

Meeting	Cabinet
Date	1 July 2014
Present	Councillors Simpson-Laing (Vice-Chair, in the Chair), Crisp, Cunningham-Cross, Levene, Looker, Merrett, and Williams
In attendance	Councillors Doughty, Funnell, Healey, Steward, Warters and Watson
Apologies	Councillor Alexander

Part A - Matters Dealt With Under Delegated Powers

1. Declarations of Interest

Members were asked 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.

Councillor Crisp declared a personal non prejudicial interest in relation to Agenda item 13 (Delivering Marketing and Business Development – Stage 2) as the Cabinet Member for Leisure, Culture and Tourism.

Councillor Merrett declared a personal non prejudicial interest in relation to Agenda item 15 (Improving York's City Centre – Reinvigorate York Public Realm Improvement Projects: Exhibition Square/Theatre Interchange project) as an honorary member of the Cycle Touring Club and as a York Cycle Campaign member.

2. Exclusion of Press and Public

Resolved: That it was agreed to exclude the press and public from the meeting during consideration of Annex C to agenda item 13 (Delivering Marketing and Business Development – Stage 2) 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).

3. Minutes

Resolved: i) That the minutes of the Cabinet meeting held on 23 April 2014 be approved and signed by the Chair as a correct record, subject to the following amendment:

Minute 126 – Public Participation – City of York Local Plan Further Sites Consultation – in the third paragraph, first sentence, the deletion of the words ‘Liberal Democrat’ and their replacement with ‘Conservative’.

ii) That the minutes of the last meeting of Cabinet held on 6 May 2014 be approved and signed by the Chair as a correct record.

4. Public Participation

It was reported that there had been four registrations to speak at the meeting under the Council’s Public Participation Scheme, three of which had now withdrawn, and that three Members of Council had also requested to speak on items, details of which are set out below:

Minutes from the Local Plan Working Group, 31 March and 30 June 2014

Councillor Steward acknowledged the work which had gone into producing the Village Design Statements and welcoming those recently produced for Wheldrake and Strensall with Towthorpe.

2013-14 Finance and Performance Year End Report

Councillor Warters referred to the challenges of the current financial climate, expressing concern at the recent senior

Council appointments during cuts in services and low staff morale.

Community Conversations – Next Steps

Councillor Steward made reference to the attendance levels at the Community Conversation meetings which did not appear to be as effective as suggested. He made reference to the Copmanthorpe meeting, full details of which had not been included in the report.

Rewiring Public Services

Heather McKenzie, spoke on behalf of Unison, welcoming the continuation of proactive engagement with the union on the programme. Concerns were however expressed at the use of mutual's rather than in house models and the use of other outside organisations, with the loss of valuable skills and expertise. She referred to a reliance on digital technology and the need to ensure the availability of other options for vulnerable customers.

Councillor Steward thanked Officers for their report and briefing on the programme. He referred to problems in the area of Adult Social Care and to subsequent delays. Support was expressed for the rationale of the project and focus on good outcomes for service users with the continuation of member input into the proposals.

Delivering Marketing and Business Development – Stage 2

Councillor Healey spoke to express his concerns at the proposals in the report to deliver different services through one organisation and the challenges this would bring within the proposed budget. He felt that this delivery would reduce the democratic accountability of the organisation and drew attention to the need for clarity of purpose for the body.

The Future of the Burnholme College site

Councillor Warters spoke to welcome recognition that the Osbaldwick ward would be affected by the proposals for this site. He went on to express the Parish Council, Meadlands Area Residents Association, and his opposition to any development on the playing fields at the College site.

5. **Forward Plan**

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

6. **Annual Report of the Financial Inclusion Steering Group 2013/14**

Consideration was given to a report which informed Members of progress in delivering the financial inclusion work of the Financial Inclusion Steering Group. The report focussed on York's Financial Assistance Scheme and provided details of the performance and demand for the Scheme during its first year of operation.

The Scheme had been set up to provide emergency and community assistance for residents and Council had agreed to provide additional finance for the Scheme, during 2013/14 and 2014/15, following transfer of funding from the Department for Works and Pensions (DWP). It was noted that the Scheme was well used and that the DWP had confirmed that funding for the scheme would cease from 2015/16 although a final decision on the implications of this would be made as part of the Council's Budget in February.

The Cabinet Member highlighted the growing need for the scheme and referred to key changes which had taken place in co-locating advisers from a number of agencies within West Offices to provide a joined up approach for applicants. Members endorsed the significant work involved and expressed their support in continuation of the scheme.

Resolved: That Cabinet agree to:

- (i) Note the performance of the York Financial Assistance Scheme (YFAS) following the first year of operation.
- (ii) Give commitment to maintaining the York Financial Assistance Scheme funding at its current levels (inclusive of grant) and considering in principle (subject to the full budget approval), the use of additional council tax from technical changes introduced on 1

April 2014 being directed towards the YFAS scheme.¹

Reason: To ensure Cabinet can properly plan for future financial pressures relating to the York Financial Assistance Scheme.

Action Required

1. Note commitment to continuation of YFAS funding.

JM

7. Minutes from the Local Plan Working Group 31st March 2014 and 30th June 2014

Members received a report which presented the minutes of meetings of the Local Plan Working Group (LPWG) held on 31 March, attached as Annex C of the report and those of 30 June, which were circulated at the meeting and republished with the online agenda.

Members were invited to consider the advice offered by the working group in its capacity as an advisory body to the Cabinet, and in particular, the following recommendations of the LPWG:

31 March 2014

- a) To approve the proposed minor factual amendments to paragraph 5.21 of the Controlling the Concentration of HMO's Supplementary Planning Guidance.¹
- b) That Officers be requested to monitor the number of pre-applications received in relation to permitted development rights on HMO's in order to gain a comprehensive picture of the affect of this change.²
- c) To adopt the City of York Streetscape Strategy and Guidance document subject to the amendments and additions outlined in the minutes.
- e) That consideration be given to future expansion of the Streetscape Strategy and Guidance work to cover the rural areas of the city.³

30 June 2014

- f) To approve the Draft Village Design Statements for Wheldrake and Strensall with Towthorpe attached at Annex A and Annex B of the report, along with supporting information for public consultation. ⁴.
- g) Delegate to the Director of City and Environmental Services, in consultation with the Cabinet Member, the making of any incidental changes to the draft Design Statement documents and supporting information as a result of recommendations of Cabinet.
- h) Delegate to the Director of City and Environmental Services, in consultation with the Cabinet Member, the consultation strategy for the Design Statements.

The Cabinet Member presented the recommendations from the Working Group meetings. He expressed his thanks and appreciation to all the local volunteers and consultees for their assistance in the preparation of the Village Design Statements.

Resolved: That Cabinet approve the recommendations of the Local Plan Working Group meetings held on 31st March 2014 and 30th June 2014, as set out above.

Reason: To fulfil the requirements of the Council's Constitution in relation to the role of Working Groups.

Action Required

- 1. Amend the HMO's SPD. FH
- 2. Monitor the number of pre-applications received in relation to permitted development rights on HMO's FH
- 3. Implement Streetscape Strategy and Guidance document subject to the amendments and additions and consider use in the rural areas BS
- 4. Proceed with public consultation on VDS's. KA

8. 2013-14 Finance and Performance Year End Report

Consideration was given to a report which provided a year end analysis of the Council's financial performance over the 2013/14 financial year, detailed at Annex 1 in the York Monitor.

The Council's net General Fund budget for 2013/14 was reported as £127,778k with a provisional outturn of an under spend of £314k, an improvement of £2.2m since Monitor 3.

Further information in relation to the financial outturn of each directorate was reported together with details of an under spend of £900k in Treasury Management activity. It was noted that the Council would retain a sum equivalent to the income received from fines, in respect of Lendal Bridge and Coppergate in an earmarked reserve, for any future liability that may accrue. It was also noted that an additional £200k contribution was being made to the General Fund reserve to take account of the increased risks facing the Council.

The Cabinet Member confirmed that, despite the considerable financial challenges, the authority's expenditure had been within the overall approved budget. He drew attention to the focus now being placed on the areas which were experiencing budget pressures.

Resolved: That Cabinet agree to:

- (i) Note the year end under spend of £314k and that this is transferred to the General Contingency.
- (ii) Note the performance set out in the York Monitor at Annex 1, including the areas highlighted as presenting challenges, and the priorities for the year ahead.

Reason: To ensure significant financial issues can be appropriately dealt with.

9. Capital Programme Outturn 2013/14 And Revisions To The 2014/15 - 2018/19 Programme

Members considered a report which set out the capital programme outturn position, including any under or over

spends, the overall funding of the programme and an update on future years.

An outturn of £44.616m was noted compared to an approved budget of £60.908m, an overall variation of £16.292m with the programme continuing to operate within budget.

A summary of the 2013/14 Capital Programme outturn was detailed, in the report and at Annexes A and B, highlighting the total variances for individual departments along with requests for reprofiling and an update on the Economic Infrastructure Fund.

Amendments made to future year's capital programmes as a result of reprofiling and requests for the use of new funding were also reported.

Members made reference to the ongoing challenges for the programme whilst highlighting progress with key schemes, including park and ride, the Disabled Support Grant and repairs and refurbishments at a number of schools.

Resolved: That Cabinet agree to:

- (i) Note the 2013/14 capital outturn position of £44.616m and approve the requests for reprofiling totalling £17.348m from the 2013/14 programme to future years.
- (ii) Note the additions in future years totalling £1.769m.
- (iii) Note the outturn position of the Economic Infrastructure Fund (EIF) in 2013/14 and revisions to the profile of the £28.5m as set out in Annex B of the report.
- (iv) Approve the revised EIF profile set out at Annex B of the report.

Reason: To allow the continued effective financial management of the capital programme from 2014/15 to 2018/19.

10. Treasury Management Annual Report & Review of Prudential Indicators 2013/14

Cabinet considered the annual treasury management review of activities and the prudential and treasury indicators for 2013/14, as required by regulations issued under the Local Government Act 2003.

The position for 2013/14 compared to 2012/13 was summarised, with total borrowing at the start of the year at £311.8m and ending at £311.2m, split between the General Fund and Housing Revenue Account. Details of the interest and investment rates applicable over this period were reported at paragraphs 11 to 15 and prudential indicators for 2013/14 at Annex A.

The Cabinet Member confirmed that although a legal requirement this report provided an excellent health check for the authority's finances.

Resolved: That, in accordance with the Local Government Act 2003, Cabinet agrees to:

- (i) Note the 2013/14 performance of Treasury Management activity and
- (ii) Note the compliance with and movements of the Prudential Indicators in Annex A of the report.

Reason: To ensure the continued performance of the Council's Treasury Management function can be monitored.

11. Community Conversations: Next Steps

Consideration was given to an update report on the Community Conversations held in each ward across the city to date, part of the Council's process to build stronger communities.

It was noted that feedback from the events, both anecdotal and written had been positive with residents welcoming the opportunity to question the Leader. A list of key learning points from the events had been produced to inform future work and events to engage residents.

The Cabinet Member confirmed that a number of suggested improvements had already been made for future events and that

she welcomed any suggestions from ward members to assist with future engagement with residents. She expressed her personal thanks to the wards, members, residents and the community groups for their input. Members reiterated the positive feedback already received and for the need to continue the meetings on a regular basis.

Following further discussion it was

Resolved: That Cabinet agree to:

- (i) Note the feedback and learning points, outlined in the report, received from the Community Conservation events held so far.
- (ii) Receive feedback from future events.

Reason: To increase consultation and engagement to encourage greater resident participation in decision making to build strong communities.

12. Rewiring Public Services

Members considered a report which provided an update on work to date in the development of a transformation programme, the Rewiring of Public Services, to enable the Council to face major future challenges. The Programme covered the following areas:

- Community and Resident Engagement
- Place Based Services and Public Realm
- Children's Services
- Adults Social Care and Integrated Public Health
- Business Consolidation and Efficiency (BCE)

It was reported that the programme was on track to deliver a budget saving of £750k in 2014/15 and a further saving of £300k within the BCE programme in 2015/16. It was noted that residents and communities would be involved at every stage as it was recognised that communities had different needs and preferences. Additional support for the programme in the areas of innovation, ICT and organisational development were reported in detail.

Appendix 1 reported the businesses cases and aims for each of the above areas, together with the benefits and risks involved.

The Cabinet Member reiterated the aims of the programme to transform the way in which the authority delivered services to residents, empowering local residents and involving public sector organisations. He acknowledged earlier speakers comments, confirming that access to services for vulnerable people would not be lost. He also confirmed that all models for delivering the services would be examined and that a report would come back to Cabinet in the autumn. Members confirmed that good practice elsewhere would be examined, highlighting the importance of ensuring a long term programme of improved services to help all residents.

Following further discussion it was

Resolved: That Cabinet agree to:

- (i) Commission a period of resident engagement, staff engagement and further shaping of the projects between July and September 2014;
- (ii) Approve the decisions set out in Section 2 of the report, supported by the annex and background papers; ¹.
- (iii) Note that the Rewiring programme is on-target to deliver the changing relationship between the council, residents, communities, partners and businesses and the savings anticipated in the budget process.
- (iv) Commission a further report for the October Cabinet meeting detailing proposals for Health and Wellbeing and Integration with Health, outcomes from the resident engagement and recommended service delivery changes. ².

Reason: To allow the programme to begin the process of engaging residents in the co-design and co-delivery of the outcomes they want.

Action Required

1. Commission engagement and continue with the proposals. SH
2. Add further report to Forward Plan for Cabinet in October. SH

13. Delivering Marketing and Business Development - Stage 2

Members considered a report which presented the business case and options for the establishment of a new company to deliver marketing, culture, tourism and business development in the city.

Details of proposals for the transfer of City of York Council (CYC) resource into the company and for CYC to acquire sole ownership of Science City York, in an effort to align the work of SCY with the new company were reported.

It was noted that, if approval was given, a transitional chair would be involved in development of a new Board of Directors for the agency and that a new service level agreement would be prepared, which would include setting outcomes and objectives for the use of public funding.

Consideration was then given to the following options:

1. Status quo
2. Provision of services by Council directly
3. Procurement
4. Wholly owned company

Based on legal advice provided and the objectives and principles set out for the establishment of the new company, the establishment of a wholly owned company was recommended as the best option to achieve the Council's objectives.

Members reiterated details of the proposed governance arrangements, the details of which would be delegated to the appropriate Members and Officers to finalise. Officers highlighted the use of similar successful models across the UK and to the wish to strengthen co-ordination and promotion of the city's profile and cultural offer.

The Cabinet Member referred to the need to provide a new approach to the current service provision in order to deliver greater inward investment and market share for the city.

Resolved: That Cabinet agree:

- (i) In principle the business case for the new company as set out at Appendix B of the report.
- (ii) In principle to support the formation of the new company subject to a business plan being approved by Cabinet in the autumn.
- (iii) That the Council becomes sole owner of Science City York, on the basis of the business case set out, in confidential Appendix C, and subject to final financial due diligence with the final decision delegated to the Director of Customer and Business Support Services (CBSS).
- (iv) A one off financial contribution towards the set up costs of the new agency of £140k from a combination of the Transformation Fund (£90k) and contingency budget (£50k).
- (v) To delegate to the Directors of CBSS, Communities and Neighbourhoods and City and Environmental Services together with the Assistant Director, Governance and ICT, in consultation with the Leader and Cabinet Member for Finance and Performance, the authority to finalise the detailed arrangements for the formation of the company, specification and governance arrangements, and to enter into all necessary legal agreements. ¹.

Reason: To provide full information on the proposals in order to progress establishment of the company in an effort to improve efficiency, cost effectiveness and business investment in the city.

Action Required

1. Proceed with the formation of the company, subject to delegation of the final detailed arrangements to Officers and Cabinet Members listed in the report.

KS

14. **The Future of the Burnholme College site**

Consideration was given to a report which set out the results of public engagement undertaken into options for the future development of the Burnholme College site, following its closure in July.

Advisers engaged to review the current provision on site and explore potential demand for broader community and sports use had developed the following high level options:

A Housing only

B1 Health and Wellbeing Hub – New Build.

B2 Health and Wellbeing Hub – part refurbished/ part new build homes).

C Small scale Community use

Results of the subsequent community engagement event in relation to the options were reported in detail at paragraphs 14 to 20 of the report. It was noted that the local community had given their overwhelming support for a Community and Health Wellbeing Hub and, in view of the work now required to develop the scheme, a suitable partner would be sought to take this forward. In the meantime further information in relation to the interim arrangements for the Burnholme site were reported.

In answer to earlier speaker's comments, the Cabinet Member confirmed briefing sessions had been offered to neighbouring Parish Councils and Residents Associations. He also gave his assurance that no building work would take place on the playing fields at the Burnholme site.

Members thanked local residents for their continued involvement and engagement in relation to proposals for the site.

Resolved: That Cabinet agree to:

- (i) Note the interim arrangements for the operation of the Burnholme site following the closure of the school.
- (ii) Note the results of the public engagement.
- (iii) Approve the procurement of a development partner to develop the site as a Community Health and Wellbeing Hub. ¹.

Reason: To deliver a sustainable community facility on the Burnholme site and support corporate priorities with respect to Building Strong communities and Protecting Vulnerable people.

Action Required

1. Procure a partner to develop the site as a Community & Wellbeing Hub.

PC, TC

15. Improving York's City Centre - Reinvigorate York Public Realm Improvement Projects: Exhibition Square/Theatre Interchange project

Consideration was given to a report which sought Cabinet's approval to implement the Theatre Interchange project as the first phase of a rolling programme of public realm improvement works at Exhibition Square. It was hoped that the works could be carried out to coincide with the reopening of the Art Gallery in May 2015.

Feedback received from the detailed consultation with bus operators and the public were summarised together with details of the overall impact and mitigation strategy on the bus services that currently used Exhibition Square. It was noted that a second stage Safety Audit would be carried out following approval.

Key elements of the design, funding and timescales were reported at paragraphs 25 to 28 and approval of the design, shown in the plan at Annex 1 of the report was required.

The Cabinet Member referred to the positive feedback in respect of the reinvigorates schemes and highlighting the need for improvements to this area which including the provision of appropriate facilities for bus passengers.

Following further discussions it was

Resolved: That Cabinet agree to:

- (i) Approve the overall design for the Theatre Interchange aspect of the Exhibition Square/Theatre Interchange project subject to further minor amendments being delegated to the Director of City and Environmental

Services in consultation with the Cabinet Member for Transport. ¹.

- (ii) Approve the location of replacement bus shelters that offer significant improvements to the existing footways and bus shelters located within the Square.
- (iii) Note that a further report is planned for consideration by Cabinet in September, which will seek approval for the remaining aspects of the Exhibition Square project. ².

- Reasons:
- (i) To enable progress of the Reinvigorate York Public Realm programme through agreement to the overall design for the interchange and noting progress on Exhibition Square.
 - (ii) To improve arrangements for bus passengers within the area.

Action Required

- 1. Implement scheme subject to delegation of minor amendments to the Director of CES in consultation with the Cabinet Member. SH
- 2. Add item to the Cabinet Forward Plan. SH

Part B - Matters Referred To Council

16. Capital Programme Outturn 2013/14 and Revisions to the 2014/15 - 2018/19 Programme

[See also Part A minute]

Members considered a report which set out the capital programme outturn position, including any under or over spends the overall funding of the programme and an update on future years.

An outturn of £44.616m was noted compared to an approved budget of £60.908m, an overall variation of £16.292m with the programme continuing to operate within budget.

A summary of the 2013/14 Capital Programme outturn was detailed, in the report and at Annexes A and B, highlighting the total variances for individual departments along with requests for reprofiling and an update on the Economic Infrastructure Fund.

Amendments made to future year's capital programmes as a result of reprofiling and requests for the use of new funding were also reported.

Members made reference to the ongoing challenges for the programme whilst highlighting progress with key schemes, including park and ride, the Disabled Support Grant and repairs and refurbishments at a number of schools.

Recommended: That Council approve the restated 2014/15 to 2018/19 programme of £203.851m as summarised in Table 3 and detailed in Annex A of the report. ¹.

Reason: To allow the continued effective financial management of the capital programme from 2014/15 to 2018/19.

Action Required

1. Refer to Council.

JP

Cllr T Simpson-Laing, Chair
[The meeting started at 5.30 pm and finished at 6.40 pm].