this period with regard to the available options and the direction to be followed.
- c) **The Council's willingness to fund improvements** – It is proposed that an open approach is taken to this issue at this stage. The aim of the market exercise should be to attract private capital investment to the Centre. However, should an attractive proposal be made which involved a strong business case for Council capital investment in the building then this could be considered.
- d) **Congruence of the recommended approach with the Council's obligations to obtain best consideration** – The Council has a duty to obtain best consideration. It is proposed that further specialist advice is taken on all aspects of procurement whilst structured discussions with interested parties are taking place.
- e) **Approach to be taken to co-ordinate with work on stadium proposals for York** – There is some potential for overlap in proposals for the Barbican and for the Community Stadium. Officers are working together to make sure that the specialist advice is co-ordinated and that the market understands the potential of both developments. It is proposed that these issues are further explored in the structured market discussions and in the development of the outline business case for the stadium which will come to the Executive in June.

29. To support this work we recommend that:

- Drivers Jonas are retained as our advisors to work with officers in preparing a succinct brief to be used as a basis for further structured dialogue with the interested parties, and to further develop the approach to the market addressing the issues set out in paragraph 18 above.
- Drivers Jonas to continue to make contact with potential future users and to continue to include examination of options for involvement of a trust
- Independent legal advice is sought to assist officers in drawing up a formal procurement strategy.

### Consultation

30. There has been considerable dialogue with interested parties over recent weeks but given the stage of the analysis no formal consultation. Drivers Jonas have been highly active and have spoken to many interested local parties. These conversations have strongly influenced the conclusions they have reached.
31. As reported at the 3 March Executive meeting consultation as part of the City Centre Area Action Plan found the types of facilities that respondents felt are currently lacking included: venues to hold bigger events, music venues, a good performance venue, children’s entertainment: consultation feedback which can be positively responded to if the recommendations from Drivers Jonas are progressed.

### Corporate Priorities

32. The Council’s new Corporate Strategy describes the desire to “inspire residents and visitors to free their creative talents and make York the most active city in the country. We will achieve this by providing high quality sporting and cultural activities for all”. Within the new strategy we commit to developing an “achievable plan for the Barbican Auditorium” to contribute to this priority.

### Implications

#### Financial:

33. The costs of the Drivers Jonas report at £18k, the LHL Group report at £25k, and the initial works to improve the appearance of the building described at paragraph 8 have been funded in 2008/09 through virements from surpluses generated within corporate treasury management budgets. In addition a one-off sum of £120k has been built into the Council’s 2009/10 revenue budget to cover the costs of maintaining the Barbican Centre in its current closed state up until 31 March 2010. This is broken down as follows:

	£,000
Rates	47
Insurance	38
Fuel & water	5
Security	20
Basic Maintenance	10
	<u>120</u>

34. There is currently no budget provision to cover any revenue costs beyond March 2010.
35. Under Option 2, the recommended option, further costs will be incurred now from:
  - The immediate works to secure the building £90k
  - Professional and legal advice to support the market testing £30k
36. There are no existing directorate budgets available to fund this additional £120k in 2009/10. As the costs are one-off they could be funded from the Council's General Contingency. As part of the 2009/10 revenue budget, a contingency of £600k was set aside to meet any unforeseen or unquantifiable costs which may arise during the year. Decisions to release Contingency Funds are reserved to the Executive. No approval has been given to date in 2009/10 for drawdown against the Contingency, however it should be noted that this specific scheme was not one of the possible calls on the Contingency identified in the annual budget report approved by Council on the 26th February.
37. Option 1 would incur costs of £728k over and above those identified for Option 2 (£818k less £90k of immediate Option 2 works). There is no funding available in the current capital programme to fund works of this scale, so they could only be undertaken at the expense of one or more existing capital schemes.
38. **Human Resources:** None
39. **Legal:** Legal implications are as set out in the report.
40. **Crime and Disorder:** None
41. **Information Technology:** None
42. **Property:** The property implications are contained in the report

### **Risk Management**

43. Risks related to this important project will be handled through good governance arrangements. A Project Group representing key senior officers of the authority with specific legal, technical and financial support is now established and meeting on a weekly basis, chaired by the Director of Learning, Culture and Children's Services. The group, through its chair, reports to the Chief Executive and the wider senior leadership team of the council.

### **Recommendation**

44. The Executive is asked to agree:
  - Option 2 set out in paragraph 22 above: To focus on progressing the work recommended by Drivers Jonas in order to develop options for the Barbican Centre through structured dialogue with the identified interested parties, whilst undertaking work now to make the building wind and watertight, safe and secure

- The Council's aspirations for the Centre, i.e. that it should provide:
  - The major conference and/or entertainment facilities for the city
  - High quality facilities for the residents of York and for visitors acting as a focus for important city events and a focus for civic pride
  - Opportunities for community involvement and activities
  - No on-going requirement for public subsidy
- Key next steps:
  - Drivers Jonas to be retained as our advisors to work with officers in preparing a succinct brief to be used as a basis for further structured dialogue with the interested parties, and to further develop the approach to the market
  - Essential work to be carried out to prevent any further deterioration of the Centre
  - Independent legal advice to be taken to assist officers in all aspects of procurement
- To receive a further report in the light of the structured dialogue setting out the available options and the direction to be followed
- The allocation of £120k of additional one-off budget in 2009/10 to cover the costs of the actions set out under the recommended Option and funded from general contingency.

Reason: to enable future plans for public use of the Barbican Auditorium to be developed and progressed as soon as possible.

**Contact Details**

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**Report Approved**



**Date** 17/4/09

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Wards Affected: All

For further information please contact the authors of the report.

**Background Papers:** Executive reports of 20 January and 3 March, 2009

**Annex:** Executive Summary of the LHL Group report

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**YORK BARBICAN CENTRE  
THE LHL GROUP EXECUTIVE SUMMARY**

The full survey report highlights the various individual key elements of the building in order to determine the overall current condition of the property under review. Each section has a stand-alone report and presents this in an appropriate survey format for the matter under review.

The brief has required us to determine the works necessary for the short and immediate term (first five years) required on the subject property to bring the building back into operation and allow the facility to be reopened to the public.

At this stage we have not undertaken a detailed appraisal of all the facilities, but have, where appropriate, made allowance for the costs associated with dealing with the various items of equipment within the property.

The main area where a provisional assessment on the cost of rectification has had to be made is contained with the mechanical and electrical installations. Until such time there has been an opportunity for these items of equipment to be run and tested the full extent of the remedial works cannot be determined.

The repairs to the general fabric of the building itself are fairly self-explanatory and have been determined by inspection in order to resolve the elements of both disrepair and also vandalism to these sections.

It may be necessary, depending on the Client brief, to upgrade and alter parts of the fabric. This will only be determined once any brief for the intended operation requirements of the property have been fully determined.

We have as part of the group of surveys undertaken an Access Audit in order to determine the works which need to be considered under the Disability Discrimination Act and have set out the recommended works which should be undertaken as part of the any intended refurbishment scheme.

We have also within the costs included for the works identified as being desirable which would provide a building which goes beyond the initial the requirements of the DDA legislation.

Within the mechanical and electrical services we have looked at the various heating and cooling requirements of the property including also the water for both hot and cold and for undertaking a legionella assessment within the works.

The electrical elements have included the electrical distribution lighting and emergency lighting and also have considered the fire alarm system and security system currently covering the property. The services element has also covered the upgrade of the communication system within the property and also the upgrade of the lightning protection currently installed to the premises.

The report has included for the upgrade of the stage lighting equipment and also for the maintenance of the high voltage transformer serving the property.

As part of the report we have undertaken an initial survey to consider the Fire Risk Assessment Report which will be necessary on occupation of the building. The fully defined works necessary will only be fully determined once a clearly defined brief as to the intended occupation has been developed and agreed.

We have, however, included an indicative cost for upgrade of facilities having discussed these with both Building Control and the Licensing Officer.

As mentioned earlier each section provides a stand alone report identifying the works and costs associated with dealing with the specific issues under review and the costs have been put together in a final summary page for the building as a whole.

This summary page has been broken down to give the anticipated total construction project cost for:

- To reopen the premises.
- Mid term up to 5 years
- Long term up to 30 years, and
- The ongoing annual costs

To each section there has been applied a preliminary cost, contingency and professional fees for running the project.

We have as a separate document produced an overall executive summary for the property as a whole. This brings all the summary documents from the individual reports together for ease of reference.

John Denton BSc FRICS FBEng  
Director  
For LHL Group

## Condition Survey Executive Summary

The overall structure of the property from inspection was found generally to be sound although, there has been some localised structural damage to one of the rotunda due to a fallen tree.

The unoccupied and unused status of the building has led to a general lack of repair and ongoing maintenance typical for a property which is unused and, as a result, there is a significant amount of general repair and maintenance work required to bring it up to satisfactory standard.

Due to the age of the property, there are also elements of upgrade and renewal typically found in a property of this age notably, the external envelope in particular, the roofs where corrosion and rusting is occurring to the profile metal sheet roofing.

These elements of works are a result of the general life cycle of the construction components reflecting the need for capital expenditure as part of the liability for ownership of the property asset.

The property has suffered from a considerable amount of vandalism, the result of which will require a significant cost to repair the areas, in particular the paving from the first floor sections and, this will need to be carefully considered in view of the constructional form of this particular section.

There has also been vandalism occurring to the majority of external doors which will require replacement.

The removal of the swimming pool link needs a fundamental decision on the treatment of the external envelope and, again, the present arrangement is causing significant damp penetration into the property requiring early resolution.

This report reflects one part of the overall appraisal and as part of the further discussions and development of the property requirements, there will be a need for further consideration of the following items:

- Agree the external hoarding treatment to the separation between the front building and the adjoining development site to ensure a safe means of access to the property.
- Determine the detailed brief for the new building in particular, the requirements for the original installed retractable seating from the auditorium as, this will have a significant capital cost implication.
- Develop and agree a full design brief for the Barbican Centre to pull together all the information relating to the appraisal which has taken place to allow the development of a full specification of works to bring the property back into operation.

The costs set out in this report are for guide purposes only and, further discussion will need to take place to develop these further.

For the purposes of the costing exercise, we have made the assumption that both the immediate and longer term work will be undertaken as one contract. Should this be separated into two, there will be increased costs for preliminaries for a main contractor in splitting the works into two areas. At this stage, we have also not included for a full redecoration of the property only, where this is deemed to be absolutely necessary as a consequence of damage which has occurred to the fabric.

The survey report has been produced on the basis of identifying urgent works which are deemed to be required in the immediate term to fulfil statutory requirements or prevent further ongoing damage as a result of the disrepair which is occurring at the present time. The other key area is identifying those works which are recommended to be undertaken within the first five years for the building to continue to correctly function to a satisfactory standard to meet its current design requirements.

As a consequence, any minor items of works which would be normally recommended beyond five years have been excluded from the report.

We have allowed within the costs for providing a new timber hoarding between the building and the current development site to a similar specification to the present one. As a cheaper alternative bracing and adjustment of the current metal fencing could be undertaken.

### **Conclusions and Recommendations**

The property under review is currently in need of a significant amount of works as identified within the main body of the report.

The works are required as a combination of a number of factors:-

- General repair and maintenance
- A number of building elements reaching the end of their design life as a consequence of extensive vandalism to the building.
- Limited specification of the materials used during the original construction

The report sets out the recommended works both in the immediate and, short term which need to be considered as part of the overall restoration and refurbishment works to bring the subject property back into use.

These items should be further developed and considered in conjunction with the results and recommendations put forward in the other reports mainly, the Fire Risk Assessment, the Access Audit and, the Mechanical and Electrical Appraisal which have been undertaken as part of the survey.

There is an inter-relationship between all these fundamental elements and, it will be important to consider each requirement to ensure that this is correctly dovetailed in with the overall appraisal as, some of the requirements for each will be linked.

There will also be a need for further client input into the intended use of the building as; this will help clarify the revised brief which may also impact on the requirements for the building form and function which, again, will need to be fed into the overall appraisal for the building as a whole.

Once all the information has been presented, further instructions will be required to develop the scheme and deliver the building back into use in an appropriate and repaired condition.

Executive Summary by:  
John Denton BSc FRICS FBEng  
Director  
For LHL Group

## **Mechanical & Electrical Executive Summary**

The Mechanical and Electrical Services for the Barbican were installed approximately 20 years ago. Generally the systems used were robust and installed to a high standard. Therefore the infrastructure for the majority of systems is still in a good condition and can be brought up to standard without too much difficulty or cost.

As the building is 20 years old some systems components are approaching the end of their operational life and may need replacing in the short term. However this initial headline report looks at the systems that need works carrying out to get the building services systems operating in a safe manor and in accordance with the requirements of the Licensing Officer.

Costs associated with the buildings mechanical services are largely concerned with the Cooling Requirements of the Auditorium as the existing chiller has been disconnected during the swimming pool demolition and it is highly unlikely that it can be salvaged and put back into operation.

Costs associated with the electrical services are predominantly associated with lighting and CCTV systems in order to comply with the Licensing Officer Requirements.

In Summary, in order to get the mechanical and electrical services into an operational status in the immediate term we would envisage costs in the region of £290 000.00. This cost would allow the building to operate within the short term albeit with a fair amount of manual input to get systems operating.

If the building was to be kept as a going concern, further upgrades and component renewals will be required. This would in the main be minor upgrades but would allow the building to work efficiently and effectively in the medium term. The costs of this would need to be tied in with future operations of the building. We would estimate a budget in the region of an additional £450 000.00. These costs can be detailed more accurately once testing has been carried out.

Executive Summary by:  
SILCOCK LEEDHAM  
For LHL Group

## **Fire Risk Assessment Executive Summary**

The inspection of the facility was carried out on 9th March 2009 by C Linley and R Harper, preceded by a meeting held with John Fowler, Head of Building Control and Lesley Cooke, Senior Licensing Officer at 9 St Leonard's Place on Monday 2nd March 2009.

Colin Linley confirmed that the condition of the facility at present is such that a formal risk assessment cannot be completed.

There are a number of fundamental issues that require addressing and rectification before the assessment process can continue. The detail is covered elsewhere in this report but for illustration the following must be in full operation and certificated where appropriate, before proceeding:

- The fire detection system
- The emergency lighting installation
- The emergency exit doors
- The external escape routes and paving from the final emergency exit doors
- Lighting to the external escape routes
- External warning signs
- Internal fire stopping
- Internal smoke and fire resisting doors and frames
- Ceilings (many suspended ceilings which provide a degree of smoke and gas arrest have been extensively disturbed)
- The flooring and floor coverings
- First aid and fire fighting and the competent persons to operate it
- Closed circuit television to cover the areas accessible by the public.

In addition the occupiers of the facility must be able to demonstrate to me that they have proven procedures in place to marshal persons escaping from the building including particular procedures for dealing with any disabled persons, including use of evac chairs and the like.

The occupiers must also designate a person or persons who will be the "Responsible Person" (as required by the Order) for the fire safety operational procedures for the entire facility.

Based on Colin Linley's experience he could be the designated "Competent Person".

Executive Summary by:  
Colin Linley MRICS FBEEng MAPS MCIOB  
Director  
For LHL Group

## **Access Audit (DDA) Executive Summary**

### **Overview**

We recommend that the client draw up an access plan and action strategy to implement the recommendations contained within this report. Acting on the results of such an evaluation may reduce the likelihood of legal action against the service provider.

### **Key Areas**

When approaching the building on foot from public transport or from the car park areas there is a lack of clear wayfinding. In addition to this the principal elevation is confusing and lacks clarity. External signage and wayfinding should be improved and the principal entrance made more prominent.

When fitting out the public areas, consideration should be given to the adequate specification of loose furniture to the bar and canteen areas together with the siting of such furniture. This should ensure that traffic routes are not blocked and that there is sufficient space to manoeuvre around the space.

The passenger lift within the building does not meet current requirements. Whilst it is not mandatory that the lift be replaced, consideration should be given to upgrading the passenger lift to comply with current guidance.

A cohesive signage strategy should be formulated for the building, with all existing signage being reviewed and the new comprehensive signage policy implemented.

Accessible facilities within the main Auditorium area should be upgraded to ensure the adequate provision of services within this area. An accessible viewing area should be created and sound amplification technology provided.

Implement a management plan for the building, addressing such things as access and egress, maintenance and upkeep and training. The plan should be continually reviewed and updated as required.

We trust that our report satisfies your present requirements, although should you have any queries or wish to discuss any points arising, please do not hesitate to contact us.

Executive Summary by:  
Paul Batchelor BSc (Hons) PGDip MRICS ICIQB MaPS  
Director For LHL Group

Summary of work required to reopen the premises and estimated costs

<b>Estimated Costs</b>				
<b><u>Summary of works from condition survey</u></b>	<b><u>To reopen the premises</u></b>	<b><u>Mid term up to 5 years</u></b>	<b><u>Long term up to 30 years</u></b>	<b><u>Ongoing annual costs</u></b>
<b>Buildings Fabric Repairs</b> include:- Roof Areas, Parapets Gutters External Doors, Swimming Pool link, External Paving & Stairs; Ceiling Repairs; Reinstate Catering Kitchen; Internal Doors and Fixtures; Floorcoverings; Decorations	£250,363	£132,064	£2,015,015	£13,925
<b>Improvements required following the Access Audit</b> :- car parking & setting down; external pavings; entrances & reception areas; passenger lift; physical internal features, contrasting textures colours and signage.	£51,000	£193,250	£244,250	£2,500
<b>Fire Risk Assessment</b> ;Improvements required fire stopping; and fire safety	£11,000	inc	£11,000	£2,000
<b>Mechanical &amp; Electrical Works</b> , include:-Inspections, service and repairs to:- the heating and cooling plant; electrical installations; building managements system; fire alarms; emergency lighting; closed circuit television; water services	£264,850	£448,900	£3,290,400	£37,750
sub totals of costs	£577,213	£774,214	£5,560,665	£56,175
contingencies 10%	£57,721	£77,421	£556,067	£5,618
	<b>£634,934</b>	<b>£851,635</b>	<b>£6,116,732</b>	<b>£61,793</b>
contractors' preliminaries and management costs 12%	£76,192	£102,196	£734,008	£7,415
	<b>£711,126</b>	<b>£953,831</b>	<b>£6,850,739</b>	<b>£69,208</b>
Professional and statutory fees 15%	£106,669	£143,075	£1,027,611	£10,381
<b>Grand totals</b>	<b>£817,795</b>	<b>£1,096,906</b>	<b>£7,878,350</b>	<b>£79,589</b>

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## **Executive**

Report of the Director of City Strategy

## **Community Stadium – Update Report**

### **Summary**

1. The purpose of this report is to provide the Executive with an update on the progress of the Community Stadium project. The outline business case is currently being prepared and will be reported to the Executive in June 2009.
2. In examining the potential community benefit for the city and engaging with key stakeholders significant 'need' has been identified. This report will update members on the progress of the initial feasibility stage and how this might shape the aims of the Community Stadium project and the partners that could be involved.

### **Background**

3. The Executive has considered a number of reports regarding the development of a Community Stadium for York. At its meeting on 9 September 2008 the Executive resolved to re-affirm its commitment to support the project and assist York City FC to secure the £2 million Football Foundation Grant. To that end it agreed to appoint a Project Manager to drive the project forward.
4. At the Executive meeting of 20 January 2009 the partnership and project management arrangements were formalised. It was agreed a Project Board would be established that would include representatives from the key partners: York City FC, York Knights RLC, City York Athletics Club, Active York and City of York Council. It was proposed that an outline business case was to be presented to the executive in June 2009.

### **Update on Current Position**

#### **Project Management**

5. The Project Board's inaugural meeting will take place in May 2009. The external advisory member is yet to be formalised and the Project Board will discuss further options if a nomination has not been made by the date of the first meeting. The purpose of the Project Board is to be responsible for the

strategic development of the project and refer key issues to the Executive for consideration and ratification. Under the Board are two working groups; the Partnership Group (which co-ordinates the key partners and deals with more detailed matters) and the Internal Officer Group which ensures corporate ownership and other key issues relating to the Council's interests. Both of these groups meet on a regular basis to oversee the development of the project.

## **Progress of Project**

### **Development of the Business Case**

6. The first main output of the project will be the preparation of the outline business case to be considered at the Executive in June 2009. Significant progress has been made in establishing the potential scope of the project and developing some high level options for further consideration. The starting point of this process is to look at the need and demand for a stadium and to address issues such as:
  - Is there a need for a new stadium in York?
  - If so, what core facilities should be included and what size?
  - What is a community stadium?
  - How could community benefit be best achieved – what are the options?
  - What other potential partners are there and could they compliment the project?
  - What are the key areas of need in the City? Can this project assist in addressing these?
  - What other commercial uses are compatible with a stadium?
  - Can the stadium be commercially sustainable?
  - What are the potential options or models to drive the project forward?
  - How much would they cost in revenue and capital terms?
  - What are the options for funding?
  - How will the site selection process be undertaken?
  - What are the key planning issues?
  - What will be the next steps?
7. Specialist consultants have been engaged to undertake a feasibility study and provide specific evidence. The work will focus on market analysis of demand / need issues, high level financial modelling and development appraisal work. The findings will support the outline business case and the report to be considered by the executive in June 2009.

### **Scope of the project**

8. The primary aim of the project is to deliver a community stadium for the City that will provide a home for York City FC, York Knights RLC and a replacement athletics facility. A number of underlining principles have been established to provide a framework as the project's scope is developed, these are as follows:

- A stadium for York City and York Knights to meet minimum league requirements
  - A replacement athletics facility to a minimum of county standards
  - A location that maximises opportunity for access for the people of York and its visitors
  - Maximises community use including sport, education and health / well-being
  - A commercially sustainable, the project must result in a viable business venture
  - Is an environmentally sustainable development
9. The extent to which the stadium can best benefit wider community is a fundamental element of the feasibility work. The starting point has been to examine need and gaps in provision across the City. The potential synergy of this need is to be aligned with the core purposes of the stadium. A wide range of sporting, recreational, health, educational and skills issues have been identified.
10. Relevant stakeholders have been approached regarding need and gaps in provision. Consideration has also been given to how a community stadium could offer opportunities for the delivery of services. The stadium could act as a hub or focal point of well-being, learning and sport; building on innovative models across the UK.
11. For example, Doncaster's Keepmoat Stadium has provided a impressive home for sport with associated community sports facilities. Preston North End and Warrington Wolves have developed partnerships with their respective PCTs to provide significant state-of-the-art clinical care facilities, changing the face of delivering health care. A similar arrangement has been developed at Headingley and the KC Stadium in Hull. Partnerships have been forged between further and higher education providers to deliver front line educational services within the stadiums.
12. Using the undercroft of stands to maximise floorspace for ancillary business uses offers a wide range of interesting options. Innovative designs can enable major commercial developments to be built into a stadium. These can be built as an integral feature or as a stand alone business entity. The opportunity exists to bring together community and commercial uses around the focal point of a sports stadium. It also represents a cost effective means of developing new facilities and additional floorspace. Furthermore it could include a major anchor partner (or partners) which could bring commercial and community benefits as part of the stadium development.
13. Officers are exploring the potential of bringing together key stakeholders in the city. Synergies exist between a wide range of services linking health, well-being, education, skills / learning and sport. A number of stakeholders have accommodation needs and the stadium project might offer an exciting solution as well as new means for delivering services.

14. Officers are in the process of speaking with the PCT, the Health Trust, Universities / Colleges and other service providers. The outline business case will consider the potential of pursuing such options as part of the project and consider the potential impact and benefits in bringing these services together as part of a hub of learning / well being / sport / commerce.
15. Another option that is being considered is a purely commercial anchor use, which could help subsidise the stadium and the provision of high quality community facilities, maximising the income potential of the stadium.
16. The extent to which the stadium can be environmentally sustainable is being explored, this will be largely dependent on the overall nature of the project. Issues regarding energy efficiency, carbon reduction and green power solutions are being developed as part of the outline business case.
17. The scope and impact of this project could be significant. It has the potential to become an innovative and exciting development for the city and wider region.

### **Planning issues**

18. The outline business case will present a number of models or options which will be supported by a high level appraisal identifying the potential benefits, costs and funding streams. Before beginning the site selection process, it is important that the case for development is first established i.e. why the city needs a stadium? What it might include? What will be the wider benefits? To this end, the site selection process and development of the planning case have been deferred until the outline business case has been established and agreement has been reached on how the project will be taken forward.
19. It is important that if the project is to be effectively progressed it is aligned with the development of the City's Local Development Framework.

### **Communications Plan**

20. The Communication Strategy was agreed at the partnership meeting held on the 5<sup>th</sup> February 2009. The strategy identifies objectives, key messages and methods of communication between external and internal parties and is supported by the Communication Plan (Annex 1) and the Media Protocol (Annex 2). The strategy will be used to establish and manage on-going communications for the first stage of the project and will be refreshed to include public consultation and public engagement if the business case is approved.

## **Options and Analysis**

21. This is primarily an update report informing Members on the progress of the Community Stadium project. However, Members are asked to endorse the approach adopted regarding the overall scope and wider impact for the City.

## **Corporate Priorities**

22. The provision of a new community stadium for the city is a priority action in the Corporate Strategy 2009-2012 which states: "We will develop proposals to complete the building of a Community Stadium for the City that will provide high quality sport recreation and other community focused opportunities." It is also identified in Active York's 'Sport and Active Leisure Strategy' which was signed up to at the Leisure and Heritage EMAP in June 2005. The facilities section of this strategy was updated in May 2007.

## **Implications**

### **Financial**

23. This project currently has both a revenue and capital budget allocated. With regard to the revenue budget the project has £200k of Local Authority Business Growth Incentive (LABGI) funds that were approved at Staffing and Urgency Committee in May 2008.
24. As part of the 2009/10 budget process a capital budget of £4,000k was approved at Budget Council in February 2009. A significant element of the outline business case will be looking at the high level costs to assess the likely level of funding required to develop a stadium to a given specification.
25. It should be noted at this early stage that if the project is progressed beyond the outline business case stage additional resources will need to be committed to undertake detailed feasibility work, site selection, master-planning, partnership development and other relevant specialist work.

### **Equalities**

26. As part of the Outline Business Case consideration is being given to the impact the project will have on Equalities. An Equalities Impact Assessment will be required once a site and proposal has emerged.

### **Risk Management**

27. An essential part of the development of the business case is establishing a robust strategy for managing risk. A high level risk register has been established and discussed with the Partnership Group. The key risks identified at this stage of the project relate to the outcome of the feasibility study:

- If there is a demonstrable need for a new stadium
- If there is a significant funding gap to achieve the desired outcome
- If there is limited or no scope to bridge that gap

28. These and other more detailed risks will be further developed as the evidence associated with the outline business case emerges.

**Legal** – There are no legal implications at this stage.

**Human Resources** – There are no implications.

**Crime and Disorder** – There are no implications

**Information Technology** – There are no implications

**Property** – There are no implications at this stage

## **Recommendations**

1. That the Executive note the progress made on the Community Stadium Project to date.
2. That the Executive agree with the approach set out and continue with the feasibility work and testing the potential partnerships to achieving wider community benefits.
3. That a report summarising the outline business case be brought to the Executive in June 2009.

**Contact Details**

**Authors:**

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**Chief Officer Responsible for the report:**

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Director of City Strategy  
01904 551330

**Report Approved**

**Date** 16/4/09

**Specialist Implications Officer(s) :**

None

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

**Annexes**

Annex 1 – Communication Plan  
Annex 2 – Media Protocol

**Background Papers:**

- Community Stadium Report to Staffing and Urgency Committee 21<sup>st</sup> May 2008
- Staffing and Urgency Committee Minutes 21<sup>st</sup> May 2008
- Deloitte report on community stadium for CYC 20<sup>th</sup> June 2008
- Active York's Sport and Leisure Strategy
- Executive Report 15<sup>th</sup> July 2008
- Executive Report 9<sup>th</sup> September 2008
- Executive Report 20<sup>th</sup> January 2009

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### Community Stadium Communication Plan Overview

<b>Date</b>	<b>Message</b>	<b>Key Audience</b>	<b>Method/s</b>
Jan 2009	Project Progress	Executive and Shadow Executive	Meetings Report
21 Jan	Community Stadium Project Overview (small paragraph in corporate report)	City of York Council Corporate Management Team Brief Project	CYC Dashboard Report
21 Jan 2009	Project Progress Communication Strategy Media Protocol	Officer Group	Meeting
29 Jan 2009	Striving for Excellence in York	Business Community Residents/public	Presentation (Lord Mayor's Breakfast) Press release
Feb 2009	Project Progress Communication Strategy, Plan and Media Protocol	Partnership Group	Meeting
Feb/March 2009	Project Progress The stadium will be for all the people of York. It will be a source of pride and community cohesion.	Residents	Press Release Radio
March 2009	Project Progress - Project Board and structure created and Media Protocol and Communications Strategy sign up and webpage	Residents/Public Media Supporters	Press Release (Picture) Radio Game Programs
April 2009	Project Progress - Progress made to date and future progress milestones	Partnership Group	Meeting
April 2009	Project Progress – Update report to go to the executive	Members	Executive Meeting and report
July 2009	Outline Business Case	Members	Executive and Shadow Executive Media/Press release

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### **York Community Stadium Project Media Protocol**

The Media Protocol aims to protect and enhance the reputation of the Community Stadium Project, gain maximum media coverage, provide strong and consistent messages as well as promote the understanding of the project's policies, activities and decisions.

The protocol will be adopted by City of York Council, York City Football Club, York Knights Rugby League Club, York City Athletics Club and Active York who are working together in partnership to deliver a community stadium in York.

The project is high profile. In order for the Project Group to be able to function effectively it is important that members understand that the project is high profile and therefore confidential.

The protocol has been developed to ensure that the approach to the media can be:

- open and honest
- proactive
- responsive and timely.

By working together the partnership group can liaise with the media to positively respond to and inform the public on this key topic of local interest and ensure that the messages about the stadium are regular and consistent. This can be achieved by:

- 1 Each interest group involved in the project can have a nominated person who will be their representative for communicating with the media. If any project member is approached by the media they should either a) refer the media to the nominated spokesperson or b) consult with their nominated media spokesperson to discuss the approach and how to respond to the request.
- 2 The partnership group should aim to discuss and agree the lines of a response or take advice from other members of the partnership where possible. However as a minimum the partnership group should be informed of any media submissions or responses and the content.

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**Executive**

28 April 2009

Report of the Director of City Strategy

**Access York Phase 1 Park & Ride Development – Update and Outcome from the Clifton Moor Site options consultation****Summary**

1. This report provides an update of progress of the project, with particular relevance to the work carried out on the outline design of the A59 roundabout at its junction with the A1237 Outer Ring Road (ORR). It also provides information about the consultation exercise for the Clifton Moor site options and seeks a decision from the Executive on the preferred site to enable the planning process to begin.

**Background**

2. Executive considered a report on Access York Phase 1 on 29 July 2008 and agreed to:
  - Instruct officers to proceed with the project, bringing reports back to the Executive at key stages.
  - Approve the delivery arrangements and the creation of the Project Board
  - Approve the consultation process on the basis of a single site at Askham Bar
  - Approve the consultation process based on the A59 site adjacent to Boroughbridge Road
  - Include the possibility of a subway at the A59/ORR in the pre-application consultation
  - Approve the consultation process based on four sites at Clifton Moor
3. All of the above are being progressed and a brief programme update is provided in the following section of this report. One of the key reasons for reporting back at this stage is to provide feedback on the Clifton Moor consultation.

**Programme Update****Outline Design and Planning****Askham Bar Park & Ride**

4. The outline design is complete for planning purposes and the planning exhibition took place in mid April 2009, based in the existing Park & Ride car park using the Council's mobile exhibition unit. In addition to this a stakeholder meeting was organised on 16 April 2009. The intention is to gather as much consultation feedback as possible and to submit the planning application at the end of May 2009.

### **Poppleton Bar Park & Ride**

5. Whilst outline design work for the Park & Ride site was completed some time ago, the challenge at this site has been the outline design of the A59/A1237 roundabout. A large number of options have been considered to enable the most efficient design to be created. This design makes maximum use of the existing highway land available, achieving the greatest capacity for traffic flow and ensuring that this applies to the Park & Ride buses, and without impacting on adjoining properties.
6. The proposal, for planning purposes, includes the following main features:
  - a larger roundabout
  - three lanes entries on all approach roads to the roundabout
  - two lane exits travelling off the roundabout and onto the A1237, with these lanes then merging into a single lane
  - control of traffic flows onto the roundabout on the A1237 southbound approach by means of traffic signals set back from the roundabout and linked to detectors monitoring the length of traffic queues on the A59 westbound approach
  - a combined pedestrian and cycling subway under the A1237 to the north of the roundabout with CCTV coverage
  - a combined footway and cycleway from Beckfield Lane to Station Road passing through the subway
  - a carefully considered approach to the requirements of properties near to the roundabout.
7. To achieve all this a small amount of land will be required, currently forming part of the landscaping embankment to the Manor School sports field and discussions with the school and Property Services Team are progressing.
8. It is intended that the proposals for the roundabout will be included in the supporting information for the Park & Ride site planning application even though planning permission for the works at the roundabout may not be required. Doing this will provide an opportunity for public comment at the most appropriate time.
9. A plan of the roundabout proposals is included as Annex 1 but a larger plan has been placed in the Member's library.
10. In general terms the traffic modelling carried out has shown that with the predicted growth in traffic by 2026, journey times on the A59 (bus priority) will

be approaching current times. However, journey times on the A1237 will exceed current times unless further enhancements of the whole ORR are undertaken.

### **Clifton Moor Park & Ride**

11. The consultation document on a preferred site was issued in late February 2009 and the consultation period ended on 26 March 2009. The feedback from this is presented later in the report.

### **Land Acquisition**

12. Options to buy land for the P&R sites at Askham Bar and Poppleton Bar have now been agreed in principle and contracts are being prepared. The exception to this is the requirement for a small strip of land at the Askham Bar site in Tesco's ownership, at the point where the buses enter onto the bus-only access road close to the existing P&R site. The acquisition discussions for this small piece of land have lagged behind the major land acquisition requirements but this is now under detailed consideration.
13. As already mentioned a small area of land is required to accommodate the subway at the A59 roundabout.
14. Outline discussions with the owners for all the Clifton Moor sites has taken place and two out of the four sites are more likely to be available to purchase than the others. Some outline design work has been carried out to check on the ability to build an operational Park & Ride site on the most likely locations. Land negotiations will continue as and when a decision on the preferred site is made by Members

### **Procurement**

15. The proposed way forward is:
  - Procurement of the construction contractor using a target cost approach (NEC ECC Option C)
  - A Client Agent will be employed to safeguard the Council's interests.
  - An Engineering Consultant will be procured to finalise the outline designs, to produce contract documents, to carry out the procurement of the contractor in association with the Council and to supervise the contractor.
16. To avoid conflicts of interest between external organizations, clear roles and responsibilities need to be defined. This will be reinforced with a 'confidentiality undertaking', which is lawfully enforceable, with third parties having to indemnify the Council against claims in the confidentiality undertaking.

### Programme schedule

17. The programme has been reviewed and revised so that the scheme is now planned to be delivered and constructed as one single large project rather than separate schemes. This will maximise the economies of scale and simplify the approvals process, leading to reduced costs but means that the programme is dependent on waiting for the outcome of the planning application for the last site to be considered, Clifton Moor, which may mean a later than originally anticipated start on site for Askham Bar. Completion of the entire project is still planned for late 2011 or early 2012.

### Major Scheme Bid Submission

18. The Major Scheme Bid was submitted to DfT on 26 February and the main documents are available on the council's website. Since submission the DfT has carried out an initial review of the business case and is seeking clarification and additional information on a number of matters, all of which is receiving prompt attention. The DfT may defer detailed evaluation of the bid until these initial comments have been addressed. At this stage it is still anticipated that Programme Entry will be achieved by August 2009.

### Clifton Moor Park & Ride Consultation

#### Consultation Results

19. A consultation leaflet identified 4 potential sites for the Clifton Moor Park & Ride. These sites are shown in the plan in Annex 2.
20. A total of 2170 leaflets were distributed to houses and businesses within a 2 km radius of the four potential sites. In total 312 or 14% were returned and the feedback is shown below.

Site	Strongly agrees with proposal (% of total)	No strong opinion (% of total)	Strongly disagrees with proposal (% of total)
Site 1	20 (5%)	78 (23%)	206 (39%)
Site 2	48 (14%)	82 (25%)	172 (32%)
Site 3	64 (18%)	135 (41%)	104 (19%)
Site 4	220 (63%)	36 (11%)	54 (10%)
<b>Totals</b>	<b>352 (100%)</b>	<b>331 (100%)</b>	<b>536 (100%)</b>

21. The consultation reply form allowed a 'tick' to be placed against each site in an appropriate column, at just one site or all four sites, so there are far more 'ticks' than replies. Most residents and businesses replying included their postcode and this shows that there is good representation across all postcode areas. The reply form also sought comments from those wishing to make them and these covered a wide of issues:

- Concerns about the existing congestion on the ORR and the Clifton Moor area
  - Support for sites both inside and outside the ORR
  - Requests for pedestrian and cycling facilities associated with the Park & Ride site and further along Wigginton Road
  - Concerns about the proposed bus priority measures being adequate
  - Support for the link from Site 4 into the Clifton Moor retail and business park
  - Requests that the preferred site should have the least effect on the green belt and the environment
22. A large majority of replies were strongly in agreement with Site 4 as the preferred site. The main reasons quoted for this were that it was on the inside of the outer ring road making bus movements easier and that it was adjacent to the existing Clifton Moor retail and business park and would therefore have less impact on the environment. There was also support for the possibility of pedestrian, cycling and a bus route from the P&R site into the retail and business park.
23. Site 4 also has the smallest number of replies disagreeing with the proposal and 25 out of the 54 doing so actually didn't want a P&R site at any location, not just at Site 4.
24. The nature conservation aspects of the farming activities on Site 3, and to some extent Site 1, have been set out in a letter to the Council with a request, that an alternative to either of these sites be considered as a more favourable way forward.

### **Ward Committee Involvement**

25. In addition to the consultation leaflets, the three Ward Committees affected by the proposal were visited and the proposals discussed. There were no formal outcomes as such but the feedback was informative and generally positive. The main points were noted and are attached as Annex 3.

### **Technical Considerations**

#### **Environmental Issues:**

26. There are no significant environmental factors affecting one site more than another. Great crested newts exist close to Sites 3 & 4 and if required this would be dealt with by agreed mitigation measures under a licence application to Natural England. Site 4 also has a potential for roosting bats in the old airfield bunker but a bat survey would be needed to confirm this.
27. Very little is known about the archaeology of these sites but whichever site is chosen a geotechnical site investigation is likely to be required.

### **Transport Issues:**

28. The consultation leaflet made it clear that whilst all four sites have been considered, only two of these sites, Sites 2 and 4, have been considered in more detail and this is due to land acquisition issues.
29. The benefits and drawbacks of the sites under continuing assessment are:

#### **Site 2**

- Good direct access for traffic travelling towards York easing congestion on the A1237 roundabout.
- Buses will have to travel across the roundabout with potential delays but bus priority measures could help to get buses to the roundabout.
- The site has a large diameter water main running through it and this will affect the layout of the site.
- Visual impact but would be adjacent to some existing buildings.

#### **Site 4**

- Well located for buses servicing the site as it is on the city centre side A1237 ring road roundabout.
- Car drivers have to travel across the A1237 roundabout and congestion will not be eased.
- Close to Clifton Moor business area with the possibility of an additional P&R bus route to service the Clifton Moor area, in a similar way to the Monks Cross P&R site.
- Possibility of a direct footway and cycle link into the Clifton Moor area.
- Least adverse effect on the A1237 roundabout from the impact of any 'stacking' of vehicles prior to them entering the site.
- Least visual impact, being adjacent to the built-up business area of Clifton Moor.

### **Options Appraisal**

30. Site 2 has the main advantage that it will take traffic off the ORR roundabout and this will help to ease some of the congestion. However, if the Park & Ride service is to operate efficiently, and if there is a suitable site on the inside of the ORR as there is in this case, then Site 4 offers more advantages.
31. The need to maintain a regular and reliable P&R bus service is essential if it is to be viewed as a success and the sites on the inside of the A1237 provide the maximum opportunity for this. Site 4 has the advantages of least environmental impact, being adjacent to the already built up area of the Clifton Moor business park, as well as having the potential for pedestrian, cyclist and perhaps increased bus links into the business park. Furthermore, the initial discussions about land indicate that an agreement may be possible.
32. A large majority of those consulted, 63%, ranked Site 4 as the most preferred site by strongly agreeing with the proposal.

## Proposal

33. It is proposed that Site 4 is the preferred site and if this is approved by the Executive, then outline designs will be completed and discussions about land recommenced.
34. This proposal will not result in any works being carried out to the ORR roundabout in connection with the Park & Ride site. It will, however, be possible to look at what can be done to assist in reducing congestion as part of the work on Access York Phase 2 in 2009/10 in readiness for construction in 2010/11.

## Corporate Priorities

35. The development of the Park & Ride service and improvements to the ORR are key elements of the Council's transport strategy set out in the Local Transport Plan. In addition, the proposals support the Council's Corporate Priority 'to increase the use of public and environmentally friendly modes of transport'.

## Implications

### Financial

36. The proposed spend profile included in the bid is identified in the table below.

	2008/09	2009/10	2010/11	2011/12	2012/13	Total
	£000s	£000s	£000s	£000s	£000s	£000s
<b>RFA Total</b>	0	694	11,006	12,230	202	24,132
<b>CYC Total</b>	346	1,041	1,108	1,064	18	3,576
<b>Total Scheme Cost</b>	346	1,735	12,114	13,294	219	27,709

37. Allocations for the funding of the Local Contribution have been included in the 2009/10 City Strategy Capital Programme report to 31 March 2009 Executive meeting. Options were also presented for the use of increased funding from the region, which would allow additional bus priority and cycling measures to be introduced. Funding sources for the Local Contribution will need to be finalised when the Conditional Approval and Final Approval business cases are submitted in 2010/11.

### Human Resources (HR)

38. There are no HR implications identified in this report. As much work as possible in the delivery of the project will be accommodated through the Project Team using existing staff resources but beyond this it will be necessary to use external agencies. The role of the Park & Ride monitoring officer will change in due course to include the additional sites.

### **Equalities**

39. The work carried out will benefit everyone in the community, either because of the opportunity to use the new Park & Ride sites or because of the benefit of reduced congestion on the roads and improved air quality. There are no equalities implications.

### **Legal**

40. There are no legal implications.

### **Crime and Disorder**

41. There are no crime and disorder issues.

### **Information Technology (IT)**

42. There are no IT implications.

### **Property**

43. The construction of the new sites will increase the Council's properties assets. It is intended to provide the most sustainable assets possible with routine maintenance and operation being included in the Park & Ride service contract.
44. If a new site at Askham Bar is constructed then the existing site, owned by the Council, would be vacated and become available for possible sale.

### **Other**

45. There are no other implications.

### **Risk Management**

46. There is no change at this stage to the identified key risks but a regular review of the risk register and the mitigation measures is undertaken.
47. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to financial loss, non-compliance with legislation, damage to the Council's image and reputation and failure to meet stakeholders' expectations. However, measured in terms of impact and likelihood, the score for all risks has been assessed at less than 16. This means that at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.
48. At this stage in the bid process the Council does not commit to funding or underwriting the construction of the new sites. Separate reports will be submitted to the Executive as the bid progresses indicating the financial commitment and level of risk at each stage.

## Recommendation

49. Members are recommended to:

1. Approve Site 4 as the preferred location for the Clifton Moor Park & Ride site and agree that the planning consultation process should progress on the basis of this site.
2. Approve the outline design for the A59 roundabout with the ORR so that it can form part of the consultation process associated with planning matters for the Poppleton Bar Park & Ride.

**Reason:** To enable the Major Scheme Bid to progress.

## Contact Details

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**Chief Officer Responsible for the report:**

Damon Copperthwaite  
Assistant Director (City Development &  
Transport)

**Report Approved**

Yes

**Date** 16 April 2009

## Specialist Implications Officer(s)

Implication: Financial

Tony Clarke  
Capital Programme Manager, City Strategy  
Tel No: 551641

Implication: Property

Philip Callow, Property Services  
Tel No: 553360

Implication: Risk

Claire Rogers, Audit & Risk Management  
Tel No: 551156

**Wards Affected:**

All

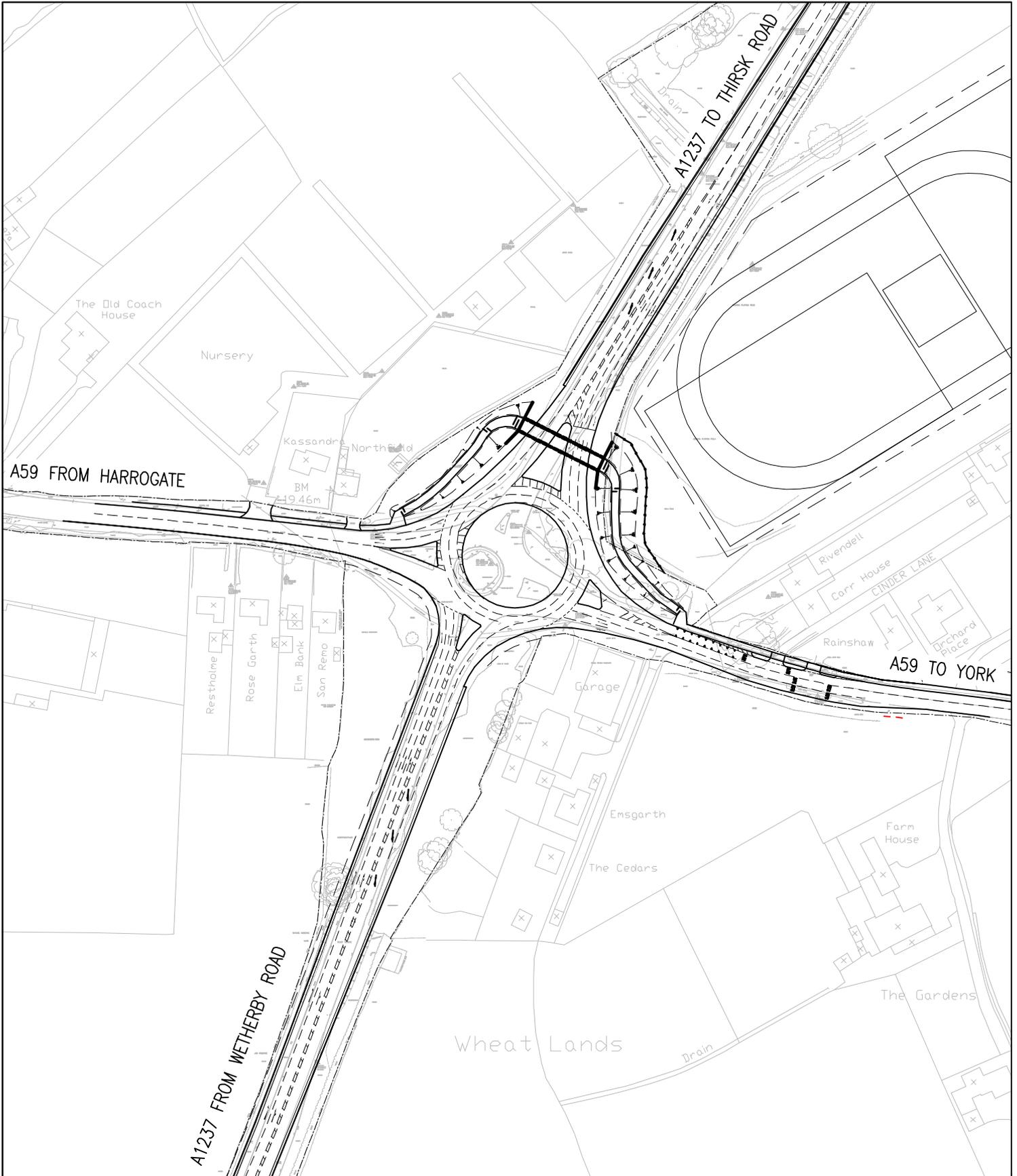
**For further information please contact the author of the report.**

## Annexes:

- Annex 1 - Plan of the A59/A1237 roundabout proposals
- Annex 2 - Map showing the Clifton Moor site options
- Annex 3 - Clifton Moor site options – Ward Committee feedback

**Background Papers:**

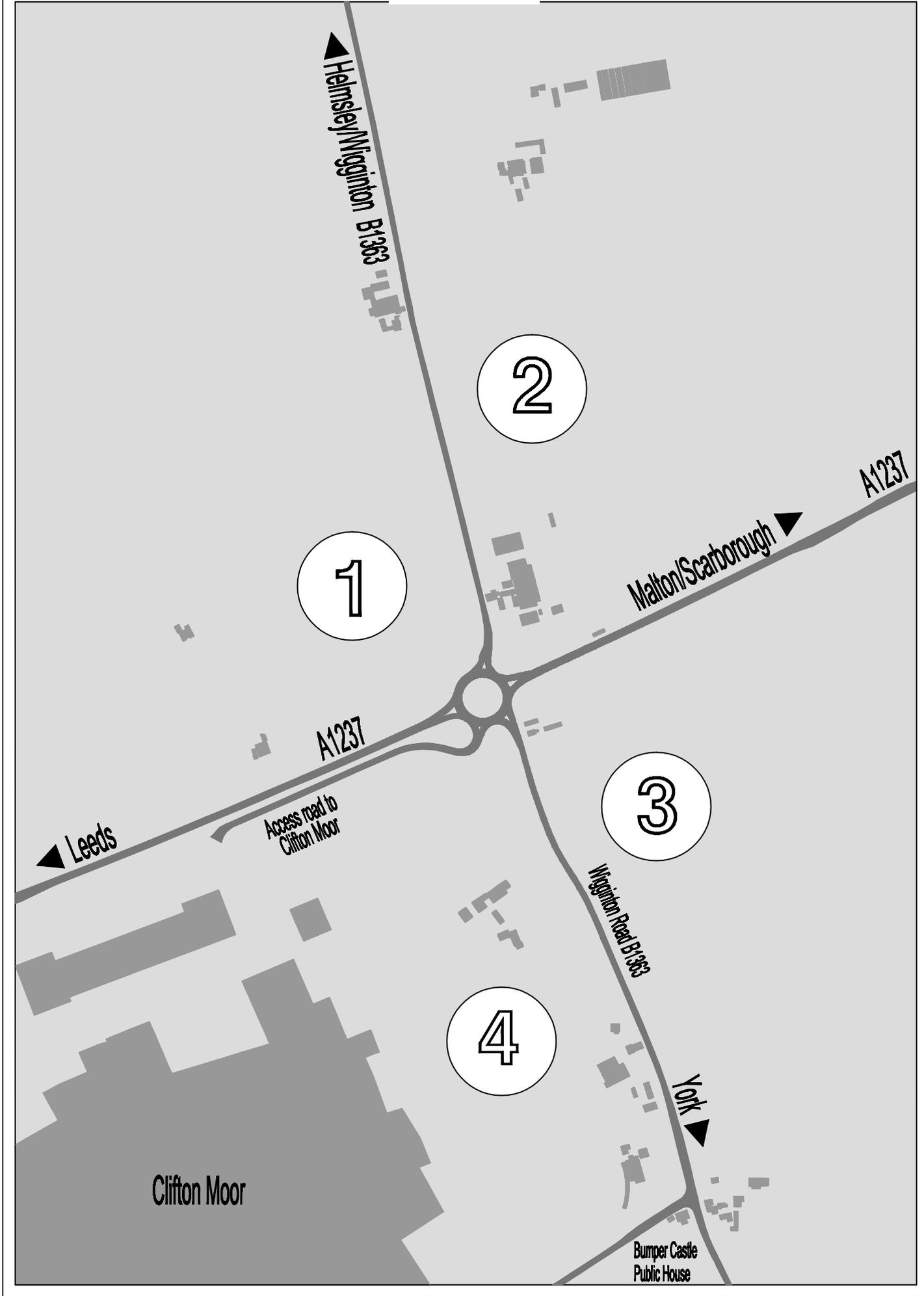
- (1) Result of Regional Transport Board Capital Bids and Application for Use of Contingency Funds – to the Executive on 22 April 2008
- (2) Access York Phase 1: Park & Ride Development - to the Executive on 12 February 2008
- (3) Access York Phase 1: Programme and Consultation Plan – to the Executive on 29 July 2008



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		Drawn by: V LIAN      Date: 08/04/09 Checked by: S TAYLOR      Date: 08/04/09 Authorised by: S TAYLOR      Date: 08/04/09	Drawing Scale: 1:2000@A4      Plot Scale: 1:1	CAD Filename:

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### **Annex 3**

#### **Clifton Moor P&R Site Options - Feedback from Ward Meeting Jan/Feb 2009**

##### **Skelton, Rawcliffe & Clifton Without Ward Meeting 29 January 2009**

- The opening hours need to tie in with the hospital
- Will there be bus priority measures on Gillygate?
- Traffic may divert along Kettlestring Lane to try to avoid the traffic signals at the entrance to a P&R site south of the outer ring road.
- Concerns about traffic tailing back into the P&R site if access directly onto the ring road roundabout is proposed.

##### **Haxby & Wigginton Ward Meeting 4 February 2009**

- There is too much traffic already on Wigginton Road so why not position the P&R site to the north of the Mill Lane junction at Wigginton?
- The P&R site may increase traffic on the outer ring road as it would attract more vehicles.
- The site should be well away from the outer ring road.
- Concerns that we may not be able to upgrade the bus route sufficiently.
- Why isn't there a better bus service along Wigginton Road?
- The Mill Lane junction is very busy with concerns that this proposal could make it worse.
- Why not use the Icon/Deva site for a P&R?
- The car park needs to be secure.

##### **Huntington & New Earswick Ward Meeting 12 February 2009**

- Concerns about opening hours of the site.
- Concerns about the adverse effect of lighting.
- Interest in whether one site would be more costly to build and operate than other options being considered and whether this should be a consideration.
- Consensus was that sites on the inside of the outer ring road would be better, as bus delays would be reduced.
- All seemed to agree that people are more prepared to put up with delays whilst in the comfort of their own vehicle rather than sat on a bus.
- The Police asked about security of the Park & Ride site.

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## Executive

28 April 2009

Report of the Director of City Strategy

## LOCAL AREA AGREEMENT (LAA) DELIVERY FUND

### Summary

1. This report presents Members with the outcome of the process to assess bids that were made to the LAA Delivery Fund and includes a list of the projects recommended for funding. The recommendations represent the deliberations of the Without Walls Executive Delivery Board and LAA Delivery Fund Assessment Panel, comprising representatives of the Without Walls delivery partnerships. Members are asked to support the recommendations of the Executive Delivery Board in funding the short listed projects.

### Background

2. In July 2007 the Council's Executive agreed that the residual performance reward from the second round of Local Public Service Agreements should be used as a fund to support delivery of outcomes for York's LAA (2008/09 – 2010/11). The fund, was subsequently launched at the Without Walls conference in September 2008. Statutory organisations, community and voluntary groups, charities and community interest companies / social enterprises were eligible to apply. Applicants were requested to submit bids that benefited York residents and detailed expected outputs, outcomes, milestones and a project timetable.
3. The bidding process was promoted widely within the city, leading to the submission of 88 bids by the closing date of 30 January 2009. Of the 88 bids submitted, five were registered as ineligible and one bid was withdrawn by the applicant. The 82 remaining applications covered a wide range of partnership interests and LAA outcomes. There was also a healthy balance of bidders between the statutory and voluntary sectors.
4. The refreshed LAA for York was considered at the Executive at its meeting on 31<sup>st</sup> March and has been subsequently approved by the Secretary of State for Communities and Local Government under Section 112 of the Local Government and Public Involvement in Health Act 2007. The Council's commitment to use the residual performance reward from the LPSA2 to support the LAA outcomes has been highlighted as good practice by the Government Office. This resource will assist in achieving LAA outcomes, particularly for those most in need in current challenging economic conditions. The available resource to support the LAA delivery fund is £664k. This is less than that announced at the launch as the LPSA2 target relating to young people not in employment, education or training (NEET) was not achieved; the NEET performance decreased at the point of the snapshot performance report for the target (as a result of the economic downturn and the cancellation of apprenticeships in the retail sector

and some work based learning opportunities). Nonetheless, York's NEET performance is still one of the best in the country.

## LAA Delivery Fund – Evaluation Process

5. The group brought together to carry out the initial assessment of bids comprised officers of the Strategic Partnership Team and the Resources Grants and Partnership Team, with specialist input from City Development accountancy support. Their role involved:
  - Conducting an initial eligibility check on each bid to ensure compliance with the eligibility criteria stated in the application form e.g. submission of audited accounts, constitution and security of tenure, if applicable;
  - Notifying ineligible bidders regarding their unsuccessful application;
  - Producing an officer assessment report on each eligible bid that summarised anticipated impact of the scheme against LAA indicators, evidence of partnership working arrangements, need / demand for the scheme, beneficiaries, costs / financial stability and a general assessment of delivery, impact and value for money.
6. A sub group of the Without Walls Executive Delivery Board (the LAA Assessment Panel), comprising representatives of the Without Walls delivery partnerships, were recruited to consider all of the bids and to reach a collective view on those that should be recommended for funding. The partnerships represented were:
  - Healthy City Board
  - Learning City York
  - Safer York Partnership
  - YorOK
  - Inclusive York Forum
7. Each panel member was asked to review the assessment reports, and to clarify any queries about the bids if necessary, before ranking them in order of preference.
8. During the assessment process officers and panel members were expected to declare potential conflicts of interest in relation to applications that they had connections with. As a result, officers did not assess bids that they had knowledge or links with and the scores of panel members (relating to projects that they had declared an interest in) were replaced with averaged scores of the remaining panel members.
9. In parallel with the panel assessment process, the chairs of the eight strategic partnerships received summary information regarding bids received claiming to impact on the LAA indicators they had responsibility for. They were asked to feed in any contextual knowledge or expert opinion about the bids that would not otherwise be available to the assessment panel. Any comments submitted were added to the relevant assessment for each bid. In addition, CMT were asked to feed in the views of their Executive Member.
10. The ranked scores of the assessment panel for all 82 schemes are attached at **Annex A**. The bids were presented as A, B, C (i.e. A had received a panel

ranking of less than 80, B – between 80 and 170 and C – 171+). This schedule was used as the basis for discussion at the LAA Assessment Panel's joint decision making day.

11. The assessment panel met on 9 March to consider the overall scores and to jointly agree a prioritised list of bids that could be recommended to the Without Walls Executive Delivery Board by:
  - Agreeing the schemes categorised as 'C' following the panel member ranking process, promoting Cs to B if applicable;
  - Discussing the 'A' ranked schemes in detail and agreeing which of these should be recommended to receive funding;
  - Discussing the 'B' ranked schemes in detail to ascertain whether any of these schemes should be promoted for funding.
12. In coming to a view about the merits of each bid, panel members were asked to consider:
  - The anticipated impact of schemes on LAA indicators;
  - Strategic partnership input;
  - The overall range of indicators covered by selected projects;
  - Challenging the bids (e.g. costs, beneficiaries, sustainability of schemes);
  - Executive Delivery Board risk ratings (Red / Amber / Green assessment of indicator achievability as at 15 December 2008);
  - Whether alternative sources of funding were available for the project.
13. The final recommendations of the panel are presented at **Annex B**. This summary also highlights the range of partners involved in delivery of the project, the panel's view of the indicators most likely to be positively influenced by the scheme and the risk assessment of indicator achievability. In addition, a summary of project deliverables for each of the schemes recommended for funding are attached at **Annex C**. These project deliverables will be used to agree the terms and conditions of the grant and to monitor progress and delivery. Sixteen projects were selected in all totalling £610,732. A small amount of delivery fund was held back for appeals, should they arise. However, if these were not forthcoming the panel recommended that the remaining funding be allocated to the first of two reserve schemes (i.e. 25 - Castlegate Meeting Need).
14. The process of refining the bids into a set of funding recommendations involved individual consideration of all the factors identified above per project in order to reach a consensus view on the best overall balance of schemes. As identified at paragraphs 11 and 12 above, this required removing and adding to the 'A' list of schemes recommended for funding. The reasons for this included that:
  - Closer analysis of the scheme revealed that it was unlikely to deliver against the specified indicator(s);
  - If two strong bids were delivering similar schemes against the same indicator then a choice was made about which was most likely to have greatest impact;

- Schemes which had scored well on important areas, such as evidence of partnership working or match funding, but had not scored so well on delivery against indicators were demoted;
  - Closer analysis of the full application reassured panel members that concerns they had (e.g. deliverability, high costs, vfm) could be addressed and they felt able to give support to the scheme;
  - It was recognised that despite a few minor reservations a particular scheme was the only one received that could genuinely impact on a particular target;
  - The sum requested was small in comparison to the difference it could make and this compensated for other concerns.
15. The Without Walls Executive Delivery Board met on 1 April to discuss the Assessment Panel's views and reach consensus on the recommendations to be made to CYC Executive. All members agreed that a thorough process had been followed to arrive at the bids recommended for funding. The group then carried out a moderation exercise, whereby each of the recommended schemes was reviewed and discussed.
16. The Executive Delivery Board concluded that the list of schemes represented a broad spread of projects, which would tackle many issues classed as high risk by the delivery partnerships. As part of the moderation it was proposed that one of the short listed schemes, 39 – Taking action against graffiti, was an issue for the council to pursue. The Board agreed that this project should be withdrawn from the list and replaced with another anti-social behaviour focused scheme, 28 – Capable Guardian.
17. The Capable Guardian bid was for approximately the same amount of money (£50k), but would be directly linked to youth services providing the following additional activities:
- Increasing the amount of positive youth activities in the Westfield / Woodthorpe / Dringhouses area to young people aged 11-16. The majority of additional provision will run during school holidays i.e. provision then will be doubled from 12 hours a week to 24 hours.
  - Establishing a mentoring scheme for up to 40 young people who have been identified as being at risk or engaging in anti-social behaviour. Each young person will be linked with an adult mentor and will develop a six month action plan to work on together.
18. The Board also agreed that, as a condition of funding, Capable Guardian should be asked to extend geographic coverage of the scheme to include other areas across the city where hot spots of anti-social behaviour have been identified as a problem.
19. The next steps in allocating LAA Delivery Fund are to:
- Notify successful bidders of the decision and the terms and conditions under which grant funding is offered. This will incorporate performance monitoring arrangements and a provision to withhold funds if milestones are not met or expected results not achieved. See **Annex D** for sample letter and grant conditions.
  - Allocate each funded scheme with a CYC Chief Officer to act as a sponsor.

- Inform each thematic partnership of the projects that relate to LAA targets that they have a responsibility for and ensure that these are built in to ongoing performance monitoring cycles;
- Notify unsuccessful bidders and provide support to identify alternative funding sources (this will include reference to other known funding streams if applicable and offering support of the Grants and Partnerships Team).

## Corporate Objectives

20. The LAA indicators and targets are an integral part of York's Sustainable Community Strategy. City of York Council's Corporate Strategy has been fully aligned with the Sustainable Community Strategy.
21. The LAA indicators are performance managed and reported via the CYC Corporate Performance Management system. In addition, the Without Walls Executive Delivery Board closely monitor performance and delivery and report progress to the wider Partnership on a regular basis.

## Implications

22. **Financial** - LAA operational guidance states that 'in agreeing targets for inclusion in LAAs, partnerships will want to consider how they will resource delivery of these priorities. Individual partners may wish to pool their mainstream resources, where this is possible'. It also acknowledges that the Local Government and Public Involvement in Health Act 2007 emphasises the need for cooperation, including the possibility of shared commissioning across the different public service providers to better meet the expectation of citizens.
23. **Human Resources** – There are no direct human resource implications arising from this report. However, it can be confirmed that, where project funding is used to recruit staff, grant conditions will clearly state that funding is time limited and no adverse publicity would be generated when the grant period ends.
24. **Equalities** – Many of the bodies involved in LAA delivery are public bodies, and as such, have obligations under the Race Relations Act 1976. Specifically, whilst undertaking their role as stakeholders in LAAs, they must be mindful of the General Duty under the Act, which is: (a) to eliminate racial discrimination, (b) to promote equal opportunities and (c) to promote good relations between different racial groups.
25. In addition, the Race Relation Amendment Act, Disability Equality Duty, Gender Equality Duty and Equality Standard for Local Government also requires us to monitor the impact of our improvement activities in relation to all six equalities strands (gender, race, disability, age, sexual orientation, and religion and belief), where relevant. In the context of the LAA, Partners need to consider how delivery of LAA outcomes is impacting on different minority groups.
26. **Legal** – The Local Government and Public Involvement in Health Act 2007 placed a statutory requirement on the local authority to develop a Sustainable Community Strategy and LAA and duties on named partners to co-operate with the authority in this process.

27. **Crime and Disorder** – The LAA contains specific indicators in respect of the serious acquisitive crime rate, perceptions of anti-social behaviour, rate of proven re-offending by young offenders, re-offending rate of prolific and priority offenders and drug-related (Class A) offending rate. Two of the projects recommended for funding anticipate improvement against serious acquisitive crime, perception of anti-social behaviour and prolific and priority offending rates.
28. **Information Technology and Property** – There are no implications in these areas.

## Risk Management

29. The potential risks in grant funding external bodies range from failure of the organisation to deliver the agreed service at the appropriate standard, to the closure of the organisation as a whole with consequential loss of funds. These types of risks have been considered and are dealt with through robust application, assessment and grant agreement arrangements. This includes financial assessment of the organisation and a requirement that successful applicants comply with strict terms and conditions and performance monitoring cycles.

## Recommendations

30. Members are asked to support the Without Walls Executive Delivery Board's recommendation to:
- Award funding to the organisations set out in Annex B. The exception to this, as set out in paragraphs 16-18, would be that scheme 39 – Taking action against graffiti (£49,035) is replaced with scheme 28 – Capable Guardian (£50,000), in all totalling £611,697.
  - Allocate remaining funding to the first reserve scheme 25 – Castlegate Meeting Need (£46,984), should appeals not be forthcoming.
31. Reason: To ensure that a wide range of projects are instigated to support delivery of outcomes for York's LAA (2008/09 – 2010/11).

**Author:**

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552027

**Chief Officer Responsible for the report:**

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Assistant Director – Economic Development and Partnerships  
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**Report Approved**  **Date** 15/4/09

**Specialist Implications Officer(s)**

Financial – Patrick Looker  
Equalities – Evie Chandler  
Others – Report Author

**Wards Affected:**

All

**For further information please contact the author of the report**

**Annexes:**

**A – Re-ranked Assessment Panel Scores**

**B – Assessment Panel Recommendations**

**C – Project Deliverables**

**D – Sample letter and grant conditions**

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Scheme number	Project Title (Organisation)	Summary Description of Project	Grant Requested	LAA Indicator(s) covered
Category:	<b>A - Highly ranked joint panel score of &lt; 80</b>			
76	The York Sustainability City Education Programmes(Friends of St Nicholas Field)	The Programme will raise awareness of climate change in schools, enable school communities to reduce carbon emissions and build a community approach to fighting climate change / waste.	£50,000	CO2 emissions; Residual Household Waste
58	York Cares Kids College (York Cares)	The project utilises employee volunteering and student volunteers from the University of York to provide disadvantaged children (at Key Stage 2 and 4) with alternative / positive activities to promote learning.	£21,898	Volunteering; Key Stage 2 & 4 Achievement Gap
24	Crossroads (Network 2)	The scheme aims to enable young people (16-25) to: achieve economic well being by supporting them into education, employment and training; establish a healthy and safe lifestyle to give them a sense of achievement and fulfilment.	£50,000	Volunteering; Adult Participation in Sport; ASB; Positive Activites; NEET; Achieving independent living; NVQ level 2
49	Volunteering City (York CVS)	A revenue scheme to facilitate a multi-agency Volunteering Strategy for the city that will increase the amount of voluntary activity taking place.	£50,000	Volunteering; Thriving 3rd Sector; NVQ level 2
8	YorHome (CYC)	The Funding is required to employ an officer to set up and manage the scheme The scheme aims to create a socially responsible lettings agency providing incentives to private landlords to encourage them to accept homeless families as tenants	£48,986	Households in temporary accommodation
69	Childrens Centre JCP Advisor (CYC)	Employment of a JobCentre Plus Advisor to operate on an outreach basis to boost jobless parents' employability skills. To work across 3 centres, Westfield, Clifton and The Avenue	£31,450	Chidren in Poverty; Out of work benefits; NVQ level 2
59	Starting Blocks (York Cares)	Supported work placements and employability programme for care leavers and young people who are not in education, training or employment.	£16,216	NEET; ability to influence decisions
53	Young People Participation and Development (CYC)	Get more young people involved in accessing, commissioning and celebrating York's cultural heritage.	£35,690	Positive Activites;Childrens PE and Sport
82	Forest School Fitness Programme (BTCV York)	To develop fitness programmes in York primary schools using alternative, environmental, non-sport based physical activity	£34,510	Obesity in Year 6
21	Changing Spaces Changing Lives (Our Celebration)	Capital scheme to upgrade facilities including a design and print social enterprise – offering work placements for people recovering from mental ill health.	£32,000	Volunteering; Thriving 3rd Sector; Achieving independent living; adapting to Climate change; Health inequalities
40	New Frontiers For York's Travellers Women and Children (Traveller's Trust)	To assist an identified cohort of traveller mothers and their pre-school children. Mothers will receive short, tailored training in areas such as literacy, numeracy, health management, exercise and social skills. This will run in parallel with a headstart project for their pre-school children.	£50,000	ASB; Child Poverty; NEET's; health inequalities; participation in sport
71	York Green Street Challenge (Stockholm Environment Institute)	Recruit 500 households to participate in community low carbon project. Gain socio economic data and carbon footprint comparisons from ten neighbourhoods. Use knowledge to raise awareness and share best practice in York.	£46,312	Congestion; CO2 emissions; Fuel Poverty; Residual waste; Climate Change
50	Working Together - Better Together (York CVS)	Project aims to enable statutory bodies to improve their working relationships with local third sector organisations.	£50,000	Thriving 3rd Sector; ability to influence decisions
54	Hotspots, A City Wide Campaign to Tackle Fuel Poverty (The Energy Partnership)	The project looks to address the three key contributors of fuel poverty, i.e. maximising income, insulating homes and accessing cheaper fuel prices / reducing consumption.	£50,000	Fuel Poverty; CO2 emissions
<b>Sub Total</b>			<b>£567,062</b>	<b>14 Schemes</b>

Scheme number	Project Title (Organisation)	Summary Description of Project	Grant Requested	LAA Indicator(s) covered
Category:	<b>B - Mid ranked joint panel score of 80 to 170</b>			
6	Futures (Salvation Army)	Partnership aimed at securing employment for workless adults with health issues	£50,000	Out of work benefits
51	Young Peoples Expenses Fund (York Nightstop)	Small scheme to provide meals, emergency toiletries for homeless young people	£3,520	Influence decisions; Thriving 3rd sector; ASB; Re-offending by young offenders; Inequality gap at level 3; participation in positive activities; teenage pregnancy; substance misuse; NEET; Achieving independent living; first time entrants into Youth justice system
34	Melbourne Centre Development Equipment Resources (Melbourne Centre)	Bid is to fund the equipment requirements of a planned £570K development of the Melbourne centre, the objective of the development is to enhance and expand the centre making it more accessible (7 detailed aims are supplied). Creation of high quality accessible, inclusive opportunities for young people with disabilities to engage in arts and media activities.	£49,764	Community Cohesion; influence decisions in their locality; volunteering; thriving 3rd sector; participation in sport; positive activities
39	Taking Action Against Graffiti in York (CYC)	Employment of a project officer to ensure quicker graffiti removal and improve resident perceptions of anti social behaviour. Graffiti removal materials also required	£49,035	ASB;
56	Developing Employment Skills (Peasholme Charity)	Project to enable customers to develop work related skills and aspiration to work. The scheme involves recruitment of an Employment Skills worker to arrange volunteering projects, one to one coaching and to work with employers.	£41,461	Community Cohesion; volunteering; Drug related offending; alcohol harm hospital admission rates; achieving independent living; out of work benefits
29	Reducing re-offending rates of priority and prolific offenders (Foundation Housing)	Funding to assist offenders in securing accommodation that will not put them at risk of repeat offending.	£8,400	Acquisitive crime; reoffending rates; drug related offending; achieving independent living; temporary accommodation
31	Healthy Weight Active Lives Service Delivery Partnership (CYC)	Partners to provide a range of services (tuition re: diet and nutrition, exercise etc) for children and families in deprived areas to reduce obesity.	£44,315	Obesity among primary school children; positive activities; participation in PE and Sport
25	Castlegate Meeting Need (CYC)	Bid would allow Castlegate to increase its capacity by extending opening hours by 1 hour per day, provide more group work with other agencies, develop mentoring, increase number of counselling services, increase the amount of targeted sexual health work	£46,984	Teenage pregnancy; children in poverty; NEETs; Out of work benefits; services for disabled children
52	Increasing Bereavement Care in York (CRUSE)	To increase and upskill bereavement volunteers in York - to meet the growing need and demand for bereavement support	£11,000	Volunteering; NVQ2; NVQ3; Thriving 3rd sector
48	PLAN York (Lives Unlimited)	To provide a framework of sustainable support for disabled people in York who receive self-directed support at present.	£49,962	Community Cohesion; social care direct payments; carers receiving support; achieving independent living
70	Climate Change Strategy (CYC)	Development of a sound evidence base and City-wide engagement campaign to create a City of York Climate Change Strategy	£36,294	CO2 emissions; adapting to climate change
23	Fitness Engage (York Boxing Club)	An initiative to provide specially structured non-combat boxing fitness sessions for young people and their parents / carers.	£40,630	Community cohesion, participation in sport and positive activities, NEETs
32	Just 30 Physical Activity Signposting Campaign (CYC)	Promotion of health and well-being through encouraging residents to be more physically active through a range of active opportunities – publicity campaign	£50,000	Participation in sport and physical activity, All age all cause mortality
28	Capable Guardian (CYC)	Address anti-social behaviour via positive activities for young people and mentoring schemes in the Westfield, Woodthorpe and Dringhouses areas of the City. The scheme is overseen by the multi agency Capable Guardian Partnership.	£50,000	ASB, positive activities, under 18 conceptions, substance misuse, NEETs, Youth justice.

Scheme number	Project Title (Organisation)	Summary Description of Project	Grant Requested	LAA Indicator(s) covered
3	The Poppleton Centre Regeneration (Poppleton Community Trust)	Capital Works to existing community centre: upgrading changing facilities and creating a café area	£50,000	Community cohesion, participation in sport, positive activities
55	Rent Warm Rent Well (Energy Partnership Ltd.)	To promote the uptake of energy efficiency measures in the private rented housing sector via employment of a part-time project officer.	£27,675	CO2 emission, tackling fuel poverty
5	Inclusion not Exclusion (Relate)	A revenue pilot project to provide counselling and group workshops to first time entrants to the Youth Justice System and their families. To help address the underlying reasons for their behaviour, especially where it relates to family breakdown, by adopting a 'whole family' approach	£30,173	First time entrants to the youth justice system
60	Kingsway West (CYC)	To develop pilot projects and run activities emerging from an Action Learning Day involving Kingsway residents and members of the York Inclusive Forum.	£40,000	Community cohesion, NEETs, children in poverty,
	<b>Sub Total</b>		<b>£679,213</b>	<b>18 Schemes</b>
Category:	<b>C - Lower ranked joint panel score of 171+</b>			
45	Sustainable Outdoor Classroom (Copmanthorpe School)		£7,270	
75	Home Grown Talent (York St. John Uni)		£50,000	
14	Extending Reach (YBPS)		£10,512	
18	Pilot Volunteer Supervisor Scheme (The Island NI)		£48,520	
33	Staying Active, Staying Young (CYC)		£50,000	
42	Community Cohesion (YREN)		£50,852	
22	YSJ Active Primary School Physical Activity Club (York St John)		£35,500	
30	Care leaver moving on scheme (Foundation Housing)		£50,000	
27	Unlimited Play (Riding Lights Theatre)		£27,613	
46	New Horizons (York College)		£50,000	
43	Trading Standards Intelligence officer (CYC)		£50,000	
26	Deaf Role Model and Family Support Workers For Deaf People and Families (CYC)		£49,981	
83	Your Community Football (Manor School)		£48,800	
11	Young Peoples Advocacy Service Domestic Abuse (Noirth Yorks Police)		£49,000	
35	Enterprising York (Uni of York)		£48,059	
7	The Ark in the Park Development Study (Friends of Rowntree Park)		£22,774	
63	The Outdoor Learning Zone (CYC)		£35,831	

Scheme number	Project Title (Organisation)	Summary Description of Project	Grant Requested	LAA Indicator(s) covered
73	Anti Knife Crime Educational Programme (Pilot Theatre)		£37,850	
41	Healthy Weight Active Lives (NHS NY & Y)		£50,000	
85	Involving Young People in Local Democracy (CYC)		£40,108	
80	Formal and Informal School Sports Partipation (Rufforth Primary)		£12,371	
84	York Rural Housing Needs Survey Project (CYC)		£35,000	
10	Holgate Burglary Reduction Initiative (CYC)		£30,000	
15	Volunteer Capacity Building Within the Play Sector (York Playspace)		£49,999	
78	Formal and Informal School Sports Partipation (Headlands Primary)		£34,742	
77	Formal and Informal School Sports Partipation (Wigginton Primary)		£12,371	
79	Formal and Informal School Sports Partipation (Westfield Primary)		£12,371	
16	The 68 Centre Chillout Zone (York Playspace)		£49,996	
57	Sanderson Court Community House Vision (Sanderson Court)		£32,000	
47	BME Community Learning (York College)		£50,000	
13	Stand Alone ASBO Legal Services Fund (North Yorks Police)		£6,000	
66	Pathways to progression (CYC)		£36,050	
20	Young Voices (SNAPPY)		£10,000	
81	Road Education Programme (CYC)		£50,000	
72	Conservation Area Appraisals (CYC)		£50,000	
67	Social Pedagogy (CYC)		£45,000	
68	Community Restorative Justice (CYC)		£50,000	
17	Snowball Lodge (Snowball Plantation)		£30,000	
9	Target Hardening Rawcliffe Recreation Ground (CYC)		£5,000	
62	Positive Engagement Through Choice (CYC)		£50,000	
61	York Smarter Travel Partnership (CYC)		£49,500	
12	The Making Safe Scheme York (North Yorks Police)		£13,000	

Scheme number	Project Title (Organisation)	Summary Description of Project	Grant Requested	LAA Indicator(s) covered
36	Social and Emotional Wellbeing of Children and Young People (CYC)		£33,609	
74	Take Over 09 and Take Over 10 (York Citizen's Theatre Trust)		£23,770	
37	Training for Teachers - Healthy Eating (CYC)		£36,458	
65	Childrens Centres Volunteer Co-ordinator (CYC)		£34,410	
38	York Young Peoples Council (CYC)		£50,000	
1	Holgate Windmill - Explore and Interpret (Holgate Windmill PC)		£48,600	
44	EPU Enhancement Project (CYC)		£50,000	
4	Fox One (The Ark)		£48,963	
	<b>Sub Total</b>		<b>£1,851,880</b>	<b>50 Schemes</b>
	<b>TOTAL</b>		<b>£3,098,155</b>	<b>82 Schemes</b>

Scheme number	Project Title	Bidding Organisation	Other Partners involved in delivery of the scheme	Grant Requested	LAA Indicator(s) impact	RAG Rating	Project Impact (Full details of deliverables at Annex C)
76	The York Sustainability City Education Programmes	Friends of St Nicholas Fields	CYC (Waste, Sustainability, Schools) and York Rotters	£50,000	NI 186 - Reduce CO2 emissions	Red	10% reduction in energy use in the 16 participating schools (200 tonnes of CO2 per year)
					NI 191 - Reduce residual waste	Amber	10% reduction in waste in the 16 participating schools
58	York Cares Kids College	York Cares	CYC, 4 x schools, Corus, CPP, Garbutt & Elliott, HSBC, Norwich Union, York University, Marriott Hotel, Yorkshire Bank	£21,898	NI 102 - Narrow achievement gap at key stage 2 and 4	Amber	180 students from Tang Hall (most at risk of disengaging), join learning programme delivered by 36 private sector volunteers.
24	Crossroads	Network 2	CYC (various departments), Askham Bryan, York College, E2E, Target training, Road Safety initiative (involving the Army, Police, Fire Service) CVS, BTCV	£50,000	NI 117 - Reduce NEETS	Red / Amber	90 NEET young people participate in 12 week programme. 70 est. to achieve EET.
49	Volunteering City	York CVS	Task Group - Higher York, CYC (Various depts), York Cares, Peasholme Charity, & Friends of St Nicholas Fields. Process to date has involved contributions from 35 organisations, including NHS NY & Y and the Museums Trust.	£50,000	NI 6 - Increase participation in regular volunteering	Amber	To increase volunteering by 4% (6,000 people) by 2010.
8	YorHome	CYC HASS	York CAB, Supporting People Tenancy Support, Housing Advice Resource Project, CYC / Tenant Choice Contractors, Energy Saving Trust.	£44,106	NI 156 - Reduce number of households in temporary accommodation	Red	To deliver a minimum of 40 private sector re homes to reduce the need to use temp. accommodation for homeless families
69	Childrens Centre JCP Advisor	CYC LCCS	CYC (Childrens Centre and Family Learning and Skills), Jobcentre Plus and Future Prospects.	£30,450	NI 116 - Reduce proportion of children in poverty	Amber	Individual work with parents attending family centres, estimated to deliver 12 job entries and 32 training starts.
					NI 152 - Reduce working age people on out of work benefits	Red	
59	Starting Blocks	York Cares	CYC, Corus, Norwich Union, York University, York Marriott Hotel	£16,216	NI 117 - Reduce NEETS	Red / Amber	Supported work placements for 50 young people (care leavers and NEET) leading to 15 achieving EET and 35 improving skills.
					NI 6 - Increase participation in regular volunteering	Amber	
71	York Green Street Challenge	Stockholm Environment Institute	Natural England, CYC, York Environment Forum, Energy Efficiency Advice Centre, English Heritage, DEFRA, York Civic Trust, Environment Agency, York Quality Bus Partnership, Local media orgs.	£46,312	NI 186 - Reduce CO2 emissions	Red	Pilot scheme for 500 households to reduce carbon emissions and save money in the current economic downturn. Each household monitored beginning / middle and end of scheme. Lessons learned will inform other CO2 reduction
					NI 191 - Reduce residual waste	Amber	
					NI188 - Adaptation to climate change	Red	
50	Working Together Better Together	York CVS	York Racial Equality Network, CYC, NHS NY & Y, Learning and Skills Council	£50,000	NI 7 - Environment for a thriving third sector	Amber	To achieve the required 4.5% increase in third sector orgs. giving a positive rating of local statutory bodies by 2011.
54	Hotspots, A City Wide Campaign to Tackle Fuel Poverty	The Energy Partnership	NHS NY & Y, CYC, National Action Energy, The Pension Service, Energy Partnership Ltd, Energy Saving Trust Advice Centre, Y & NY Credit Union, Home Improvement Agency, NY Fire Service.	£50,000	NI 187 - Tackling fuel poverty	Green	400 referrals to the Hotspot Coordinator leading to increased income for the most vulnerable and an est. 250 having energy efficiency measures installed.
6	Futures	Salvation Army	Future Prospects and York MIND	£50,000	NI 152 - Reduce working age people on out of work benefits	Red	Employability programme for 40 vulnerable people leading to an est. 24 finding employment of 16+ hours per week.

Scheme number	Project Title	Bidding Organisation	Other Partners involved in delivery of the scheme	Grant Requested	LAA Indicator(s) impact	RAG Rating	Project Impact (Full details of deliverables at Annex C)
39	Taking Action Against Graffiti in York	CYC Neighbourhood Services	Safer York Partnership, North Yorks Police, Probation Service	£49,035	NI 17 - Improve perceptions of anti-social behaviour	Green	To contribute to an improvement in perceptions of ASB in Place Survey 2010.
29	Reducing re-offending rates of priority and prolific offenders	Foundation Housing	North Yorks. Police, Probation Service.	£8,400	NI 141 - Increase number of vulnerable people achieving independent living	Amber	20 accommodation places per year for PPOs who attend support meetings and treatment programmes. Addressing the housing need (and associated support services) of the most prolific offenders will reduce the serious acquisitive crime rate and re-offending rate of PPOs.
					NI 16 - Reduce serious acquisitive crime	Amber	
					NI 30 - Reduce re-offending rate of prolific and priority offenders	Green	
31	Healthy Weight Active Lives Service Delivery Partnership	CYC LCCS	CYC (Food Safety Unit), NHS NY & Y, Altogether Better, York City Knights	£44,315	NI 56 - Reduce obesity among primary school age children	Red	84 children involved in MEND / 2000 C & YP attend food awareness training / 2338 year 6 attend educational assembly and receive exercise programme / 190 educators receive community health education which they then pass on to 950 targeted people.
23	Fitness Engage (Actual bid was for £40,630)	York Boxing Club	CYC, Network 2, Crossroads, 68 Centre, ALP, Police, YOT, North Yorks Learning Consortium, First Base	£25,000	NI 8 - Increase adult participation in sport	Red	Programme to help disengaged young people into EET and to increase participation in sport The fully funded programme would have delivered 40 funded participants taking part in sport 1-2 times per week.
					NI 117 - Reduce NEETS	Red / Amber	
32	Just 30 Physical Activity Signposting Campaign (Actual bid was for £50k)	CYC LCCS	NHS NY & Y, Higher York, York Knights and York City FC, Ebor and Yorvik school sports partnerships, North Yorkshire Sport, Sport England, Visit York, Creative Play, PLAY, Cycling City	£25,000	NI 8 - Increase adult participation in sport	Red	Citywide publicity campaign (via new website posters, adverts, leaflets and postcards) to increase participation in sport and active leisure, particularly targeting geographic areas of low participation / older people / people with disabilities in order to meet targets for NI 8 and LI5.
					LI 5 - Increase adult participation in physical activity	Red	
<b>Sub Total</b>				<b>£610,732</b>			
25	Castlegate Meeting Need	CYC LCCS	York CAB, NHS NY & Y, CYC (Housing & Mental Health), teenage Pregnancy Coordinator.	£46,984	NI 112 - Reduce under 18 conception rate	Red	To increase staffing by 27 hours per week in order to: Increase 1:1 targeted sexual health work and increased opening hours, events and drop in facilities for sexual health advice / increase the number of teenage parents into EET through improved information, guidance and peer mentoring.
					NI 117 - Reduce NEETS	Red / Amber	
56	Developing Employment Skills	Peasholme Charity	Arc Light, Salvation Army, CYC, YACRO, Richmond Fellowship	£41,461	NI 6 - Increase participation in regular volunteering	Amber	To increase the confidence, skills and motivation of 60 homeless customers leading to 6 taking up job placements and 15 gaining employment by Mar 2011.
					NI 152 - Reduce working age people on out of work benefits	Red	
<b>Sub Total</b>				<b>£88,445</b>			

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## Project deliverables of schemes recommended for funding:

Scheme Ref:	Project:	Funding Amount Recommended:	Project Deliverables (These will form the basis of grant conditions and performance monitoring)
76	The York Sustainability City Education Programmes	£50,000	<p>Outcomes expected include:</p> <ul style="list-style-type: none"> <li>• Increased awareness of Climate Change by Mar 2011 of 5000 pupils directly taking part in the pilot;</li> <li>• 10% reduction in energy use in the 16 schools, leading to savings of 200 tonnes of CO2 per annum;</li> <li>• 10% reduction in waste in 16 schools;</li> <li>• Increased awareness and reduced carbon emissions and waste in the wider community;</li> <li>• Increased awareness of funding opportunities in the 16 schools for sustainability projects;</li> <li>• Increased knowledge confidence amongst teachers to deliver the sustainable schools agenda.</li> </ul>
58	York Cares Kids College	£21,898	<p>The project is a collaboration between schools, employers and the University of York, which seeks to engage young people from the Tang Hall area of York, particularly those at risk of disengaging, in innovative opportunities that promote learning, increase motivation, build self-esteem, broaden horizons and raise attainment levels. This targeted work aims to reduce the achievement gap between pupils eligible for free school meals and their peers at key stage 2. The scheme will develop programmes with 4 primary schools linked to Burnholme College. It would engage 180 students at KS2 and develop progression routes to related programmes, including those at KS4. The scheme would deliver 3 modules around healthy eating, finance and science / technology. Thirty six volunteers from five employers and two university departments would be engaged to support the programme.</p>
24	Crossroads	£50,000	<p>The scheme aims to enable young people (16-25) to achieve economic well being by supporting them into education, employment and training. Crossroads is a 12 week programme operating on 4 days per week and includes 1:1, group work and mentoring sessions. Each Tuesday participants spend the day working on their chosen voluntary project, which will be accredited by the Bronze Youth Achievement Award.</p> <p>Beneficiaries for the scheme are anticipated as 15+ per term / 90 over the course of the LAA funded period, with 70 estimated to achieve positive outcomes from attending the course.</p> <p>Eighty six young people took part in the pilot project scheme. Performance figures show that 69% of the young people entering the project move into positive outcomes and that for those who stay with the project for most or all of the scheme, this figure rises to 84%.</p>
49	Volunteering City	£50,000	<p>Baseline estimates for the city (2007) suggest that around 19% of the adult population, 28,500 people, take part in regular formal volunteering and the LAA target aims to increase this by a further 4%, 6,000 people, by 2010. This application aims to enable local organisations to work together to achieve that target. The project will address the identified need for: Better co-ordination of volunteering activity; Better support for volunteer managers; Better promotion of volunteering; Better training and development opportunities for volunteers.</p>

Scheme Ref:	Project:	Funding Amount Recommended:	Project Deliverables (These will form the basis of grant conditions and performance monitoring)
8	YorHome	£44,106	The scheme aims to create a socially responsible lettings agency providing incentives to private landlords to encourage them to accept homeless families as tenants. Yorhome would act as a broker between landlord and prospective tenants. It is anticipated that the scheme would deliver a minimum of 40 private rented sector homes, therefore, reducing the need to use temporary accommodation to house homeless households.
69	Childrens Centre JCP Advisor	£30,450	Employment of a JobCentre Plus Advisor to operate on an outreach basis to boost jobless parents' employability skills. To work across 3 centres, Westfield, Clifton and The Avenue. The Advisor would promote JCP services to an estimated 150-200 adults each week in order to identify those parents ready to take up services. Individual work with parents is anticipated to deliver 12 job entries and 32 training starts over the period of the scheme.
59	Starting Blocks	£16,216	<p>The project would provide supported work placements and employability programme for care leavers and young people who are not in education, training or employment.</p> <p>The project will provide:</p> <ul style="list-style-type: none"> <li>• Supported 4 week work placements for 15 care leavers hosted by local employers;</li> <li>• A programme of skills and employability workshops for 35 young people who are NEET, including those with Learning Disabilities, delivered by employee volunteers from local companies.</li> </ul> <p>This will lead to:</p> <ul style="list-style-type: none"> <li>• 15 young people securing employment and/ or moving into training;</li> <li>• 35 young people equipped with new skills, experience and the motivation needed for employment / training.</li> </ul>
71	York Green Street Challenge	£46,312	<p>The York Green Streets Challenge aims to achieve a reduction in household carbon emissions and to raise public awareness of low carbon lifestyles. Using Experian socio-economic data, the project will provide a detailed analysis of the carbon footprint for the whole of York. The ten neighbourhoods that have the potential for greatest carbon reduction will be identified. From these areas 500 households will be encouraged to work as a community to reduce their carbon emissions and save money in the current economic recession. By partnering with the local media, the initiative will raise awareness of the issues to a much wider audience. Lessons learned from the challenge will be used to inform and encourage other community led carbon reduction initiatives throughout the city.</p> <p>The initiative will achieve a measurable reduction in carbon emissions. Households participating in the project will be monitored at the beginning, middle and end of the scheme.</p>
50	Working Together - Better Together	£50,000	<p>This scheme will put in place the changes needed for all LSP partners to communicate and engage effectively with the third sector in order to achieve the required 4.5% increase in third sector organisations giving a positive rating of local statutory bodies by 2011. Based on Compact principles, the project will provide:</p> <ul style="list-style-type: none"> <li>• A fully populated common database listing third sector organisations in the city, their work and how to contact them;</li> <li>• Training for staff on effective mechanisms for communication with and between third sector and statutory organisations;</li> <li>• Development of opportunities for Third sector organisations to link into existing information and support networks;</li> <li>• Joint training for third sector reps, partnership support staff and Partnership Chairs to establish effective partnership working.</li> </ul>

Scheme Ref:	Project:	Funding Amount Recommended:	Project Deliverables (These will form the basis of grant conditions and performance monitoring)
54	Hotspots, A City Wide Campaign to Tackle Fuel Poverty	£50,000	<p>This project targets the national indicators NI 187 – Tackling fuel poverty – people receiving income based benefits living in homes with a low energy rating and NI 186 – Per capita CO2 emissions in the local area. The project involves recruitment of a Hotspot Coordinator to:</p> <ul style="list-style-type: none"> <li>• Launch the Hotspot project;</li> <li>• Recruit additional partners at the launch and through networking;</li> <li>• Establish energy champions across the city and train them via six awareness raising sessions;</li> <li>• Resulting in 400 referrals to the Hotspot Coordinator from participating partners (e.g. fire service) for energy saving / benefits advice;</li> <li>• These outputs should lead to an increase in household income for those who are most vulnerable. Also increase in SAP ratings for those who take up energy efficiency advice / grants;</li> <li>• Take up of energy efficiency advice / grants relates directly to CO2 savings;</li> <li>• Of the 400 referrals to the hotspot coordinator it is estimated 250 will have energy efficiency measures installed.</li> </ul>
6	Futures	£50,000	<p>The aim of the scheme is to contribute to NI 152 Working age people on out of work benefits by moving individuals into employment of 16 hours per week or more. Futures is a new multi-agency program, which brings together expertise from mental health staff, training and employment advisors and a chef / trainer of vulnerable people. Individuals would be recruited via referrals from MIND, Future Prospects and Pathways to Work / JCP programmes and also self-referrals. There would be capacity for 10 individuals to join the program every 24 weeks, therefore 20 per year and 40 over the life of the project. Each individual would complete an employability skills programme, certificate in basic food hygiene and work experience in the Salvation Army kitchen. The partnership has estimated that 14 individuals will complete the full program of support and that 12 per year would find employment.</p>
39	Taking Action Against Graffiti in York	£49,035	<p>This project aims to improve resident perceptions of antisocial behaviour by tackling graffiti. The scheme would focus on the five wards where graffiti damage is most prevalent (Guildhall, Westfield, Clifton, Hull Road and Micklegate). The baseline from the Place Survey 2008 is that 11.2% of residents have a negative perception about ASB. This scheme aims to influence perception by making a tangible improvement and raising awareness within the target audience of the work being undertaken to tackle graffiti. This should contribute to an improvement in ASB perceptions when the Place Survey is next carried out in 2010.</p>
29	Reducing re-offending rates of priority and prolific offenders	£8,400	<p>The scheme aims to improve performance against five national performance indicators, including to reduce the re-offending rate of prolific and priority offenders and serious acquisitive crime rate. The project will give offenders a chance of addressing their behaviour through enabling them to secure appropriate accommodation, including substance misuse services and support into daytime activities. The scheme involves creating an Accommodation Fund to assist offenders in securing accommodation prior to leaving custody or when actively engaged in a support programme. The project will provide 20 accommodation places per year for PPOs who attend support meetings and treatment programmes. North Yorkshire Police and Probation Service currently work with the 36 most prolific and priority offenders (PPOs) in York and of these a third are recognised as being in housing need. Numbers of PPOs is due to increase to 65/70 over the next year increasing housing need at any one time to approximately 20 offenders.</p>

Scheme Ref:	Project:	Funding Amount Recommended:	Project Deliverables (These will form the basis of grant conditions and performance monitoring)
31	Healthy Weight Active Lives Service Delivery Partnership	£44,315	<p>The aim of the Healthy Weight Active Lives Partnership is to tackle childhood obesity by providing programmes to increase physical activity levels and improve food choices and healthy eating. Programmes aimed at reversing the trend in increasing obesity levels from a baseline of 16% include:</p> <ul style="list-style-type: none"> <li>• York MEND (Mind, Exercise, Nutrition, Do it!) Education programme to help 84 children aged 7-13 and their families manage their weight better and lead healthier lives;</li> <li>• Food Awareness Training – Workshops run by the Council’s Food and Safety Team for 2000 children, young people and their families to raise awareness of the nutritional composition of foods and making informed choices about the food they buy and eat;</li> <li>• York City Knights Foundation ‘Get Active’ Programme – The Foundation will run an educational assembly to 2338 year six children in all primary schools to highlight the importance of a healthy lifestyle. Each year 6 class will also receive a series of exercise sessions to help promote regular exercise.</li> <li>• Altogether Better – York is a well-being programme that operates in the four most deprived areas in the city (Westfield, Clifton, Guildhall and Tang Hall). The aim is to deliver supported and accessible community health education to 190 educators working for Healthy School, School Nurse and School Sport Partnerships. Each educator will make a commitment to work with at least 5 people (950+ in total) from the target groups – families with children, lone parents, teenage parents, care leavers, and homeless young people.</li> </ul>
23	Fitness Engage (Actual bid was for £40,630)	£25,000	<p>Fitness engage is an initiative to provide specially structured non-contact boxing fitness sessions as an opportunity for young people and their parent-carers to bond by jointly engaging in a sporting activity together. The 2-hour sessions are held twice weekly over four 12-week phases per year. Each week participants are guided, by qualified boxing coaches, through a series of boxing fitness activities, with their progress measured in personal log-books. Some attendees are referred to the scheme by organisations such as Network 2, Community Police, Youth Offending Team, Pupil Support Unit etc. Other service users come of their own accord from a range of social and financial backgrounds, including the Travelling and Polish communities. Sessions are provided free of charge for the young person and their carer where they have been referred to the scheme. Fitness engage had a target of 40 new funded participants per year taking part in sporting activity 1-2 times a week. This number would have to reduce in line with the reduced amount of funding being offered for the project.</p>
32	Just 30 Physical Activity Signposting Campaign (Actual bid was for £50,000)	£25,000	<p>Physical activity levels in York are dropping (24.9% 2006 to 19.3% 2008) for 3x30 minutes, placing York in the bottom quartile both regionally and nationally. In addition, 45.8% of the city’s adult population do no active leisure at all. The “Just 30” physical activity signposting campaign has been developed by the partners within the city’s Active York partnership and has been strongly endorsed by York@Large. It provides a strategic, city-wide scheme that will deliver the maximum possible impact against NI 8 Adult participation in sport and LI5 5x30 minutes physical activity. The citywide campaign (via new website, posters, adverts, leaflets and postcards) would increase awareness / knowledge / access to advice for residents and bring partners together within the “Just 30” brand to deliver schemes. The campaign aims to target areas of the city with low participation rates / older people / people with disabilities.</p>
		£610,732.00	

The panel confirmed that they supported the following 2 schemes as reserves:

Scheme Ref:	Project:	Funding Amount Recommended:	Project Deliverables (These will form the basis of grant conditions and performance monitoring)
25	Castlegate Meeting Need	£46,984	<p>The bid would enable the Castlegate Young People's Service to increase staffing by 27 hours per week in order to:</p> <ul style="list-style-type: none"> <li>• Increase 1:1 targeted sexual health work and longer opening hours for sexual health advice.</li> <li>• Develop a mentoring service for young people who are NEET</li> <li>• Improve partnership working with other agencies e.g. Jobcentre Plus</li> <li>• Provide Timeout4You – group work for young women</li> <li>• Increase “drop in” time by one hour per day</li> <li>• Increase youth information support</li> <li>• Increase the number of counselling services per week by three</li> </ul>
56	Developing Employment Skills	£41,461	<p>The project aims to enable customers of the Peasholme Charity, Arclight and the Salvation Army to develop work related skills and aspiration to work. The scheme involves recruitment of an Employment Skills Worker to arrange volunteering projects, one to one coaching and to work with local employers.</p> <p>The scheme would contribute towards a range of indicators particularly NI 152 working age people on out of work benefits. The scheme will increase the confidence, skill base and motivation of 60 homeless customers. It is estimated six will have had job placements through the scheme by Mar 2011 and fifteen will have gained employment by Mar 2011.</p> <p>The project also aims to involve customers in volunteering, which can provide a positive diversionary activity to problematic substance use and could potentially contribute to a reduction in the effects of this activity, such as crime.</p> <p>Individual and group volunteering sessions include 75 x 6 hour group sessions / 12 x one to one volunteering sessions per week / 4 team challenges in the community / 20 CVS volunteer centre placements.</p>

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The Strategic Partnerships Team  
City Strategy  
City of York Council  
9 St. Leonard's Place  
York  
YO1 7ET

[Applicant Address]

16/04/09

Reference No:

Dear [name],

[Name of Scheme]

Thank you for submitting your application to the Local Area Agreement Delivery Fund.

The panel have considered each application against the criteria set and are delighted to offer your scheme a grant of [£], subject to your acceptance of the terms and conditions attached.

Your application was selected by the panel as it scored highly against the priority criteria. The following are some comments from the panel regarding your application:

- E.g. need and demand for the scheme was well evidenced
- E.g. delivery of LAA indicators explained well and in detail]

Please could you carefully read the terms and conditions of the grant, which are attached to this letter. When you have read, understand and accept these terms and conditions, please sign and return one copy to the Strategic Partnerships Team at the above address to arrive **before Friday 15<sup>th</sup> May 2009**. Please sign and keep the other copy for your own records. After we have received your acceptance form we will contact you with details of how to claim the grant.

Thank you for your interest in the Local Area Agreement Delivery Fund. If you have any questions about the grant offer or terms and conditions, please contact the Strategic Partnerships Team on 01904 552055.

Yours sincerely,

Nigel Burchell  
Head of Strategic Partnerships

## STANDARD TERMS AND CONDITIONS OF GRANT FOR THE LOCAL AREA AGREEMENT DELIVERY FUND

*(This document will be attached to an Offer Letter, which will describe the project as set out in the application and will also note any specific amendments)*

### Definitions

“You” and “your” refer to the organisation receiving the grant bound by these terms and conditions and includes any employees and anyone acting for that organisation.

“We”, “our” and “us” means the City of York Council and its officers.

“Project” means the project that we are giving you the grant for, as set out in your application form and any supporting documents, and/or as varied by the Grant offer letter.

The Strategic Partnership Team are referred to below as “SPT”

“Financial forms” means forms provided by us to you, so that you can provide a certified break down of income and expenditure on the project.

### Terms & conditions

#### General

1. The offer letter, terms and acceptance form, along with your original application form and any supporting information that you supplied, make up the conditions of the grant offer toward your project.
2. You have 21 days from the date of the offer letter to accept the grant offer, by returning the signed and completed Acceptance form. After this time, without the form being returned, the grant offer is automatically withdrawn.
3. The offer letter notes any specific amendments to the project, which are required in order for you to be offered the grant. These amendments are either variations from your original application or may be necessary clarifications of the project.
4. The signing of the acceptance form by officials of your organisation means that you are happy to accept the offer of grant under these terms.
5. If you do not agree with any of the terms set out, please contact the Strategic Partnerships team within 14 days of the offer letter date, to discuss the issue/s further.

6. During the period of the grant you will act in a fair and open manner without distinction as to race, religion, age or disability, and in compliance with relevant legislation.
7. You will make sure that all current and future members of your governing body or your executive team, if you are a statutory organisation, receive a copy of these terms and conditions while the grant agreement remains in force.
8. You will ensure that at all times while the grant agreement is in force you are correctly constituted and regulated and that the receipt of the grant and the delivery of the project are within the scope of your governing documents.
9. You understand that the grant is non-transferable.
10. The bank account identified below by you requires at least 2 authorised signatures for the release of funds.

### **The project**

11. You will start the project as per the timetable you submitted or otherwise not later than 6 weeks after you have returned this acceptance.
12. You agree to make satisfactory progress with the project and endeavour to complete it on time.
13. You will notify us of any delay with any significant aspects of the project, along with the reasons and ask for an extension, providing a revised timetable and milestones.
14. You will not use the grant to pay for any spending commitments you have made before the date of return of the acceptance form.
15. You certify that the grant will only be used on the projects and items that you outlined in your application and if relevant, as amended in the offer letter.
16. You will hold any unused part of the grant on trust for us at all times, and you will repay any grant (including any unused grant) to us immediately upon demand.
17. The grant will not be increased even if the costs of the project increase. (You were asked to ensure that your application was fully and appropriately costed and allowed for inflation and such items as redundancy costs, if relevant).

18. In the event that the project costs do increase and you do not have sufficient funds to deliver the project as set out in the application (and if relevant, as amended in the offer letter,) then you must contact the SPT as soon as you are aware of the problem. It lies within our discretion as to whether: the grant or part of it will be reclaimed; no further payments will be made; or an amendment to the project will be mutually agreed.
19. If any of the financing of your project changes in any way, you will inform us immediately. This includes but is not limited to: receipt of other grants or funding that is applied to the project; the costs of the project decrease.
20. The grant will be paid as set out in the 'Grants Payments' section below. Grants will only be released upon the delivery of the required monitoring, evaluation and financial returns.
21. For capital (building) projects we will require a copy of the full Planning consent, the final plans and any relevant Listed Building consent.
22. For building projects, on handover, you will take out appropriate buildings insurance.
23. For equipment purchases of over £5,000 we will require you to obtain and provide us with at least 3 quotes, and if you do not accept the lowest quote, a written explanation of the reasons.
24. For equipment purchases over £1,500 you will add the items to your insurance policy.
25. For schemes involving the employment of staff we will require a copy of your equal opportunities policy and proposed recruitment and selection process.
26. You confirm that you have allowed for any redundancy costs or other ongoing financial implications or liabilities arising after or at the end of the grant period.
27. For all schemes involving children or vulnerable adults you will ensure compliance with all the appropriate legislation and good practice and ensure all staff and individuals working with those groups have been subject to appropriate checks and received the relevant training.

### **The LAA Delivery fund**

28. You understand that this grant funding is time limited and there is no expectation of continued funding at the end of the specified period.

29. You understand that the grant funding is only available for the period: April 2009 to March 2011 and that no grant monies will be paid out after April 2011.
30. All final claims must be received by 28<sup>th</sup> February 2011. No further payments of grants will be made after March 2009 even if the full grant has not been claimed by that date.
31. In signing the acceptance form you agree to provide us with monitoring and evaluation forms and financial returns that certify expenditure on the project, by the dates set out in 'Grants Payments', below.
32. You will acknowledge the source of this grant funding in all marketing and promotional materials.
33. You will not knowingly contribute to adverse publicity for this fund.
34. The grant or part of it may be withheld, reduced, reclaimed and/or no further payments made in any of the following circumstances:
  - You do not sign and return the acceptance form and/ or you do not accept the terms and conditions
  - You do not return to us financial forms within 21 days of the due date (see Payments below)
  - You do not return monitoring and evaluation forms within 21 days of the due date
  - The total cost of the project decreases
  - You receive additional funding for the project
  - You alter the project in any way without our agreement in writing
  - It becomes clear that the project cannot continue or will not deliver the outcomes identified in your application
  - The project fails to deliver against the milestones you established
  - You fail to comply with any of the conditions of the grant.

### **Grants payments**

Please note that a pre-requisite for any payments is the returned signed Acceptance form.

	Proposed Date	Sum	Finance form/Monitoring form required by:
Payment 1			
Payment 2			
<i>(completed as relevant to each scheme)</i>			

### Monitoring

35. You will monitor the progress of the project and complete regular reports as we require using the forms we send you or as we agree with you.
36. You will comply with any audit requirements that we may initiate.
37. You will fill in a final report on the project using the form we send you.
38. You will participate in the evaluation of the LAA grant programme if asked to do so by us.

**Acceptance** - Please complete the blank sections below.

The undersigned are authorised by the

..... ( organisation / department)

to accept the grant on the terms and conditions as set out above:

**Signature 1**

To be signed by the Chair, Chief Executive or Director of the organisation:

Signature: .....

Print name: .....

Position: .....

**Signature 2**

To be signed by a second authorised representative of the organisation:

Signature: .....

Print name: .....

Position: .....

**Bank Account details:**

*(Requirements to be confirmed depending upon payment method e.g. acct no; sort code)*

.....

.....

**Please return this form to arrive not later than 21 days after the date of your offer letter to:**

Strategic Partnerships team, City Strategy  
City of York Council  
9 St Leonard's  
etc

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 <p>CITY OF <b>YORK</b> COUNCIL</p>		<b>Agenda Item</b>
<b>Executive</b>		28 April 2009
Report of the Assistant Director of Resources (Customer Service and Governance)		

## Petition from Sovereign Park Residents

### Summary

1. The purpose of this report is to present the details of a petition received from the residents of the Sovereign Park development and the officer response. As the basis of council tax is prescribed by legislation this report is for information only and to address the public interest in the subject matter.
2. This report is being brought before the Executive as a result of the ending of the EMAP (Executive Member Advisory Panel) meetings for Corporate Services.

### Background

#### Reason for the Petition

3. On 22<sup>nd</sup> January 2009, a petition was presented to full Council which was signed by 224 residents (87%) of the Sovereign Park development in Acomb, York.
4. The residents are requesting a rebate and reduction in council tax, "based on the premise that the charge paid covers services that are not being received in the local neighbourhood of the Sovereign Park development, these being:
  - maintenance of the highway and footpaths
  - maintenance of communal open spaces and the play area
  - maintenance of the street furniture including street lighting
  - electricity for the street lighting
  - cleaning of the streets, footpaths and open spaces."

#### Response

5. The setting of council tax is specifically referred to in the Local Government Finance Act 1992 which requires that council tax is levied based on a valuation banding for chargeable dwellings. The valuation for each chargeable dwelling is carried out by the Valuation Office and not by the council. There is, therefore, no basis on which the council can set council tax for services not received.

6. Council tax covers a range of services many of which individual residents may never actually need or use. A large proportion of the tax provides funding for education and social care services, for example, and a large proportion of York's residents could state they are using only one or none of these services, but the council cannot lawfully provide a reduced bill on this basis.
7. There are a range of discounts and/or benefits available to residents for a range of other circumstances which are listed on the Council website at [http://www.york.gov.uk/advice/Council\\_tax/Council\\_tax\\_discount/](http://www.york.gov.uk/advice/Council_tax/Council_tax_discount/) but none relate to the reduction of council tax for non-use of services.

### **Consultation**

8. No consultation has been necessary in relation to the content of this report

### **Options**

9. Not relevant for the purpose of the report.

### **Analysis**

10. Not relevant for the purpose of the report.

### **Corporate Priorities**

11. Council Tax contributes to the funding of the council's services and its priorities contained within its Corporate Strategy.

### **Implications**

12. The implications are:
  - **Financial** – there are no financial implications to this report.
  - **Human Resources (HR)** – there are no HR implications to this report.
  - **Equalities** – there are no equalities implications to this report.
  - **Legal** – there are no legal implications to this report other than compliance with the Local Government Finance Act 1992.
  - **Crime and Disorder** – there are no crime and disorder implications to this report.
  - **Information Technology (IT)** – there are no IT implications to this report.
  - **Property** – there are no property implications to this report.

## Risk Management

13. The council will fail to comply with legislative requirements if it does not carry out its duty to levy taxes in line with council tax bandings based on property valuations.

## Recommendations

14. Executive members are asked to note the reasons for the petition and the council's response.

### Reason

*To enable a petition received from residents in York to be presented in public together with the appropriate officer response.*

## Contact Details

### Author:

Lisa Phillips  
Head of York Customer Centre  
Telephone: 01904 553530

### Chief Officer Responsible for the report:

Pauline Stuchfield  
Assistant Director (Customer Service & Governance)  
Telephone: 01904 551706

Report Approved



Date 7 April 2009

## Specialist Implications Officers

Not applicable

Wards Affected: Acomb

All

For further information please contact the author of the report

## Background Papers:

Petition received from residents of Sovereign Park, York – January 2009  
Local Government Finance Act 1992.

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<b>Executive</b>	28 April 2009
Report of the Assistant Director of Resources (Customer Service and Governance)	

## Code of Corporate Governance

### Summary

1. The purpose of this report is to present a draft Local Code of Corporate Governance, for consideration and approval by Executive members.

### Background

2. In June 2007, the Chartered Institute for Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE) published a revised Framework on Corporate Governance. The new Framework replaced the previous CIPFA/SOLACE guidance and was intended to build on the Good Governance Standard for Public Services drawn up by the Independent Commission on Good Governance in Public Services. The revised Framework represents best practice in local government and is designed to help local authorities develop and maintain appropriate governance arrangements. Under the terms of the Framework all local authorities are encouraged to review their existing corporate governance arrangements, prepare a local code of corporate governance (based on the Framework) and publish an Annual Governance Statement (AGS) demonstrating compliance with the Code. It is a legal requirement to publish the AGS as part of the Statement of Accounts.

### The Draft Code of Corporate Governance

3. The CIPFA/SOLACE Framework identifies six core principles necessary to support good governance, as follows:
  - a) Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area;
  - b) Members and officers working together to achieve a common purpose with clearly defined functions and roles;
  - c) Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
  - d) Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;

- e) Developing the capacity and capability of members and officers to be effective;
- f) Engaging with local people and other stakeholders to ensure robust public accountability.

The Framework document, in turn, outlines a series of supporting principles and provides examples of best practice. Local authorities are recommended to develop and maintain a local code of governance, and to report publicly on the extent to which the code has been complied with.

- 4. A draft Local Code of Corporate Governance is attached at Annex 1 to this report, detailing the arrangements which the council currently has in place. It has been structured around the six core principles outlined in the CIPFA/SOLACE Framework. For each principle, the Code details the council's existing governance arrangements. These arrangements take various forms including policies, structures, processes and procedures. The overall responsibility for each element of the governance framework is also identified in section 5 of the Code. Furthermore, the Code identifies the arrangements for monitoring ongoing compliance with, and the effectiveness of, these arrangements.
- 5. Whilst a version of this Code was produced in 2007 in consultation with the Audit & Governance Committee, it was in need of review and approval by the Executive. To support this work and to assist with the preparation of the 2008/09 AGS, the Officer Governance Group has been responsible for coordinating the overall review of the council's governance arrangements. During February and March 2009 a series of workshops have been held with a range of senior officers across the council to 'baseline' the governance arrangements against the standards set out in the Good Governance Framework. In addition, Internal Audit has conducted the annual review of the council's internal control environment. Any areas of significant control weakness which have been identified will be published in the Annual Governance Statement and may feature as priorities within the refreshed Single Improvement Plan for 2009/10. The Code of Governance will be updated, as necessary, in line with any improvements. The early outcomes of the recent governance review were reported to the Audit and Governance Committee on 31 March 2009.

### **Conclusions**

- 6. In preparing a Local Code of Corporate Governance, the council is formalising its commitment to demonstrate good governance. Furthermore it will enable the council to meet current legislative requirements.

### **Consultation**

- 7. An early draft of this Code and the conduct and initial findings of the governance review have been reported to Audit & Governance Committee. The Officer Governance Group and the Performance & Business Assurance Team have been involved in conducting the review and updating the Code.

## Options

8. Not relevant for the purpose of the report.

## Analysis

9. Not relevant for the purpose of the report.

## Corporate Priorities

10. This report contributes to the council's overall aims and priorities by helping to ensure probity, integrity and honesty in everything it does. It also contributes to the improving organisational effectiveness priority.

## Implications

11. The implications are:
  - **Financial** – there are no financial implications to this report.
  - **Human Resources (HR)** – there are no HR implications to this report.
  - **Equalities** – there are no equalities implications to this report.
  - **Legal** – there are no legal implications to this report other than compliance with Audit & Accountancy Regulations.
  - **Crime and Disorder** – there are no crime and disorder implications to this report.
  - **Information Technology (IT)** – there are no IT implications to this report.
  - **Property** – there are no property implications to this report.

## Risk Management

12. The council will fail to properly comply with the requirements of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*.
13. The council will fail to comply with legislative requirements if it does not publish an Annual Governance Statement with the annual Statement of Accounts. The council would be criticised by the external auditor if the process followed to prepare the Annual Governance Statement was not sufficiently robust and without reference to compliance with its Code of Corporate Governance. This in turn would adversely impact on the council's score for the Use of Resources Assessment and therefore impact on York's overall CAA report published in November 2009.

## Recommendations

14. Executive members are asked to:

- Consider and approve the Code of Corporate Governance as presented at Annex 1.
- Note the intention to prepare an action plan to address any identified weaknesses in the council's existing governance arrangements within the Annual Governance Statement and where agreed, in the Single Improvement Plan.

### Reason

*To enable the council to comply with best practice and legislation in respect of its corporate governance arrangements.*

## Contact Details

### Author:

Helena Nowell  
Improvement Programme Manager  
Performance & Business Assurance  
Team

Max Thomas  
Head of Internal Audit  
Veritau Ltd

### Chief Officer Responsible for the report:

Pauline Stuchfield  
Assistant Director (Customer Service & Governance)  
Telephone: 01904 551706

Report Approved

Date 7 April 2009

## Specialist Implications Officers

Not applicable

Wards Affected: Not applicable

All

**For further information please contact the author of the report**

## Background Papers:

Delivering Good Governance in Local Government – Framework 2007 (CIPFA/SOLACE)  
The Good Governance Standard for Public Services 2004 (Independent Commission on Good Governance in Public Services)

## Annexes

Annex 1 – Draft Code of Corporate Governance



**City of York Council**

**Draft Code of Corporate Governance**



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## 1.0 **Introduction**

- 1.1 Corporate governance is the system by which local authorities direct and control their functions and relate to the communities they serve. This extends to how the organisation accounts to, engages with and, where appropriate, leads their community. Good corporate governance requires local authorities to carry out their functions in a way that demonstrates accountability, transparency, effectiveness, integrity and inclusivity.
- 1.2 The City of York Council is committed to demonstrating good corporate governance and has therefore established the necessary arrangements to meet this standard. This Code sets out what the council's governance arrangements are, and who within the council is responsible for them. It also explains how the arrangements will be kept under review and monitored for compliance.
- 1.3 The Code is intended to demonstrate to all the council's stakeholders:
- **Openness and Inclusivity.** Necessary to ensure that stakeholders can have confidence in the decision-making and management processes of local authorities, and in the approach of the individuals within them. Being open through genuine consultation with stakeholders and providing access to full, accurate and clear information leads to effective and timely action and lends itself to necessary scrutiny. Openness also requires an inclusive approach, which seeks to ensure that all stakeholders and potential stakeholders have the opportunity to engage effectively with the decision-making processes and actions of local authorities. It requires an outward focus and a commitment to partnership working, and it encourages innovative approaches to consultation and to service provision.
  - **Integrity.** Necessary for trust in decision making and actions. It is based upon honesty, selflessness and objectivity, and high standards of propriety and probity in the stewardship of public funds and the management of the council's affairs. It is dependent on the effectiveness of the control framework and on the personal standards and professionalism of members and officers. It is reflected in the council's decision-making procedures, in its service delivery and in the quality of its financial and performance reporting.
  - **Accountability.** Necessary to show that members and officers within the council are responsible for their decisions and actions, including
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their stewardship of public funds and all aspects of performance, and submit themselves to appropriate external scrutiny. It is achieved by all parties having a clear understanding of those responsibilities, and having clearly defined roles within a robust structure.



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## 2.0 The Principles of Good Corporate Governance

2.1 The CIPFA/SOLACE Framework defines six core principles that should underpin governance arrangements within local authorities<sup>1</sup>. These principles are defined as follows:

1. Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area.
2. Members and officers working together to achieve a common purpose with clearly defined functions and roles.
3. Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.
4. Taking informed and transparent decisions which are subject to effective and managing risk.
5. Developing the capacity and capability of members and officers to be effective.
6. Engaging with local people and other stakeholders to ensure robust public accountability.

2.2 The Code addresses the six core principles and the systems and processes that the council has in place to support these.

2.3 The Code also explains how the council intends to monitor and review its corporate governance arrangements.

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<sup>1</sup> These principles are taken from *The Good Governance Standard for Public Services (2004)* developed by the Independent Commission on Good Governance in Public Services.



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### **3.0 The Council's Corporate Governance Arrangements**

#### **Principle 1: Focussing on the Council's Purpose and Community Needs**

3.1 The council will develop a clear vision and purpose, identify intended outcomes and ensure that these are clearly communicated to all stakeholders of the organisation, both internal and external. In doing so, the council will report regularly on its activities and achievements, and its financial position and performance. The council will publish annually:

- The Corporate Strategy and Annual Report, including externally verified performance information;
- Directorate and Service Plans;
- The Statement of Accounts, incorporating the Annual Governance Statement.

3.2 In addition, the council will keep its corporate strategies, objectives and priorities under constant review, so as to ensure that they remain relevant to the needs and aspirations of the community.

3.3 In undertaking all its activities, the council will aim to deliver high quality services which meet the needs of service users. Delivery may be made directly, in partnership with other organisations or by a commissioning arrangement. Measurement of service quality will also be a key feature of service delivery. In addition, it will be necessary to measure whether value for money has been achieved in service delivery, and the council will therefore continue to review this.

3.4 The council will also seek to address any concerns or failings in service failure by adhering to and promoting its Complaints and Feedback Procedure.

#### **Principle 2: Having Clear Responsibilities and Arrangements for Accountability**

3.5 To ensure accountability, the Constitution determines the roles and responsibilities of both the council's executive and non-executive functions. In particular, the council's Constitution:

- Clearly defines the statutory roles of Head of Paid Service, section 151 Officer and Monitoring Officer;



- 
- Sets out a protocol to address the working relationship between the Leader and the Chief Executive which enables each to negotiate and fulfil their respective roles;
  - Includes schemes of member and officer delegations;
  - Includes protocols for partnership working that help to ensure that responsibilities are clearly defined and that relationships work effectively for the benefit of service users;
  - Requires appropriate governance arrangements for partnerships, which define the legal status of the entity and also the extent to which decisions taken by the partnership will be binding for each organisation.

The council's Constitution will be reviewed annually.

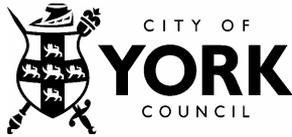
- 3.6 In preparing the Annual Governance Statement, the council will review its involvement in current partnerships and the effectiveness of the governance arrangements in place for each one. The council will also seek to embed a best practice toolkit for partnership working across the council.

### **Principle 3: Good Conduct and Behaviour**

- 3.7 The council will conduct its activities in a manner which promotes high ethical standards and good behaviour. The following policies and protocols have been established and will be kept under review to assist the council in fostering this culture:

- Member Code of Conduct
- Officer Code of Conduct
- Employee Code of Conduct
- Protocol on Officer/Member Relations
- Staff and Member Registers of Interest
- Whistleblowing policy
- Counter Fraud and Corruption Policy

- 3.8 The aim is to develop a set of shared values which will underpin an ethos of good governance. This will be further supported by compliance with legislation and all relevant professional standards.



- 
- 3.9 The council has also established a Standards Committee to discharge its responsibilities for promoting and maintaining high standards of Member conduct. The Standards Committee meets every two months and monitors compliance against the national code of conduct for councillors.
- 3.10 Where the council works in partnership it will continue to uphold its own ethical standards, as well as acting in accordance with the partnership's shared values and aspirations.

**Principle 4: Informed, Transparent Decision Making and Managing Risk**

- 3.11 The council observes this principle through the:
- establishment of an effective scrutiny function;
  - recording of all decisions taken and the reasons for those decisions;
  - maintenance of registers to record potential conflicts of interest;
  - operation of the independent Audit and Governance Committee;
  - existence of an effective and transparent complaints and feedback procedure;
  - provision of timely and relevant information to all interested parties;
  - involvement of proper professional legal and/or financial expertise to inform decision-making;
  - existence of an embedded risk management culture;
  - existence of effective whistle blowing procedures;
  - observation of all specific legislative requirements placed upon the council.
- 3.12 The council has established a scrutiny framework that will ensure policies and decisions are made which reflect the council's strategic objectives and priorities. Members will be supported in decision making by ensuring that they are properly informed of all legal and resource considerations.
- 3.13 Risk management processes within the council will be maintained so as to ensure that the risk and impact of decisions can be fully assessed.



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### **Principle 5: Developing Skills and Capacity**

3.14 The council is continually seeking to develop the capacity and capability of both its members and officers in recognition that the people who direct and control the organisation must have the right skills to do so. This is achieved through a commitment to training and development, as well as recruiting people with the right balance of knowledge and experience.

3.15 The council will achieve this by:

- Operating Member and employee induction programmes;
- Providing career structures to encourage development;
- Regularly reviewing job descriptions and using these as the basis for recruitment;
- Working to a Training and Development Plan;
- Maintaining an effective performance management system;
- Encouraging a wide variety of individuals to participate in the work of the council.

### **Principle 6: Engaging Stakeholders to Ensure Robust Accountability**

3.16 The council will seek the views of its stakeholders and respond appropriately. The council will achieve this by:

- Publishing an annual Statement of Accounts and Annual Report to inform stakeholders and services users of the previous year's achievements and outcomes;
  - Setting a balanced budget;
  - Clearly identifying its stakeholders, in order to ensure that relationships with these groups continue to be effective;
  - Maintaining effective channels of communication which reach all groups within the community and other stakeholders as well as offering a range of consultation methods;
  - Producing an annual report on the performance of the scrutiny function;
  - Providing a variety of opportunities for the public to engage effectively with the council including attending meetings;
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- Continuing to operate the Talkabout Citizen's Panel;
  - Presenting itself in an open and accessible manner to ensure that council matters are dealt with transparently, in so far as the need for confidentiality allows;
  - Developing an internal communication policy which will outline how staff and their representatives are consulted and involved in decision-making.



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#### **4.0 Monitoring, Review and Reporting**

4.1 The council has two committees that are jointly responsible for monitoring and reviewing the council's corporate governance arrangements:

- The Audit and Governance Committee;
- The Standards Committee.

The two committees will liaise on any issue, principally matters relating to corporate governance that may be of common concern to both.

4.2 The Audit and Governance Committee is independent of the council's Executive and Scrutiny functions and has various powers and responsibilities in relation to audit and governance issues, as detailed in the Constitution.

4.3 The Standards Committee meets every two months to promote and maintain high standards of conduct by councillors and co-opted members of the council. The Committee also assists councillors to observe the Code of Conduct adopted by City of York Council under section 51 of the Local Government Act 2000 and provides advice to the council on issues relating to Member/officer relations. The Committee includes independent members.

4.4 Further to the two member committees outlined above, the council has also established an Officer Governance Group which is responsible for overseeing the delivery of an integrated programme of work to support the development of robust corporate governance arrangements, and to keep implementation of such arrangements under on-going review.

4.5 The council is required to annually review the effectiveness of its system of internal control<sup>2</sup>. This review will seek to:

- Identify principal risks to the achievement of council objectives;
- Identify and evaluate key controls to manage principal risks;
- Obtain assurances of the effectiveness of key controls;
- Evaluate assurances and identify gaps in control/assurances.

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<sup>2</sup> As required by Regulation 4 of the Accounts and Audit Regulations (2003), as amended 2006.



### **The Annual Governance Statement**

- 4.6 Following the annual review of the council's governance arrangements and system of internal control, an Annual Governance Statement (AGS) will be published as part of the council's Statement of Accounts.
  
- 4.7 Action plans will be drawn up in response to any significant control weakness identified in the AGS. A follow up process will be overseen by the Officer Governance Group to ensure continuous improvement of the system of corporate governance.

## 5.0 Key Documents and Activities

Document/ Activity	Key Governance Principle					
	Focussing on the council's purpose and community needs	Having clear responsibilities and arrangements for accountability	Good conduct and behaviour	Informed, transparent decision-making and managing risk	Developing skills and capacity	Engaging stakeholders to ensure robust accountability
<b>Overall Responsibility: Chief Executive (Head of Paid Service)</b>						
<b>Lead Officer: Director of Resources (pro tem)</b>						
Constitution	✓	✓	✓	✓	✓	✓
Corporate Strategy and Annual Report	✓	✓		✓		✓
Constitutional arrangements for Statutory Officers (Head of Paid Service, Monitoring Officer, Section 151 Officer)	✓	✓		✓		
Council and Executive Procedure Rules	✓	✓	✓	✓		
Member Code of Conduct			✓		✓	
Officer Code of Conduct			✓		✓	
Overview and Scrutiny Function	✓	✓		✓		✓
CAA Performance	✓	✓		✓		

Document/ Activity	Key Governance Principle					
	Focussing on the council's purpose and community needs	Having clear responsibilities and arrangements for accountability	Good conduct and behaviour	Informed, transparent decision-making and managing risk	Developing skills and capacity	Engaging stakeholders to ensure robust accountability
<b>Overall Responsibility: Director of Resources (pro tem)</b>						
<b>Lead Officer: Head of Civic, Democratic and Legal Services (Monitoring Officer)</b>						
Equal Opportunities Policy	✓		✓	✓		
Member Allowances Scheme		✓	✓			
Standards Committee		✓	✓	✓		
Monitoring Officer Protocol		✓	✓	✓		
Members Induction Scheme			✓		✓	
Schedule of Council Meetings		✓		✓		✓
Members Scheme of Delegation		✓	✓	✓		
Protocol on Officer/Member Relations		✓	✓	✓		
Procedure Rules of Standing Orders		✓	✓	✓		
Decision Making Protocols		✓	✓	✓		

Document/ Activity	Key Governance Principle					
	Focussing on the council's purpose and community needs	Having clear responsibilities and arrangements for accountability	Good conduct and behaviour	Informed, transparent decision-making and managing risk	Developing skills and capacity	Engaging stakeholders to ensure robust accountability
Complaints Procedure		✓	✓	✓		✓
<b>Overall Responsibility: Director of City Strategy</b>						
<b>Lead Officer: Director of City Strategy</b>						
Local Area Agreement	✓					✓
Community Strategy	✓					✓
Corporate Business Continuity Plan	✓					
Local Strategic Partnership	✓					✓
Partnership working and governance arrangements	✓				✓	
<b>Overall Responsibility: Director of Resources (pro tem)</b>						
<b>Lead Officer: Head of Human Resources</b>						
HR Procedure Rules			✓	✓	✓	
Recruitment and Selection Policy			✓		✓	
Whistle Blowing Policy			✓	✓		
Staff Induction Programme			✓		✓	

Document/ Activity	Key Governance Principle					
	Focussing on the council's purpose and community needs	Having clear responsibilities and arrangements for accountability	Good conduct and behaviour	Informed, transparent decision-making and managing risk	Developing skills and capacity	Engaging stakeholders to ensure robust accountability
Employee Training and Development			✓		✓	
Register of Staff Interests/ Conflicts of Interest			✓	✓		
Health and Safety Policy			✓		✓	
Employee Code of Conduct			✓			
Talkabout Citizens Panel	✓	✓		✓		✓
<b>Overall Responsibility: Director of Resources (S151 Officer)</b>						
<b>Overall Responsibility: Assistant Director of Resources (Corporate Finance)</b>						
Budget Process and Budget Management	✓	✓		✓	✓	
Medium Term Financial Strategy	✓	✓		✓	✓	
Capital Programme	✓	✓		✓		
Annual Statement of Accounts	✓			✓		
Officers Scheme of Delegation		✓	✓	✓		

Document/ Activity	Key Governance Principle					
	Focussing on the council's purpose and community needs	Having clear responsibilities and arrangements for accountability	Good conduct and behaviour	Informed, transparent decision-making and managing risk	Developing skills and capacity	Engaging stakeholders to ensure robust accountability
<b>Overall Responsibility: Director of Resources</b>						
<b>Lead Officer: Assistant Director of Resources (Customer Service &amp; Governance)</b>						
Performance Management			✓	✓	✓	
Directorate & Service Plans	✓					
Audit and Governance Committee	✓	✓	✓	✓		✓
Role of Officer Governance Group		✓	✓	✓		
Annual Governance Statement	✓	✓	✓	✓	✓	✓
Internal Audit Reports		✓	✓	✓		
Annual Audit Letter	✓	✓		✓		
Liaison with External Audit		✓				✓
Counter Fraud and Corruption Policy	✓	✓	✓	✓		
Financial Regulations		✓	✓	✓		
Contract Procedure Rules		✓	✓	✓		

<b>Overall Responsibility: Director of Resources</b>						
<b>Lead Officer: Assistant Director of Resources (Transformation &amp; Efficiency)</b>						
Procurement Strategy		✓	✓	✓		



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## 6.0 Contacts and Further Information

- 6.1 Further details of the council's Corporate Governance arrangements can be obtained on the council's website [www.york.gov.uk](http://www.york.gov.uk) or by contacting:

Assistant Director of Resources  
(Customer Service & Governance)  
City of York Council  
The Guildhall,  
York  
YO1 9QN

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**Executive****28 April 2009**

Report of the Director of Neighbourhood Services

**Refuse Vehicle Procurement****Summary**

1. This report provides members with details of the procurement for the replacement of 6 new refuse collection vehicles (RCVs) and 1 additional cage collection vehicle. The report asks members to approve the outcome of the evaluation process and that a purchase order is made so the vehicles can be ordered.

**Background**

2. Under the vehicle maintenance and procurement contract between the City of York Council and the Army Base Repair Organisation (ABRO), now the Defence Support Group (DSG), all vehicles supplied were to be funded by a lease agreement between the Ministry of Defence (MoD) and the Bank of Scotland. By way of a protection for the authority, a three way 'step in' agreement was reached allowing the council to step into the leases in the event of the demise of the maintenance and procurement contract.
3. On 5<sup>th</sup> March 08, the Bank of Scotland announced that following a comprehensive strategic review of their Public Sector Leasing business, they had taken the decision to exit the public sector operating lease market as of 30<sup>th</sup> May 2008. For existing contracts, no further business would be signed after 30<sup>th</sup> December 2008, but their Asset Management Department would continue to manage all assets under existing agreements through to expiry.
4. The only option available to DSG was to source funds from an alternative bank and incur legal costs in preparing and exercising a further 'step in' clause for the authority. As previously reported to the Executive, during this period the MoD also announced that the Minister had directed it to withdraw from all non defence contracts. With this in mind, it was agreed to continue procuring vehicles through the contract, up to 31<sup>st</sup> December 08, but not to incur further costs of entering into an agreement with an alternative bank.
5. In the short term, the authority can fund vehicles through its own lease framework contract and, after seeking advice from Procurement, use the Braintree Framework for the supply of refuse collection vehicles. Using this route, in the short term, removed the need for the authority to go through the OJEU procurement process, as this framework had already been exposed to the European market. This arrangement can continue until such time as it is clear as to the best option for the fleet operations can be identified.

## **Vehicles Required**

6. 6 RCVs are required to replace 6 vehicles currently in service.
7. As well as the 6 replacement RCVs, a vehicle for the collection of refuse and recycling from rural and remote properties is also required. This vehicle is to replace one of a different type, whose lease has expired, and budget exists to meet the lease and maintenance costs.

## **Leasing Costs and Expiry**

8. The current annual cost for leasing the 6 vehicles to be replaced is £136,921. These leases are due to expire on 3 May 2009. Should the new vehicles not be delivered before this date, then additional lease costs of £30K will be incurred to extend the leases for a further 3 months. Additional costs would also be incurred by way of the return conditions contained in the leases where each vehicle must have a valid road fund licence (road tax) and MOT certificate.
9. The lease for the vehicle that the new cage vehicle is replacing has already expired and the vehicle returned. Due to a different type of vehicle being required, and following extensive trials and demonstrations, we are hiring a cage vehicle in until the new vehicle is available at a cost of £363 per week.

## **Procurement Process**

10. As detailed in paras 2 to 5, the procurement process has been managed by the council and not by DSG. On the advice of the council's procurement team, tenders were sought from 6 suppliers through the Braintree Framework Agreement. As stated in para 5, use of this framework agreement negated any need to go through a separate OJEU process as the framework has already been subjected to that process.
11. Whilst on the face of it RCVs may appear to be very similar in their design and function, there are considerations to be made when evaluating options. The cheapest quote may not provide the right vehicle for the needs of the service, bearing in mind maintenance costs, payloads and efficiency. Therefore, on the advice of the council's procurement team, and with their approval, the tenders were evaluated using the Most Economically Advantageous Tender (MEAT) analysis.
12. Tenders were received to the council on 27 February 2009 and were opened in the presence of the Executive Member for Neighbourhood Services on the same day as they were received.
13. The tenders were evaluated using two processes. The first were scored using a matrix recommended by the council's procurement team. The second process involved evaluating the tenders against the criteria and specifications stated in the submissions.

## **Tender Evaluation Outcome**

14. For the 6 replacement RCVs, Terberg score the highest using both processes as described in para 9.
15. For the new cage vehicle, LinkTip score the highest using both processes as described in para 9.
16. The outcome of the evaluation processes indicates that these two types of vehicle would be 'fit for purpose' and provide the most economic advantage to the council.

## **Implications**

**Financial** – Financial implications are contained in the body of the report.

**Human Resources (HR)** – no implications

**Equalities** – no implications

**Legal** – The council's procurement team has been involved in the procurement process and legal advice taken on the correct route for the decision to be made.

**Crime and Disorder** - no implications.

**Information Technology (IT)** - no implications.

**Property** - no implications.

**Other** - no implications.

## **Risk**

17. If we do not procure the vehicle detailed in this report, then we will incur additional lease and hire costs, the value of which is higher than the primary lease costs detailed in the report.

## **Recommendations**

18. Members are asked to:
  - i. Note the procurement process outlined in the report and approve the outcome of the evaluation process.
  - ii. Give approval for a purchase order to be made so the successful tenderers can be notified and orders placed.

Contact Details

**Author:**

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Head of Waste Services  
Neighbourhood Services  
Tel No.3111

**Chief Officer Responsible for the report:**

Adam Wilkinson  
Director of Neighbourhood Services

**Report Approved**

**Date**

26 March 2009

**Specialist Implications Officer(s):**

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

**Background Papers:**

None.