

## **EXECUTIVE**

**THURSDAY, 30 JULY 2015**

### **DECISIONS**

Set out below is a summary of the decisions taken at the Executive meeting held on Thursday, 30 July 2015. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than 4.00pm on Monday 3 August 2015.

If you have any queries about any matters referred to in this decision sheet please contact Jill Pickering, Tel:01904 552061, Email: [jill.pickering@york.gov.uk](mailto:jill.pickering@york.gov.uk).

#### **5. The Future Of York's Guildhall And Riverside - Project Update Report**

Resolved: That the Executive agree:

- (i) A commitment to improved public access to and interpretation of the historic core of the complex – The Guildhall Main Hall, the Council Chamber, a new riverside courtyard garden and historic Common Hall Lane, in accordance with the recent Heritage Lottery Fund (HLF) bid.
- (ii) To continue with ongoing project development work including: the procurement of a multi disciplinary design team to progress design and development work.
- (iii) To commission a specialist property agent to: establish the value of the commercial riverside elements of the scheme; advise the design team and market test the proposals. Agree the principle of long leases (typically 25 – 99 yrs) on peripheral elements of the complex (the South Range restaurant and the new build cafe/bar on the north end).
- (iv) To initiate a review of the feasibility work and business case assumptions relating to the office

elements of the scheme as presented to Cabinet in December 2014 / and Scrutiny Call-in in January 2015. Requesting an early report back to Executive in September 2015 on the most commercial and viable options for this element of the complex.

- Reasons:
- (i) In the interests of securing improved public access for residents and visitors, for the future, and maximising the civic and community value of the Guildhall through improved understanding and appreciation of its historic significance, aligning with the Mansion House Opening Doors project.
  - (ii) To ensure that the optimum beneficial re-use of the complex is properly investigated and that project delivery does not suffer unnecessary delay.
  - (iii) In the interests of optimising the value and long term sustainability of a publicly accessible riverside with an attractive commercial offer to complement the inherent historic interest of the complex.
  - (iv) In the interests of securing the optimum future value for the council from one of its most significant property assets and minimising delay to the project delivery.

## **6. Castlegate: Update**

Resolved: That the Executive agree to:

- (i) Continue to deliver the current range of services from Castlegate as outlined in Option 2, in the report, with continued engagement with partners to develop new, innovative and sustainable models of delivery which provides targeted advice and support for vulnerable young people, 16-24yrs
- (ii) Proceed with Option 2 for the remainder of 2015/16 with a view to agreeing a sustainable model described in paragraph 17, in the report, to be implemented in 2016/17. A detailed proposal and business case for this remodelled service will be developed through

the YorOK Board sub-group and be presented to the Executive in October 2015

Reason: To allow evidence based practice to emerge from other transformed areas of children's services and delivery and other partnership funding streams to be identified.

## **7. Older Persons' Accommodation Programme: The Business Case**

Resolved: That the Executive agree to:

- (i) Proceed with the Older Persons' Accommodation Programme (the Programme) as set out in the report, including:
  - funding 24/7 care support at Glen Lodge and Marjorie Waite Court Sheltered Housing with Extra Care schemes;
  - building a 27 home extension to Glen Lodge;
  - seeking the building of a new Extra Care scheme on the site of an existing Older Persons' Home (OPH);
  - procurement of a new residential care facility as part of the wider Health and Wellness Campus at Burnholme; and
  - encouraging the development of additional residential care capacity in York including block-purchase of beds to meet the Council's needs.
- (ii) Approve the Financial Plan for the Programme including:
  - use of the £3.554m OPH annual budget for the achievement of the Programme and with the intention of generating annual savings of £284k from 2019/20 rising to £553k by 2023/24 and £9.6m over 25 years;
  - allocation of up to £1.2m from the venture

fund over the first four years of the Programme to fund the early years costs of achieving change including £88k of design and pre-planning costs associated with new Extra Care provision and £241k Programme management costs; the investment will be repaid from 2019/20 onwards over a 5 year period being fully repaid by 2023/24; the £88k of design and pre-planning costs would be funded from the Programme management budget and then repaid once the Glen Lodge extension is added to the capital programme with these costs chargeable to revenue should the capital scheme fail to progress and that revenue budgets would be needed to address this; and

- ring-fence the reinvestment of up to £4m of capital receipts from the sale of the surplus to requirements existing older persons assets listed in the report for use on this Programme, subject to further approval regarding capital expenditure.

- (iii) Undertake a six week period of consultation, this autumn, with the residents, family, carers and staff of two of the Council's OPHs to explore the option to close each home with current residents moving to alternative accommodation and that a further report on the outcome of this consultation be received at the Executive before a final decision to close is made.
- (iv) Note that a recommendation to Council for the £4.15m investment in the Glen Lodge extension be added to the Capital Programme through the appropriate Capital Monitor once the outcome of the funding bid has been confirmed, noting that some of the expenditure may require prudential borrowing with the associated revenue costs being funded through additional rental income.
- (v) Note that a further report will be brought to

Executive in the autumn to agree the preferred approach to the development of the Burnholme site in order to deliver a Health & Wellness Campus including residential care provision.

- (vi) Receive regular written updates of the progress of the Programme.

Reason: (i) To provide suitable accommodation, ideally in a community setting, for the city's older residents including those with complex care needs, those with dementia and those moving out of, or diverted from moving to, existing Council-run OPHs which are no longer fit-for-purpose.

(ii) So that the project can progress.

(iii) So that the Executive may decide which homes may close having been fully informed of the views of and options available to existing residents.

(iv) So that 27 additional homes can be added to the Glen Lodge Extra Care facility, providing safe and secure accommodation for older people including those with complex needs and dementia.

(v) So that the building of the Burnholme Health and Wellbeing Campus can progress.

(vi) So that the Executive can be assured that the Programme is progressing according to plan and will be delivered.

## **8. Coppergate Traffic Regulation Order Report**

Resolved: That the Executive agree to:

(i) Require Officers to implement a Coppergate Repayment Process to facilitate the settlement of claims on the basis of repaying the Penalty Charge Notice (PCN) fine only (from earmarked reserves), in full and final settlement. The deadline for submitting a claim to be 31<sup>st</sup> March 2016.

(ii) The deadline for submitting a claim in respect of

the existing Lendal Bridge Repayment Scheme to be extended from the 31<sup>st</sup> December 2015 to the 31<sup>st</sup> March 2016.

- (iii) Authorise Officers to identify, consult upon and analyse options which may include (a) solutions to conveying the meaning of the present Coppergate Order that will satisfy Regulation 18 of the 1996 Regulations, (to potentially include revised signage, road markings and surface treatment) and/or (b) alternative Orders and interventions that may provide more effective traffic solutions.
- (iv) Require Officers to prepare a further report to the Executive presenting the findings from (iii) above, and seeking approval to take forward an agreed solution.
- (v) The Council not proactively pursuing enforcement of the Coppergate Order by camera until such time as the solution at (iv) above is implemented.
- (vi) This is subject to the Director of Business Support Services being satisfied that this process meets the Auditors requirements.

Reason: In order to progress issues related to the Coppergate Traffic Regulation Order and to inform future traffic enforcement schemes.

## **9. City of York Local Plan**

Resolved: That the Executive note progress on the Local Plan and the work that is being undertaken to respond to both the changing national and local context.

Reason: So that a National Planning Policy Framework compliant Local Plan can be progressed.

## **10. Business Improvement District for York City Centre**

Resolved: That the Executive agree to:

- Support the City Centre Business Improvement District (BID) and approve the draft Business Plan put forward by the City Team York Executive
- Confirm that the Executive is satisfied that the York BID proposals are not in conflict with any existing Council Policy, and that the proposed BID boundary has not been manipulated inappropriately
- Approve the Baseline Service Agreement which provides a legal commitment to maintain provision of relevant services in the BID area
- Approve the arrangements for the Council to operate the ballot and act as the collection agent for the levy
- Note the stages and timescales required to implement the decision as outlined in these recommendations.
- Agree to the release of £14k from contingency to fund the additional work outlined in the report.

Reason: To support the continuing development of a Business Improvement District in York, and subsequent progression to ballot stage and to provide a budget for necessary expenditure.

## **11. Consultation On Decision Making Arrangements**

Resolved: That the Executive welcome the suggestions put forward in respect of the new decision making arrangements, including the comments of the Audit and Governance and the Corporate and Scrutiny Management Policy and Scrutiny Committee's and await feedback from consultation with the political groups and independent members on the proposals, prior to a decision by

the Executive in August.

Reason: To enable revised decision making arrangements to be put in place.

## **12. Listening to Residents: Ward Committees**

Resolved: (i) That the Executive agree to:

- The new approach to community engagement including revised ward committees
- The allocation of increased funding to these ward committees
- The production of ward fact sheets in order to support ward councillors and explain the process to residents
- The production of a range of local service choices giving options for how the ward committee funding pot can support local communities

(ii) That the Ward Committees remain informally constituted relying on the delegated authority of the relevant chief officer to implement the wishes of the committee (subject to Council policy and procedures).

(iii) That the Executive approve the virement of £150k from the Health & Wellbeing Directorate to Communities and Neighbourhoods Directorate representing the transfer of that element of the Adult Social Care Community Fund to Ward Committees.

(iv) That the suggested ward spending approach be kept under review and considered by the Communities & Environment Policy & Scrutiny Committee and the Audit & Governance Committee prior to a report back to the Executive in January 2016.



Reason: (i ii & iii) To support the Council's commitment to working with local communities and devolving power and budgets to residents.

(iii) In accordance with Financial Regulations

### **13. Holiday Pay and Overtime**

Resolved: That the Executive agree to:

- (i) The proposed calculation of holiday pay to be applied to all non contractual overtime and additional hours worked at a rate of 7.6923% of additional non contractual earnings effective from 1<sup>st</sup> August 2015.
- (ii) Any future statutorily imposed rate change for the deduction of holiday pay in relation to non-contractual overtime/additional hours will be implemented by the Director of Customer & Business Support Services.

Reason: To ensure Members are aware of the implications of changes to holiday pay for non contractual overtime and additional hours worked.

### **14. Annual Report of the Financial Inclusion Steering Group 2014/15**

Resolved: That the Executive agree to note the work of the Financial Inclusion Steering Group.

Reason: To ensure Members are aware of Financial Inclusion activity and how related financial support is administered through Council Tax Support and York Financial Assistance schemes to inform planning for future financial pressures relating to these schemes.

### **15. 2014/15 Draft Outturn**

Resolved: That the Executive note the year end under spend of £688k and that this has been fully utilised in the emergency budget motion agreed by Council on the 16<sup>th</sup> July 2015.

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

**16. Capital Programme Outturn 2014/15 and Revisions to the 2015/16-2019/20 Programme**

Resolved: That the Executive agree to:

- (i) Note the 2014/15 capital outturn position of £48.202m and approve the requests for re-profiling totalling £19.232m from the 2014/15 programme to future years.
- (ii) Note the additions in future years totalling £1.117m.
- (iii) Note the outturn position of the Economic Infrastructure Fund (EIF) in 2014/1 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 enable the effective management and monitoring of the Council's capital programme

**17. Treasury Management Annual Report & Review of Prudential Indicators 2014/15**

Resolved: That, in accordance with the Local Government Act 2003 the Executive:

- (i) Notes the 2014/15 performance of Treasury Management activity and
- (ii) Notes 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.

**19. Treasury Management Annual Report & Review of Prudential Indicators 2014/15**

Recommended: That Full Council agree amendment to the Treasury Management Annual Investment Strategy per Annex B of the report and the Creditworthiness Policy wording to:

“Typically the minimum credit ratings criteria the Council use will be a short term rating (Fitch or equivalents) of Short Term rating F1 and Long Term rating A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.”

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

**20. Capital Programme Outturn 2014/15 and Revisions to the 2015/16-2019/20 Programme**

Recommended: That Full Council agree the restated 2014/15 to 2018/19 programme of £206.231m as summarised in Table 3 and detailed in Annex A of the report.

Reason: To enable the effective management and monitoring of the Council’s capital programme

**21. Older Persons’ Accommodation Programme: The Business Case**

Recommended: That Council agree that the £1.156m Programme management costs be funded from existing Adult Social Care Capital Grant and are added to the Capital Programme and incurred over four years; these costs would be chargeable to revenue should the capital

schemes fail to progress and that revenue budgets would be needed to address this.

Reason: So that the project can progress.