
MEETING	Executive
DATE	10 October 2006
PRESENT	Councillors Steve Galloway (Chair), Sue Galloway, Jamieson-Ball, Macdonald, Orrell, Reid, Runciman, Sunderland and Waller

78. Declarations of Interest

The Chair invited Members to declare at this point any interests they might have in the business on the agenda. No interests were declared.

79. Exclusion of the Press and Public

RESOLVED: That the press and public be excluded from the meeting during consideration of the following:

- Annexes A and B to agenda item 6 (Accommodation Project – Update)
 - Annex 2 to agenda item 10 (2 High Petergate, York)
 - Annex 2 to agenda item 11 (3-4 Patrick Pool, York),
- on the grounds that these documents contain information relating to the financial and business affairs of particular persons, which is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 20069.

80. Minutes

RESOLVED: That the minutes of the Executive meeting held on 26 September 2006 be approved and signed by the Chair as a correct record.

81. Public Participation

There had been one registration to speak at the meeting under the Council's Public Participation scheme. Graham Connell spoke in relation to agenda item 12 (Foss Islands Road – Closure of Entrance to Majestic Wine Premises – Minute 89 refers), on behalf of the site developers. He responded to points raised in the letters of objection to the proposals in the report, stating that the letters did not accurately reflect the history of the negotiations on this issue and outlining the situation from the developer's point of view. He expressed support for the proposals set out in the report on this item.

82. Executive Forward Plan

Members received and noted an updated list of items currently scheduled on the Executive Forward Plan.

83. Accommodation Project - Update

Members considered a report which provided an update on progress with the Council's corporate accommodation project and sought approval for a revised financial model for delivery of the project.

The report provided details of progress on Stage 1 of the project (April-August 2006) , for which the targets and achievements comprised:

- Purchase of the ambulance station site
- Approval to relocate the Peaseholme Centre
- Sale and leaseback of St Leonard's Place / 2-4 Museum Street
- Extension of leases at 10-12 George Hudson St and Swinegate Court
- Publication of the OJEU Notice for design and construction partners
- User brief for the new building at Hungate
- Review of Facilities Management Services

In respect of the financial model developed as part of the business case for the project, further work had revealed that the headline figures originally reported to the Executive had been oversimplified and omitted some costs. A revised and updated model had been developed which adopted a more efficient approach to the financing of the project and explicitly included all costs necessary for its completion. It was noted that, overall, the financial position had improved since last reported to the Executive. The report outlined the current position and key changes to the figures previously reported, further details of which were provided in Annex A. It was noted that the timetable for occupation of the new building at Hungate was currently June 2010. Key dates towards occupation were set out in paragraph 23 of the report and key targets for Stage 2 of the project in paragraph 25.

Members commented on the importance of the scheme as an investment in the City's future as well as providing improved working conditions for staff. It was noted that the outline brief now included enhanced sustainability targets.

RESOLVED: (i) That the progress of the accommodation project to date, as set out in paragraphs 4-25 of the report, be noted.

REASON: In accordance with the Executive's role in monitoring the project.

(ii) That the revised financial model for the project, set out in paragraphs 5-21, be approved.

REASON: To take account of further work carried out as part of the business case.

84. First Performance and Financial Monitor - 2006/07

Members considered a report which provided details of the key performance issues discussed at the performance monitor session held for Directors and Executive Members on 27 September 2006 and presented the latest projection of the Council's revenue income and expenditure for the current year.

Key performance issues identified for Directors and Executive Members to address before the next monitor in December were listed in paragraph 4 of the report. Work to agree scopes and scorecards for the 13 priorities within the Corporate Strategy agreed by the Executive in June would not be in place until December. Meanwhile, the focus would remain on the two top priorities – York Pride and Safer City. Progress on York Pride had included significant improvements in response times for investigating reports of abandoned cars and removing graffiti. On Safer City, performance against all of the public perception measures had been consolidated or improved upon and Safer York Partnership was on track to achieve most of its Home Office targets. Progress in other areas included reduced levels of staff sickness and staff turnover and improved performance against some Customer First targets, notably timely responses to letters and Stage 2 complaints.

With regard to financial performance, an overspend of £604k was projected on the General Fund revenue budget, representing 0.6% of the total net budget of £100,295k. On the Dedicated Schools Grant (DSG) functions, a £486k underspend was projected, but this was not available to be used for other General Fund purposes. A summary of the budgets and variations in each service area was provided in Table 1 at paragraph 44 of the report. Table 4 at paragraph 64 outlined virements for asset rental charges sought under CIPFA's new Code of Practice for 2006/07. However, it was reported at the meeting that guidance on the Code was still awaited and it was requested that a consideration of these virements be deferred.

Recommendations made by the Corporate Management Team in respect of potential areas for further budgetary savings during the year included transferring interest earned on retained Section 106 funds into the General Fund Reserve as a commuted sum. Approval was sought to vire £3k between Treasury Management and Leisure and Culture to achieve this. Approval was also sought for non-recurring virements to re-align the 2006/07 budgets; details were set out in Table 5 at paragraph 67. The transfers would be reversed in future years, leaving a gap of £167k which, it was proposed, initially be set against the remaining contingency sum.

Members commented on the particular financial pressures faced by Adult Social Services in this year and the next, due to growth in the number of complex care cases. It was noted that these had been addressed in the proposals and that the Council was on track to out-turn within or under budget by the end of the year.

RESOLVED: (i) That the performance issues identified in the report be noted.

REASON: So that corrective action on the performance issues can be addressed by Directorates and EMAPs prior to the next monitor session in December.

(ii) That the applications for supplementary estimates of £179k, to be funded from the contingency fund, as set out in paragraph 62 of the report, be approved.

REASON: In accordance with the Executive's Constitutional powers to make decisions on the level and granting of supplementary estimates.

(iii) That consideration of the virements identified in paragraph 64, Table 4, be deferred until further information on the implications of such action is available.

REASON: To enable the Executive to make a properly informed decision.

(iv) That the virement of £3k between Treasury Management and Leisure and Culture, as identified in paragraph 65, be approved.

REASON: The virement request is within the budget areas where the Executive is the responsible body.

(v) That the virements (on a non-recurring basis) that reduce the budgets for indicated departments / portfolio areas and reallocate them to achieve a balanced budget, as set out in paragraph 67, Table 5, be approved.

REASON: In accordance with the requirement in the Council's financial regulations that virements of more than £250k be approved by the Executive.

(vi) That departments be instructed to continue to look for savings from within their own budgets, rather than request supplementary estimates for additional expenditure pressures.

REASON: To ensure that all practicable action is taken in departments prior to seeking additional funding from the Executive.

(vii) That the action currently being taken by departments to manage the overspends identified be endorsed, and that the Director of Housing and Adult Social Services be requested to report to the Executive at the earliest opportunity on the implications, for this and future years' Council budgets, of the increased demand for social care, including those arising out of complexity issues, plus the impact of changes to the Government's grant regulations for the Supporting People programmes.

REASON: To enable the Executive to continue to monitor the budget and in view of the particular pressures faced by Housing and Adult Social Services.

85. Capital Programme - Monitor One

Members considered a report which informed them of the likely out-turn position of the Council's 2006/07 Capital Programme and sought approval for financial slippage amounting to £3.861m.

Key issues highlighted the report included:

- Completion of phase 1 of Clifton Green Integrated Children's Centre
- Additional grant funding of £1.476m over 2 years for Sure Start
- James St Link Road due for completion by November 2006
- Commencement of the £5.3m scheme to extend Huntington School
- Re-phasing of £1.1m work on the School Modernisation programme
- Re-phasing of £1.1m work on the Skills Centre at Danesgate
- Re-phasing of £2m on the York Pools scheme
- Purchase of Dundas St Ambulance station (£1.2m) as part of the new Town Hall Scheme
- Capital investment of £0.5m in IT equipment via prudential borrowing.

An out-turn of £53.408m was predicted against the current approved budget of £55.868m. Capital spend to date amounted to £22.627m, or 42% of the approved budget, the same level as this time last year. Changes to the programme resulting from the recent Council restructure and the new Constitution were summarised in paragraphs 6 and 7 of the report and Table 2, which re-stated the programme within the new portfolio structure. Budget variations in each portfolio area were set out in Table 3 at paragraph 10. The revised 3-year programme was summarised in Table 11 (paragraph 33) and a breakdown of funding for the programme was provided in Table 12 (paragraph 39). Two options were available to fund the overspend of £230k projected on the Replacement Depot and Holgate Windmill, namely the capital receipts surplus (Option 1) or prudential borrowing (Option 2). Option 1 was recommended, as Option 2 would incur a revenue charge of £20k per annum for the life of the loan.

Members commented that report did not highlight progress and achievements sufficiently in some areas, such as Education. Officers undertook to do this in future monitoring reports.

RESOLVED: (i) That the £80k of adjustments made under delegated authority to the 2006/07 approved capital programme, as set out in Table 1 at paragraph 5 of the report, be noted.

REASON: in accordance with the Executive's role in monitoring the Capital Programme.

(ii) That the inclusion of £1.126m additional funding in the 2006/07 budget and £1.044m in the 2007/08 budget, as indicated in Table 11 at paragraph 33, be approved.

REASON: In accordance with the changes reported to individual Executive Member and Advisory Panel (EMAP) meetings.

(iii) That the use of surplus receipts to fund the projected overspends at the Replacement Depot (£150k) and Holgate Windmill (£80k) be approved, in accordance with Option 1 in paragraph 39.

REASON: To fund the overspends without incurring an ongoing charge to the revenue account.

(iv) That approval be given to re-profile £3.816m from 2006/07 to future years, as set out in Table 11.

REASON: In accordance with the changes reported to individual Executive Member and Advisory Panel (EMAP) meetings.

(v) That the re-stated capital programme, as summarised in Table 3 at paragraph 10 and detailed in Annex A, be approved.

REASON: In accordance with the changes reported to individual Executive Member and Advisory Panel (EMAP) meetings.

(vi) That the revisions to the capital receipts programme for 2006/07 to 2008/09, as summarised in Annex B, be noted.

86. York Neighbourhoods Pride

Members considered a report which summarised work undertaken as part of the Council's 'York Pride' initiative, detailed the proposed development of 'York Neighbourhoods Pride' (YNP) as the next stage of this initiative and sought approval to implement the proposals.

The report highlighted York Pride's key achievements in improving the quality of the City of York's environment in neighbourhood and city areas. It was considered vital to continue the process of finding sustainable solutions to local environment issues, whilst reducing crime and promoting everything that was good about the City. YNP would focus on those issues that caused significant concern to residents and visitors and would include:

- The launch of new street cleaning integrated operations
- Targeted campaigns on issues such as graffiti, dog fouling and litter
- Development of Neighbourhood Policing and relevant initiatives to tackle crime and disorder
- Development of Ward Action Plans for each ward in the City.

Paragraph 16 of the report outlined a suggested timetable for a series of high profile campaigns to be held as part of YNP, initially between

November 2006 and October 2007. At the meeting, an amended timetable was presented, which would avoid the need for proactive publicity during the statutory election period in 2007. This had been produced in response to a request from members of the Shadow Executive, who had called the item in subject to this issue being satisfactorily resolved.

RESOLVED: (i) That the launch of the York Neighbourhoods Pride initiative be endorsed.

REASON: This initiative will have significant environmental and Safer City implications which will benefit the City and its residents.

(ii) That the revised programme timetable, as presented at the meeting and set out below, be agreed:

Overarching campaign throughout the 12 months	Street Champions – Caring for Your Environment Awards will be given to members of the public, organisations, groups and schools that help to make a difference in their neighbourhood. This will create ownership within the community of the cleaner safer greener issues.
November 2006	Back Lane Campaign – targeting streets in the city where problems have been experienced with refuse sacks being presented early.
December 2006	Clean for Christmas Campaign – asking residents to identify ‘grot spots’ so that action can be taken to tackle these before Christmas.
January 2007	Get rid of Graffiti Campaign – with SEO’s undertaking inspections and enforcement under the Clean Neighbourhoods and Environment Act 2005.
February to Mid March 2007	Spring Clean Campaign – including a high visible clean of the city centre and residential areas.
May 2007	Red Card for Dog Fouling – using posters featuring red cards to raise awareness and targeted enforcement action.
June 2007 to mid July 2007	Litters out campaign – working with primary and secondary schools to talk about the importance of not committing ‘enviro’ crime.
June to July 2007	Blooming City Campaign – encouraging individuals, groups, residents and organisations to help make our city beautiful by producing or purchasing floral displays.
Mid July to August 2007	Cleaner City Campaign – focussing on the cleanliness of the city centre as we enter the peak

	tourist season.
July, August and September 2007	Feeling and being Safe in York Campaign – focussing on a range of key issues that will promote personal safety in the city.
October 2007	It's in your Hands, Don't Drop it Campaign – focussing on communicating the message of how much the council spends on Street Cleaning whilst encouraging residents not to drop litter

REASON: To enable YNP to be progressed in conjunction with other work ongoing in the department and to avoid the need for proactive publicity during the statutory election period.

(ii) That, subject to any existing commitments being honoured, approval be given to transfer up to £30,000 from the York Pride budget to support the York Neighbourhoods Pride campaign.

REASON: To fund YNP, which will build on the work carried out under York Pride.

87. 2 High Petergate, York

Members considered a report which sought approval to sell the Council's freehold interest in property at 2 High Petergate.

The property had been put on the market due to its inclusion in the 2006/09 Capital Receipts Programme approved by Council in March and the need to make progress on the sales. However, the closing date for offers had not yet been reached so the Council was not committed to the sale. Ward Member consultation had taken place on 9 August, and no objections received.

Sale of the property (Option 1) was recommended as it would raise a receipt to support the capital programme. Option 2 was to retain the property and the rental income of £19,400 per annum.

RESOLVED: That the freehold sale of the property, by informal tender on the open market, be approved, provided the best offer received is at or above the reserve figure.

REASON: To secure a capital receipt and support the capital programme.

88. 3 - 4 Patrick Pool, York

Members considered a report which sought approval to sell the Council's freehold interest in property at 3-4 Patrick Pool.

The property, previously let as offices, had been vacant for two years. There were currently no potential tenants and no operational need had been identified. Although the property had already been put on the market, the Council was not yet committed to the sale. Ward Members had expressed support for the sale, provided full market value was obtained.

Sale of the property (Option 1) was recommended as this would raise a receipt to support the capital programme and enable the property to be refurbished and put to use. Retaining the property (Option 2) would involve substantial investment, for which no funding was available at present. Because the property had not been surplus in March, it was not included on the approved schedule of capital receipts. Approval was therefore sought to amend the schedule. Details were set out in Annex 2 to the report.

RESOLVED: (i) That the freehold sale of the property by informal tender on the open market be approved, provided the best offer received is at or above the reserve figure.

REASON: To secure a capital receipt to support the capital programme, and to bring the property back into a beneficial use.

(ii) That the amendments to the Capital Receipts Schedule, as detailed in Annex 2, be approved.

REASON: To retain the approved level of capital receipts needed to support the capital programme in the light of changed circumstances, and in particular to retain revenue income at existing levels.

89. Foss Islands Road - Closure of Entrance to Majestic Wine Premises

Members considered a report which advised them of a serious potential delay to the redevelopment of the Foss Islands area and sought approval to make an Order under Section 124 of the Highways Act, to close one of the two entrances to premises occupied by Majestic Wine, off Foss Islands Road. Letters objecting to the proposals had been received from Majestic Wine and representatives of the owner of the premises. These had been circulated to Members via e-mail and copies were available at the meeting.

The closure was needed to construct a Traffic Signal controlled junction to facilitate safe access to redevelopment of land opposite the premises and Foss Islands Road. Negotiation between the developers and the owners of Majestic Wine had failed to reach agreement. Any further delay would result in the developers being in breach of contractual obligations and the matter had therefore been added to the Executive Forward Plan under the Urgency procedures.

It was recommended that the Order be made (Option B), as this would enable implementation of the planning consent already granted for the development and would not prevent Majestic Wine from continuing to trade via their other access onto Foss Islands Road. Allowing the access to

remain open (Option A) would make it unsafe to proceed with the provision of the proposed new junction and would therefore put the development in jeopardy. In response to suggestions made in the letters of objection, Officers confirmed that it would not be possible to provide a junction that would cater safely for both vehicles and pedestrians without closing the access.

RESOLVED: (i) That an Order be made, under Section 124 of the Highways Act 1980, closing the northernmost access to the Majestic Wine premises where this adjoins Foss Islands Road and as indicated on Plan HE/0409413/100/01 attached to the report.

(ii) That, if there are no objections or if any objections made are subsequently withdrawn, the Order be referred to the Secretary of State for confirmation.

REASON: To ensure that a new Traffic Signal controlled junction between Foss Islands Road and the access road to land to be developed adjacent to Foss Islands Road can operate in safety.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 2.40 pm].