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Meeting	Cabinet
Date	1 October 2013
Present	Councillors Alexander (Chair), Crisp, Cunningham-Cross, Levene, Looker, Merrett, Simpson-Laing (Vice-Chair) and Williams
In Attendance	Councillors Cuthbertson, Healey, Richardson and Runciman

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#### **41. Declarations of Interest**

Members were invited to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

Cllr Merrett declared a prejudicial interest in respect of agenda item 10 (Long Term Waste Service: First Long Stop Date) as an employee of Amey Consulting, part of a wider group of which AmeyCespa were a separate part and he left the room and took no part in the discussion or voting in relation to this item.

#### **42. Exclusion of Press and Public**

Resolved: That it was agreed to exclude the press and public from the meeting during consideration of Annex B to agenda item 7 (Disposal of Council Properties) on the grounds that it contained information relating to the financial or business affairs of particular persons (including the authority holding that information). Such information is considered exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

#### **43. Minutes**

Resolved: That the minutes of the last Cabinet meeting held on 3 September 2013 be approved and signed by the Chair as a correct record.

#### **44. Public Participation/Other Speakers**

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

6. Delivering for the People of York: Response to the Peer Review, Residents' Big Survey and Staff Survey (Minute 46 refers)

Gwen Swinburn raised concerns that the important response to the Peer Review and Surveys, had not listed the Chief Executive as report author. Reference was also made to the recommendations put forward to rectify issues identified for improvement where it was felt scrutiny and oversight were required to ensure delivery of the recommendations.

Cllr Healey also referred to the content and recommendations of this report particularly as many Council Officers were already stretched and at capacity.

Cllr Cuthbertson spoke of his concerns regarding the responses received, in relation to neighbourhood working and community relationships in the Big York Survey and the Peer Review as detailed in the report. In an effort to improve the situation he suggested the engagement of all Council members and the scrutiny process.

Cllr Runciman spoke in relation to the proposed solutions put forward for improvement in response to feedback on the review and surveys. Particular concerns were expressed in relation to the venture fund allocation for the Transformation Programme and to resident meetings in every ward in the city. The revitalising of scrutiny it was suggested should include the involvement of opposition Councillors, Parish Council's, Resident's Associations etc.

## 8. Technical Reforms to Council Tax (Minute 48 refers)

Cllr Cuthbertson made reference to the potential outturn position following the changes to Council Tax exemptions particularly in view of Council's earlier decision not to accept the Government's offer of Council Tax support.

## 11. The Tour de France – Update (Minute 51 refers)

Cllr Healey expressed concern at this report particularly in relation to the generic update at Annex A which did not provide figures or potential numbers and no justification for holding the event. He questioned how Members could make a decision based on the evidence provided.

## **45. Forward Plan**

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

## **46. Delivering For The People Of York: Response To The Peer Review, Residents' Big York Survey And Staff Survey**

Consideration was given to a report which set out details of the Council's response to feedback received from the LGA Peer Review, the Big York Survey and its Staff Survey. The specific actions the Council proposed to take to enable the Council, residents and communities to work together to meet their future needs and priorities were set out in further detail in the report.

The Council's responses in relation to the medium term financial strategy and a new transformation programme which would ensure that council budgets were balanced and targeted to priority areas of service were also reported at paragraphs 38 to 57.

Although much had already been put in place to improve engagement with residents and community groups the Peer Review and Surveys had shown that further work was required to gain customer and community participation.

The Leader acknowledged the reports highlighted a number of areas where improvements were required however the majority were on track. He confirmed that account would be taken of the earlier speaker's comments and that note would be taken of residents priorities and new ways of engaging with residents would be examined. Reference was also made to receipt of additional comments regarding staff engagement from Unison.

Arising out of the report, as a response to the Peer Review feedback and prior to the restructure of the Council's Management Team, the Chief Executive requested Cabinet's agreement to the appointment of a Director of Education, Children's and Skills, a statutory function, to enable the post to be filled at the earliest possible date.

All Cabinet Members went on to express their support to work together to make any changes necessary to address the issues raised in the report.

- Resolved: i) That Cabinet agree to:
- Establish a new Transformation Programme to prioritise and deliver the Council's objectives. <sup>1</sup>
  - Confirm their support for the filling of the post of Director of Education, Children's and Skills on a permanent basis in advance of a wider change process.
  - Establish a repayable budget of £500,000, financed from the Delivery and Innovation Fund (£250,000) and the Venture Fund (£250,000), to finance the Transformation Programme on an Return on Investment of at least £3m pa. Further, to agree to delegate responsibility to the Chief Executive and Director of CBSS to use that budget on transformation resourcing/activity as appropriate. <sup>2</sup>
  - The first three projects to form the Transformation Programme will be Health & Adult Social Care, Hazel Court Depot Services and Business Efficiency (to include Parking and the projects within the existing Business Support Review – Policy & Performance, Procurement &

Commissioning, Facilities Management, Administration & Customer Services)

- The council working with residents on a new engagement approach to deliver the principles in para 61 of the report. <sup>3</sup>.
- The proposals to undertake a 'big clean' of the city in Autumn 2013 and Spring 2014 whilst seeking improvements in day to day service delivery. <sup>4</sup>.
- The Deputy Chief Executive liaising with Health Services in the city to address resident concerns about the availability of health services in York. <sup>5</sup>.

ii) That Cabinet also agree to note:

- The LGA Peer Review letter at Annex 1 of the report.
- The principle to co-design and co-deliver the new programme with residents
- The intention to bring an assessment of the future budget challenges to November Cabinet.
- The intention to create a new consultation approach (in partnership with residents) and to bring proposals to a future Cabinet meeting.
- The plans for the Leader to meet residents in every ward in the city.
- The intention to broaden the budget consultation in 2013
- The intention to seek support across Group Leaders to revitalise Scrutiny and overview to bring challenge and support to the Council's work.

Reason: In order to respond to the feedback the Council has received from the LGA Peer Review, Big York Survey and its Staff Survey.

Action Required

1. Establish Transformation Programme to deliver objectives.

SH

2. Implement transformation programme with allocated budget.

KE, IF

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|--|----|
| 3. In conjunction with residents undertake new engagement approach.              | SH |
| 4. Implement city 'big clean' during Autumn 2013 and Spring 2014.                | CC |
| 5. Liaise with local Health Services regarding availability of services in York. | PE |

#### **47. Disposal of Council Properties**

Consideration was given to a report which detailed progress, over the last four years, in disposing of property assets. An asset review had been undertaken to identify opportunities to generate capital receipts by rationalising and sharing properties to reduce the number of Council owned and occupied properties.

Further information on agreed sales and those in progress were reported together with the methods of obtaining best value from the disposal of Council land and buildings.

Member approval was now sought for the proposed disposal of two Council owned properties, detailed at paragraphs 8 to 12 of the report, at Annex A and exempt Annex B:

- St Anthony's House, Clarence Street and
- 13/15 Redeness Street, Layerthorpe

As the Council had no requirements for either site and expressions of interest had been received in relation to both the options available for the disposal of the properties would be to either refuse to sell or put the properties on the open market.

Following further discussion it was

Resolved: That Cabinet

- i) Notes the work which is being undertaken to ensure that properties are disposed of to maximize the benefit to the Council from any sale.
- ii) Approves the sale of St Anthony's House and 13/15 Redeness Street for

the capital receipts detailed in confidential Annex B of the report. <sup>1.</sup>

Reason: To support corporate priorities with respect to jobs and economic growth and to provide capital receipts to fund the Council's capital programme.

Action Required

1. Proceed with sales of both properties.

PC

**48. Technical Reforms to Council Tax**

Consideration was given to a report which provided Cabinet with an update on the current position in relation to changes to Council Tax Exemptions approved in November 2012. Details of the changes previously approved by Cabinet were reported together with an estimate of the potential outturn position on the following four key tax exemptions:

- Empty and Unfurnished (Class C)
- Structural Repairs (Class A)
- Second Homes
- Longer Term Empty (2yrs +)

The Cabinet Member reported the following amendment to the report:

- Amend Para 17 - Option i) to read 'and in particular to amend *class C* to 100% liability, noting the potential increase in income of £267,000'.

Consideration was then given to the following options:

- i) Did the Council wish to change the exemptions applied, and in particular to amend class C to 100% liability, noting the potential increase in income of £267,000?
- ii) Subject to the above point, if there is additional income, how did the Council wish to use this,

recognising that the financial pressures facing the Council are very significant and that the current financial plans assume that growth from benefits expenditure would be met from increased council tax yield?

- iii) Did the council wish to amend the level of Council Tax Support for 2014/15?

Following further discussion it was

Resolved: That Cabinet agree to:

- i) Apply 100% liability in respect of Class C properties, from the current 50% liability.
- ii) Approve that any additional income from the technical changes to council tax be reserved in the first place to cover potential increases in benefits expenditure, with further consideration at time of budget setting.
- iii) Leave the level of council tax support as at present. <sup>1</sup>.

- Reasons:
- i) To increase the amount of council tax liability in respect of council tax exemptions in 2014/15.
  - ii) To ensure cost pressures related to council tax benefits are managed, and to consider any additional income against the Councils overall financial position.
  - iii) To set the level of council tax support for 2014/15.

Action Required

1. Implement increase in relation to Class C properties for 2014/15.

DW



#### 49. **Economic Infrastructure Fund: Progress And New Project**

Members considered a report which provided Cabinet with an update on the impact of the Economic Infrastructure Fund (EIF) to date, setting out the high level impacts, spend and progress provided at paragraphs 10 to 29 and at Annexes A, B and C of the report.

Details of a new EIF bid for the funding of an Acomb Community Economic Development project was also reported and detailed at Annex D. The funding for core infrastructure for Front Street, Acomb was proposed as a catalyst for community led economic development in the area.

The Cabinet Members referred to concern at the lack of investment in the Acomb shopping area and to the proposed formation of a project team to work with traders to assist in the revitalisation of the area. With the initial establishment of this model in Acomb a roll out to other wards where economic underperformance was apparent was proposed, in the future.

Following further discussion it was

Resolved: That Cabinet agree to:

- i) Note progress made with EIF spending to date; and
- ii) Approve proposed spend of £30K in Acomb for the proposed Community Economic Development project, as detailed at Annex D of the report. <sup>1</sup>

Reason: To support the Council Plan priorities of creating jobs, growing the economy and investing in the city's economic future.

#### Action Required

1. Implement Acomb Community Economic Development project as detailed.

KS

**50. Long Term Waste Service: First Long Stop Date**

Consideration was given to a report which sought Members approval as to the next steps regarding the long term waste contract, following the passing of the First Long Stop date without receipt of a satisfactory planning permission.

The Council had supported the award of a contract by North Yorkshire County Council (NYCC) to AmeyCespa in relation to a long term waste service and planning permission had subsequently been granted, subject to conditions, for a proposed residual waste treatment plant at Allerton Park, Knaresborough. This decision was however still subject to legal challenge by Marton cum Grafton Parish Council which meant that planning permission by the two year deadline had not been obtained.

The contract therefore provided the following possible outcomes for the agreement, which Members were asked to consider:

- A. that the Planning Application continue to be prosecuted in the same or substantially the same form (Decision A);
- B. that the Planning Application requires material amendment or to be withdrawn and a further Planning Application submitted and the Authority accordingly requires the Contractor to prepare a Revised Project Plan (Decision B);
- C. that there is no reasonable prospect that the Contractor will obtain a Satisfactory Planning Permission and that this Agreement should terminate (Decision C).

The Cabinet Member confirmed that NYCC had also considered a similar report, earlier in the day, and agreed to support continuation of the waste contract.

Resolved: That Cabinet supports the continuation of the contract between North Yorkshire County Council and AmeyCespa regarding the long term waste service for York in accordance with Decision A as set out as Option 6A of the report.

Reason: To enable the existing contractual arrangements for a long term waste service to progress toward Financial Close.

## **51. The Tour De France - Update**

Members viewed a 'Welcome Le Tour' DVD compiled to promote the event and considered a report which updated them on the York element of the Tour de France (TDF), following the report to Cabinet in February.

Further information was provided on the regional structure for the event and the strategic objectives for delivery. A local update on the second day depart on Sunday 6 July in York was reported together with details of route and traffic management and estimates of the economic benefits and commercial opportunities for the area.

With York taking the lead for the region on the legacy programme it was confirmed that the ambition was to improve the cities position in the UK league table as a Cycling City.

Costs for staging the TDF and legacy events were provided at paragraphs 28 to 34 of the report.

Cabinet Members expressed their support for the excellent progress already made in delivering this event both locally and regionally. Referring to the economic benefits for the city and stressing the importance of the future legacy programme.

Following further discussion it was

Resolved: That Cabinet agree to:

- (i) Note progress made with the Tour de France delivery project.
- (ii) Agree the strategic objectives for delivery.

- (iii) Delegate authority to the Chief Executive to negotiate and enter into a contract with the new regional delivery body. <sup>1</sup>.
- (iv) The following budget allocations:
  - a. £200k from capital contingency
  - b. £200k from Delivery and Innovation Fund
  - c. £473k from General ContingencyThe profile between years of allocations to be confirmed as part of the budget process in February 2014. <sup>2</sup>.

Reason: To report on project work to date and provide the necessary funding to deliver the event.

Action Required

- 1. Following negotiation enter into contract with delivery body. KE, GC
- 2. Make agreed budget allocations for the project. PL

Cllr J Alexander, Chair  
[The meeting started at 5.30 pm and finished at 7.00 pm].