
MEETING	EXECUTIVE
DATE	18 JANUARY 2011
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN
IN ATTENDANCE	COUNCILLORS LOOKER, POTTER AND SCOTT

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

139. 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.

140. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 14 December 2010 be approved and signed by the Chair as a correct record, subject to the resolution under Minute 133 (Affordable Housing Viability Study) being amended to read as follows (*amendments in italics*):

“That the Viability Study, *in so far as it addresses sites of 15 or more homes*, and its (current) 25% brownfield and 35% Greenfield affordable housing targets, as set out in Table 1 in the report, be approved for development control purposes, including a lowering of the targets by a further 3.5% if a 25% developer profit can be justified, or a lower target by individual negotiation following a site-specific viability appraisal. *At the discretion of the Director of City Strategy, the Council may accept off-site homes and/or commuted payments in lieu of on-site affordable housing provision.*”

141. PUBLIC PARTICIPATION

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

142. EXECUTIVE FORWARD PLAN

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

143. ANNUAL AUDIT LETTER 2009/10 - AUDIT COMMISSION

Members considered a report which presented the Annual Audit Letter (AAL) for 2009/10 prepared by the Audit Commission, together with the Council's response. The District Auditor was in attendance to provide a summary of the contents of the AAL and answer any questions.

The key messages contained in the AAL had been presented in detail to the Audit & Governance Committee on 29 September 2010, as part of the Annual Governance Report. Strengths and improvements identified by the Audit Commission were outlined in paragraphs 21 to 25 of the AAL. They included sustained strength in risk management, anti-fraud and value for money, as well as improvements in financial planning, procurement and asset management. Members thanked Officers for their work in producing these improved outcomes.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: That the contents of the report and the Annual Audit Letter be noted.

REASON: To comply with the statutory requirements for the external audit of the Council.

144. FINAL REPORT OF THE NEWGATE MARKET SCRUTINY REVIEW

Members considered the final report arising from the review of Newgate Market carried out by the Economic and City Development Overview & Scrutiny Committee. Cllr Scott, as Chair of the Committee, was in attendance to present the report.

The new, booklet-style, final report (Annex 1) had been circulated to Executive Members and made available on the Council's website. A summary of the short and medium-term recommendations arising from the review was provided in paragraphs 5 to 8 of the cover report. It was noted that the financial implications of accepting the short-term recommendations would be for the Council to set aside one-off funding of £20k for the replacement of stall canopies, one-off funding of £24k for 'sculpted' stalls and recurring funding of £24k for re-investment in the market.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: That the following comments and recommendations be agreed in response to the final report:

Scrutiny Recommendation	Cost implication	Executive comment	Executive Recommendation
<p>1. To improve the general cleanliness of the market. This can be achieved in the short term by:</p> <p>i) Early implementation of the Service Level Agreement (SLA) with a review after 3 months</p> <p>ii) Closing the market one day per quarter for deep cleansing (the first instance to be before Easter 2011) And in the medium term by:</p> <p>iii) Exploring the possibilities of storing waste underground – possibly in St Sampson’s Square or by exploring other suitable options</p>	<p>i) none given</p> <p>ii) none given</p> <p>iii) none given (but in the report <i>“They were however aware that this may be cost prohibitive”</i>)</p>	<p>i) This is understood to be in progress as part of the More for York review process.</p> <p>ii) Closure of the market would require advance notice to customers and stall holders, and would require cost estimates, and should be considered in the review of the SLA.</p> <p>iii) Without a cost figure this is difficult to assess, particularly in the current climate.</p>	<p>i) Request that CANS officers include a review of the SLA agreement to consider cleanliness, and to report to the Executive Member on review after three months.</p> <p>ii) Agree to examine if the outcome of i) in terms of measurements of cleanliness indicates that this action is necessary.</p> <p>iii) Request that officers review other suitable locations for storing waste.</p>
<p>2. To improve the public realm – this can be achieved in the short term by:</p> <p>i) Working with landlords and lessees of buildings surrounding the market to improve their general appearance</p> <p>ii) Trialing ‘sculpted style’ stalls along Jubbergate with a view to implementing</p>	<p>i) Officer time – could be contained within existing work plans</p> <p>ii) Trial would be £5,000 fabrication and design costs with 4 units at @ £4,750. Total £24,000. Medium term would be £475,000 (100 x £4,750).</p>	<p>i) Helpful addition to existing negotiations.</p> <p>ii) At this moment in time there would need to be a sound business case for the costs of changing the design. It is up to groups on the council to propose this within the budget process.</p> <p>iii) Helpful addition to existing work.</p>	<p>i) Agree</p> <p>ii) Notes the estimated costs which would require a growth bid to be proposed in the budget rounds.</p> <p>iii) Agree</p> <p>iv) Request officers examine business case for provision of additional market stalls.</p>

Scrutiny Recommendation	Cost implication	Executive comment	Executive Recommendation
<p>this throughout the market in the medium term</p> <p>iii) Looking at ways of preventing unauthorised parking in Silver Street and the Market</p> <p>iv) Providing additional market stalls along Silver Street</p> <p>v) Improving the lighting in the area</p>	<p>iii) Mainstream budget</p> <p>iv) No costs given</p> <p>v) No costs given</p>	<p>iv) Subject to business case this could increase capacity and therefore income.</p> <p>v) Could be reviewed but subject to budget.</p>	<p>v) Request that officers review lighting of the market area to assess deficiencies to be met from existing budgets.</p>
<p>3. To begin to improve the early evening economy in the short term. This can be achieved by undertaking a trial of a fixed closing time of 5pm for the market. It would also require all market traders to agree to trade until 5pm. The closing time to be reviewed in accordance with any other trading initiatives in the city centre.</p>	<p>Officer time</p>	<p>Subject to negotiations with the market traders and their agreement there should be no harm in a trial.</p>	<p>Agree, subject to agreement with market traders.</p>
<p>4. In the short term, to improve and make more attractive all entrances to the market This can be achieved by: -</p> <p>i) Looking at the positioning of stalls</p> <p>ii) Improving the lighting in the area</p> <p>iii) Improving general cleanliness</p>	<p>i) officer time</p> <p>ii) repeat of 2 v)</p> <p>iii) repeat of 1.</p> <p>iv) No cost given</p>	<p>i) straightforward</p> <p>ii) as above</p> <p>iii) as above</p> <p>iv) For areas that are in council ownership could be considered within existing budgets for property. Otherwise as per 2i)</p>	<p>i) Agree</p> <p>ii) Request that officers review lighting of the market area to assess deficiencies to be met from existing budgets</p> <p>iii) See notes for 1.</p> <p>iv) For areas that are in council ownership</p>

Scrutiny Recommendation	Cost implication	Executive comment	Executive Recommendation
iv) Making the Snickleways leading from the Shambles more inviting and recognisable as permissible routes to Newgate Market			could be considered within existing budgets for property. Otherwise as per 2i)
5. In the short term to encourage more open access from the Shambles and other properties that back onto the market. To encourage pavement cafes and 'walk through' premises where possible.	No costs given	Property owners are able to apply for pavement café licences and so would be welcome to do so.	Agree
6. To improve the market stalls; this can be achieved in the short term by: i) Replacing the existing canopies on the market stalls at an approximate cost of £200 per canopy ii) To reduce the number of stalls in the market to enable freer footfall And in the medium term by: iii) Exploring the type of stall that would be most suitable to the marketplace	i) 100 x £200 = £20,000 ii) no business case presented. iii) no costs presented	i) To be applied to the budget process. ii) Unclear how this can be met – but if linked to 2 iv) could be net neutral. iii) Officers managing the market will have awareness of what is available and being used elsewhere. Information for future budget decisions could be gathered.	i) Note to be subject to budget process. ii) Agree if this can be met at no additional cost with additional stalls on Silver Street. iii) Request that officers maintain information on options available to future budget decisions on the market
7. In the medium to long term to look at using the rear of the market for a new	Initial estimate cost of £21,000 'which may	Would require additional funding	Note to be subject to budget process

Scrutiny Recommendation	Cost implication	Executive comment	Executive Recommendation
store for the market equipment.	not be easy in the present economic climate”		
8. That a programme of reinvestment in the marketplace should be undertaken. To this end it is recommended that there is a 5% reinvestment of income generated by the market per annum.	5% of £450,000 is £22,500	Would require growth bid	Officers be requested to prepare business case for investment in the market.

REASON: In order to provide an appropriate response to the Scrutiny recommendations, whilst taking account of the cost of the proposals within the Council’s budget as a whole.

Action Required

1. Ensure that the Executive's recommendations on the Newgate Market Scrutiny proposals are taken forward and allocated to appropriate Officers RR
RR
2. Schedule report to Executive Member re review of SLA on Forward Plan for April 2011

145. SCHOOL TRAVEL PLANS AD HOC SCRUTINY COMMITTEE - FINAL REPORT

Members considered the final report of the School Travel Plans Ad Hoc Scrutiny Committee. Cllr Potter, as Chair of the Committee, was in attendance to present the report.

The new, booklet-style, final report (Annex 1) had been circulated to Executive Members and made available on the Council’s website. The recommendations agreed by the Committee were set out in paragraph 9 of the cover report.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: That the following be agreed in response to the final report of the Scrutiny Committee:

Scrutiny Recommendation	Executive decision
1 - Improve collaborative working across service areas and Directorates to allow for improved forward planning in Schools	Agreed
2 - Include in best practice guide for schools -'encourage year 6 pupils to cycle/walk to secondary schools on induction days to build pupil/parent confidence, in time for starting at secondary school' (Linked to Rec.10)	Agreed
3 - Instruct officers to investigate sources of sustainable funding for initiatives and incentives for future financial years	Agreed
4 - Instruct officers to investigate the introduction of a 'one-off' cycle allowance for use in purchasing a bicycle and equipment and/or a loan scheme for bicycles and equipment, in place of free bus travel for those that want it and are eligible	Agreed that options for stimulating the use of cycles to travel to schools be further investigated and that any revised strategy should seek to address cost issues for less well off children
5 - Reprioritise the work of Civil Enforcement Officers to allow for an increase in the amount of time they can spend enforcing the parking restrictions outside schools	Agreed
6 - Instruct Communities & Neighbourhoods Parking Services to investigate and provide a future report to the Executive on the use of a CCTV car and sharing the costs with other local authorities and/or public agencies	Agreed to note latest briefing from Neighbourhoods officers
7 - Revise council policy to ensure Development Control can only accept an STP in support of a school planning application if it adheres to the DfT minimum standards contained within the'School Travel Plan Quality Assurance - Advice Note' issued by the DfT & DCSF in2007. In cases where an STP does not meet those standards, instruct Development Control to make it a condition of planning consent, or successor documents.	Agreed
8 - Identify a clear strategy for resolving inter-directorate issues to ensure	Agreed

Scrutiny Recommendation	Executive decision
enforcement of conditions of planning consent relating to STPs	
9 - Include in best practice guide for school 'that a Travel Plan Champion be identified within the school' (Linked to Rec.10)	Agreed
10 - Transport Planning Unit to develop and issue a best practice guide for York schools, to include a toolbox of measures for schools to pick and choose from when producing/revising their STP	Agreed that this be progressed as resources allow.

REASON: In order to provide an appropriate response to the Scrutiny recommendations, taking into account the resources required.

Action Required

Ensure that the Executive's recommendations on the School B Travel Plans Scrutiny proposals are taken forward and allocated to appropriate Officers

146. REVIEW OF CASUAL PLAY OPPORTUNITIES - FINAL REPORT

Members considered the final report arising from the review of Casual Play Opportunities undertaken by the Learning & Culture Overview & Scrutiny Committee. Cllr Looker, as Chair of the Committee, was in attendance to present the report.

The recommendations agreed by the Committee were set out in paragraph 5 of the cover report and paragraph 31 of the final report at Annex 1.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: (i) That the recommendations of the Scrutiny Committee, as set out below, be approved:

- a) The introduction of a pilot scheme, by working with the new Taking Play Forward Strategic Board to:
 - identify three diverse areas within the 'area based service delivery' pilot area which would benefit from such a scheme;
 - identify all the relevant parties from within the Council, external organisations, and from within the identified area of the City to participate in the scheme;

- draft a framework for the scheme for the Executive's consideration.

b) The encouragement of ward committees parish councils and residents' associations to promote the value of outdoor play and take up any opportunities for encouraging community buy-in to play opportunities in their locality.

REASON: In order to support the recommendations arising from this Scrutiny review.

Action Required

1. Ensure that the recommendations arising from the Scrutiny review of Casual Play Opportunities are taken forward and allocated to appropriate Officers MB

147. RACE ONLINE 2012

Members received a report which sought approval to sign up the City of York Council as an official partner in Race Online 2012.

In response to the comments of the Labour Group Spokespersons on this item, Members noted that there were no plans to reduce the number of libraries in York.

RESOLVED: That consideration of this item be deferred until the next Executive meeting, on 1 February 2011.

REASON: To enable Officers to develop the report to give a wider perspective on the subject.

Action Required

Produce a revised report for Executive meeting on 1 February 2011 FW

PART B - MATTERS REFERRED TO COUNCIL

148. REVISED INCOME POLICY

Members considered a report which presented a draft revised Income Policy, setting out the guiding principles to be followed by the Council in ensuring consistency and best practice in the generation and collection of income.

The purpose of the draft revised policy, attached as Annex A to the report, was to provide a concise guidance document maintaining the key principles of the current policy but reflecting the increased payment channels available to customers and the changing financial environment.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RECOMMENDED: That Council approve the revised Income Policy at Annex A to the report, subject to the revision of paragraph 13 of the policy to remove the reference to planning fees as an example of charges set nationally by government.

REASON: To provide appropriate guidance in delivering value for money income arrangements across the organisation and to 'future proof' the policy by taking account of potential changes that may enable councils to set their own planning fees.

Action Required

Refer the recommendation to Full Council

FY

A Waller, Chair

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