



**Notice of meeting of  
Decision Session - Cabinet Member for Leisure,  
Culture & Social Inclusion**

**To:** Councillors Crisp  
**Date:** Tuesday, 11 October 2011  
**Time:** 4.30 pm  
**Venue:** The Guildhall, York

**AGENDA**

**Notice to Members-Calling In**

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by;

**10.00am** on Monday 10 October 2011, if an item is called in before a decision is taken, or

**4.00pm** on Thursday 13 October 2011, if an item is called in after a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00pm** on **Friday 7 October 2011**.

**1. Declarations of Interest**

At this point, the Cabinet Member is asked to declare any personal or prejudicial interest they may have in the business on the agenda.

- 2. Minutes** (Pages 1 - 4)  
To approve and sign the minutes of the meeting held on Tuesday 13 September 2011.

- 3. Public Participation-Decision Session**  
At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **Monday 10 October 2011 at 5.00 pm**.

Members of the public may register to speak on :-

- an item on the agenda
- an issue within the Cabinet Member's remit;
- an item that has been published on the Information Log since the last session.

Information reports are listed at the end of the agenda.

- 4. Quarter 1 April - June 2011, Finance and Performance update** (Pages 5 - 14)  
The purpose of this report is to provide the Cabinet Member for Leisure, Culture & Social Inclusion with an update on financial performance, progress against service plan improvement actions and performance measures.

- 5. Outcome of Diversity Peer Challenge: July 2011** (Pages 15 - 18)  
This report informs the Cabinet Member of the outcome of the Local Government Information and Development Diversity peer challenge which took place on 26 and 27 July 2011.

- 6. Discretionary Rate Relief Criteria: 2013 - 2015** (Pages 19 - 32)  
This report asks the Cabinet Member to agree amended criteria for Discretionary Rate Relief (DRR) to be awarded by the Directorate of Communities and Neighbourhoods for the period 2013 – 2015.

- 7. Any other business which the Chair considers urgent under the Local Government Act 1972**

No information only reports have been published on the Information Log for this session.

Democracy Officer:

Name- Judith Cumming  
Telephone No.- 01904 551078  
Email-judith.cumming@york.gov.uk

---

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business on the agenda
- Any special arrangements
- Copies of reports

Contact details are set out above.

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting Judith Cumming Democracy Officer

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

This page is intentionally left blank

City of York Council

Committee Minutes

---

MEETING	DECISION SESSION - CABINET MEMBER FOR LEISURE, CULTURE & SOCIAL INCLUSION
DATE	13 SEPTEMBER 2011
PRESENT	COUNCILLOR CRISP
IN ATTENDANCE	COUNCILLOR AYRE COUNCILLOR FUNNELL

---

## 6. DECLARATIONS OF INTEREST

The Cabinet Member was asked to declare any personal or prejudicial interests she might have in the business on the agenda. Councillor Crisp declared a personal non-prejudicial interest in agenda item 6 - "Developing the Explore Vision in the Library Service" (minute 11 refers), as a retired member of Unison.

## 7. MINUTES

RESOLVED: That the minutes of the Decision Session – Cabinet Member for Leisure, Culture and Social Inclusion held on 12 July 2011 be signed by the Cabinet Member as a correct record.

## 8. PUBLIC PARTICIPATION/OTHER SPEAKERS

A resident of Elmfield Terrace had registered to speak under the council's Public Participation Scheme regarding agenda item 4 – "Refresh of the Council's Events Protocol". Referring to the inclusion of Monk Stray within the Events Protocol, he expressed concern that the stray may be used to hold events which created a public nuisance to nearby residents. He drew attention to possible problems in respect of noise, other anti-social behaviour and car parking. The speaker urged that more consultation take place with residents regarding this matter.

Councillor Ayre spoke in respect of agenda item 4 – "Refresh of the Council's Events Protocol". He stated that there had been a

failure to consult with residents on this issue and that significant issues had arisen since the previous protocol had been implemented. He raised particular concerns regarding the reclassification of Rawcliffe Country Park and at the decision to remove the buffer zone. Councillor Ayre urged that meaningful consultation take place with residents.

Councillor Ayre also spoke in respect of agenda item 6 – “Developing the Explore Vision in the Library Service”. He stated that he welcomed the planned consultation but regretted the delays that had occurred in the consultation and the costs incurred because of this.

## **9. REFRESH OF THE COUNCIL'S EVENTS PROTOCOL**

The Cabinet Member received a report that asked her to approve a revision to the Events Protocol for the council's parks and open spaces.

Officers detailed the key issues that had been addressed in the revised protocol, including the option of requiring a monetary bond from events organisers under certain circumstances. Officers clarified that the protocol did not deal with the licensing of the land. It was noted that “larger community events and gatherings” had been included in the list of activities to recognise events such as the Olympic Torch and York 800 celebrations.

Referring to the representations made under the council's Public Participation Scheme, the Cabinet Member stated that the new protocol did not propose any changes in respect of Monk Stray, and that if public events licences were to be applied for they would be subject to public consultation.

In respect of Rawcliffe Bar Country Park, the Cabinet Member stated that the site had been included with other larger sites but the cornfield had been excluded.

The Cabinet Member stated that the intention was that the experience of those using the sites would be enhanced by the protocol.

Officers were thanked for their work in preparing the revised protocol.

**RESOLVED:** That the revised Events Protocol, as set out in Annex 1 of the report, be approved.

**REASON:** To make the city's parks and open spaces more vibrant and ensure the events management principals are observed by all parties.

**10. LOCAL COUNCIL CHARTER**

The Cabinet Member received a report which presented a draft revision of the current York Local Council Charter. The Charter set out principles of working together and co-operation between the local authority and parish and town councils within the local authority area.

The Cabinet Member acknowledged the consultation that had taken place in preparing the revised charter and expressed her appreciation of the work of those who had participated. She stated that it was particularly important at this time that arrangements for working in partnership were in place.

**RESOLVED:** That the draft revised Local Council Charter, detailed in Annex B of the report, be approved.

**REASON:** In order to demonstrate a continued commitment to working in partnership with local/parish councils.

**11. DEVELOPING THE EXPLORE VISION IN THE LIBRARY SERVICE**

The Cabinet Member received a report that proposed a programme of community consultation in order to guide the roll out of the Explore Library Learning Centre model across the city.

Officers gave details of the consultation that would take place to ensure that the service reflected the needs of local communities and special interest groups.

The Cabinet Member stated that she had requested that there be a comprehensive programme of community consultation and

equality impact assessment to underpin the roll out, in order to ensure that the service met the needs of all York residents. She commented on the excellent standard of equalities data that had now been obtained.

Referring to the staffing implications, the Cabinet Member stated that she had discussed this issue with the Unison trade union convener and that consultation with trade unions and staff was ongoing.

The Cabinet Member thanked officers, including front-line staff, for the work that they had carried out and stated that it was important that new and innovative ideas were implemented to enhance the library experience.

- RESOLVED:
- (i) That the Head of Service be instructed to develop a community engagement plan along the lines set out in paragraph 9 of the report.
  - (ii) That revised staffing arrangements be implemented to deliver the proposed approach, as set out in paragraphs 13 and 15 of the report.

REASON: So that the library service can continue to develop its Explore vision.

Cllr Crisp, Cabinet Member  
[The meeting started at 4.30 pm and finished at 5.00 pm].





**Decision Session: Cabinet Member for  
Leisure, Culture & Social Inclusion**

**11 October 2011**

Report of the Assistant Director – Communities and Culture

**Quarter 1 April – June 2011, Finance and Performance update**

**Summary**

1. The purpose of this report is to provide the Cabinet Member for Leisure, Culture & Social Inclusion with an update on financial performance, progress against service plan improvement actions and performance measures. The Status card for quarter 1 actions is attached at Appendix 1 and the status for performance measures is at paragraph 9.

**Financial Performance**

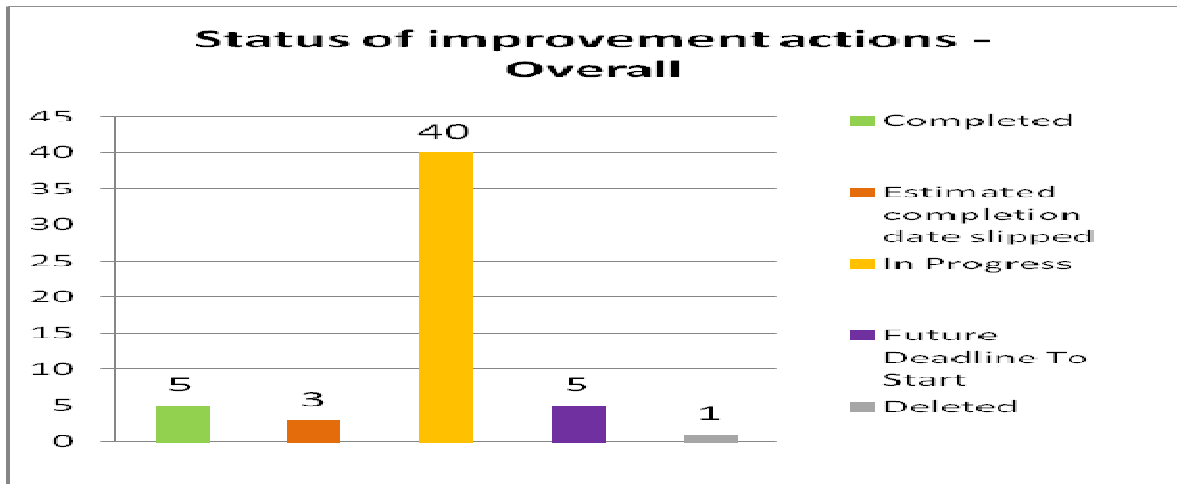
2. The Communities and Neighbourhoods portfolio for Leisure and Culture is forecast to achieve £369k against an in year budget savings target of £410k. Savings are being achieved through service reviews and improvements. The £41k shortfall from the savings target is due to additional one off costs incurred during the restructure of the music service. Full year savings will be achieved in 2012/13.
3. The approved 2011/12 revenue budget for the Leisure and Culture portfolio is summarised as follows:

	Net Budget £'000	Forecast Variation £'000	Forecast Variation %
Arts and Heritage - no significant variances	2,350	+0	+0.00
Arts and Culture Education - full year savings not met due to one off redundancy costs. Note that there is a full year saving of £75k achieved through the restructure.	277	+187	+67.51

	Net Budget £'000	Forecast Variation £'000	Forecast Variation %
Adult and Community Education - 2011/12 savings targets were deducted from base budget, assuming a net nil service. The forecast is based on achievement on a net nil position.	-41	+0	+0.00
Equalities - no significant variances	128	+0	+0.00
Libraries and Archives - Shortfall on income targets	2,993	+34	+1.14
Leisure Support - no significant variances	33	+0	+0.00
Neighbourhood Management Unit - no significant variances. Any unachieved savings as a result of the staff restructure part year effect will be offset by under spends on vacant posts.	2,299	+0	+0.00
Sport and Active Leisure - A shortfall in budgeted rental income for Waterworld. The full year effect of a previous year's budget saving on rents and rates is greater than the actual level of saving achieved. This is offset by under spends in other areas.	2,356	-45	-1.91
Young People and Play - no significant variances	326	+0	+0.00
<b>Total (Leisure &amp; Culture portfolio)</b>	<b>10,721</b>	<b>+176</b>	<b>+1.64</b>

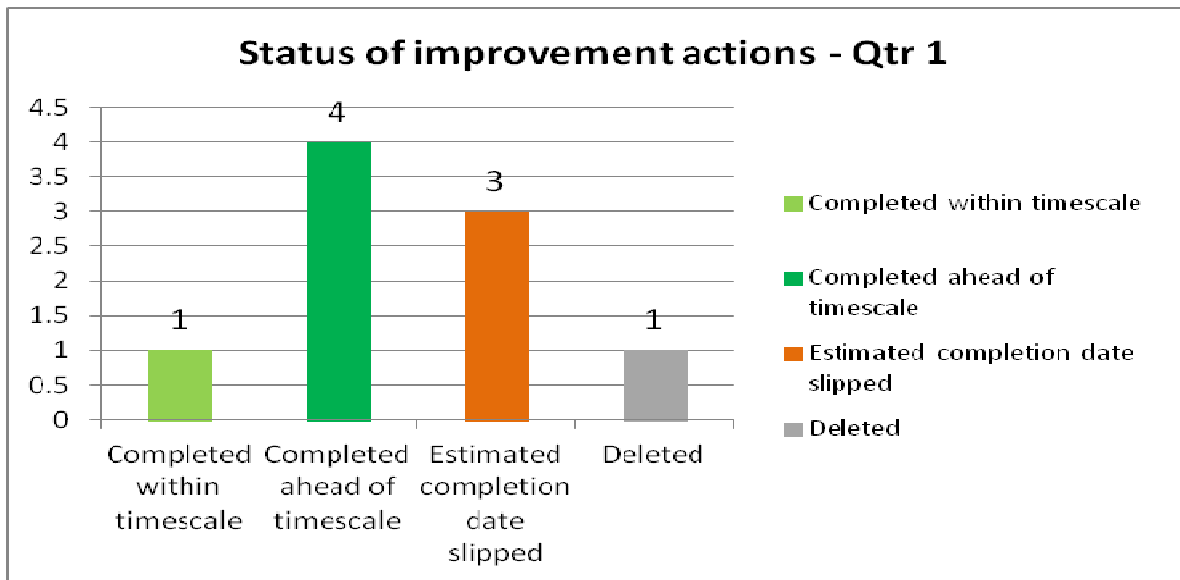
### Service Plan Actions and Performance Indicator Headlines

- As part of Communities and Culture's commitment to deliver excellent services the service set a very challenging service improvement plan for 2011/12, with 72 actions to be completed during 2011/ 2012, with 54 actions coming under the portfolio for Leisure, Culture and Social Inclusion .



**Quarter 1 Service Plan Action update**

- For quarter 1 – 5 Service Plan actions were due to be completed by June 2011 of which 1 has been completed within the timescale. However a further 4 actions have been completed ahead of schedule bringing the total for completed actions to 5. There are 3 actions where the estimated timescale for completion has passed, however all these actions are in progress with the majority of them expected to be completed by December 2011.



- There are no actions where the deadline has passed and work has not commenced. One action is deleted ‘Work through Inclusive Arts and Sports development teams to provide opportunities for people to develop volunteering work across the cultural sector ‘.This is now being taken forward as part of the CYC Volunteering strategy.

Examples of Completed Actions within quarter 1 (including those ahead of schedule :

- Support has been provided to the University for the development of a swimming pool. Work has started on site
- A new City Festival and Events handbook has been developed which will be hosted on City of Festivals website when Launched in September 2011
- Big City read will be launched 20th July 2011 and Venture Out programme will run to end 2011
- Yortime website to support informal learning and York's cultural learning offer is fully operational and is currently being promoted ( 2 actions )

### **Examples of Other Highlights**

7. The following provides examples of other achievements for the service:

- In progressing the development of a Cultural Quarter a successful application to the Heritage Lottery bid was made leveraging a grant of £107k development funding to pay for costs of working up project in detail and project worker has been appointed. In addition Yorkshire Museum refurbishment complete and reopened. Planning permission sought for clearance of area behind the Art Gallery.
- WiFi now in 6 libraries and will be in all by 30 Sept. Rolling out of self-issue machines across 11 libraries. By the end of September, all will have self-service technology.
- The LOCOG team have visited to look at our proposed Olympic Torch Route
- York 800 launched to the Public via BBC Radio York, Local Link and The Press. Since then we have had over 12 community choir's sign up for the Ebor Vox event in July 2012 and a wide variety of city organisations made contact with details and suggestions of ways of celebrating our city charter.
- Sporting Giants awarded Inspire Mark by Celebrating Ability
- Successful Viking Festival and Early Music Festival delivered.

- The Festival of the Rivers forged a successful partnership with the community group the Arts Barge to deliver a wide programme of events along the riverside for this year's festival.
- Energise has been re awarded the IFI mark (inclusive fitness initiative) for the whole centre
- The Public Arts programme for the new HQ was launched with over 80 local artists registering interest and attending workshops run with the developers and architect on site

### Service Plan Actions To Watch

8. The table below outlines those actions which have missed the estimated deadline for completion but are in progress together with comments concerning expected completed times.

<b>Action</b>	<b>Comments</b>
Ensure the design and range of facilities on offer in the proposed community stadium meet the needs of residents of the city	The planning application has not yet been received; however, consultation on the community facilities is taking place through the Stadium Advisory Group and will EAG and will feed into the specification to be drawn up during the Autumn.
Lead the development of a digital inclusion strategy for the city	Fist workshop held. The Strategy is due to be completed by Dec 2011 and the Action Plan by March 2012
Develop a city wide skills strategy to support the digital inclusion strategy encouraging partner organisations to set individual targets to contribute to the city target	Held first meeting on 16 June and began an action plan Second meeting planned for 29 Sept. It is expected that the strategy will be completed November 2011

## Performance Indicators

9. There are 13 Leisure and Culture Performance Measures, 3 are measured quarterly and 10 annually. Outlined below is the status of the quarterly indicators.

PI code and description	Target 11/12	Frequency				On target	Comments
			A	M	J		
Participants in Health and Wellbeing activities: Arts & Culture	2,000	Quarterly	370				It is expected that the full year target will be met as increased activities taking place over the summer months
Numbers of subscribers to the YorTime News	2,500	Quarterly	2219				Target exceeded
Number of visitors per annum to the York Library Explore Centre	978,914	Quarterly	237,594				For the quarter attendance is slightly under target. However it is expected that visitor numbers will increase over the summer period.

## Corporate Priorities

10. Reporting on Financial Performance and Service Improvement support the Corporate Theme of 'Effective Organisation'.

## Implications

11. The implications arising from this report have been considered within the body of the report.

## Conclusion

12. This report has provided an update on Quarter 1 Performance.

**Recommendations**

13. The Cabinet Member is asked to note the progress that has been made and agree the revised timescales for those actions that are in progress but where the original estimated timescale has slipped for completion.

Reason: To ensure that those actions where the estimate timescale has slipped are completed within the revised timescales without detriment to the quality of action taken.

**Contact Details**

**Author:**

**Sharon Brown  
Performance and Service  
Improvement Manager**

Tel: 554362

**Chief Officer Responsible for the report:**

**Charlie Croft  
Assistant Director – Communities & Culture**

Report Approved



**Appendix 1 Status Card for Quarter 1 Service Plan Actions**

This page is intentionally left blank



Action Owner	Issue	Theme	Action description	Deadline / 2011/12	Progress Status	Quarter 1
C Croft	Issue		Ensure the design and range of facilities on offer in the proposed community stadium meet the needs of residents of the city	Jun-11	<b>Estimated completion date slipped</b>	The planning application has not yet been received; however, consultation on the community facilities is taking place through the Stadium Advisory Group and will EAG and will feed into the specification to be drawn up during the Autumn.
F Williams	Issue		Lead the development of a digital inclusion strategy for the city	Jun-11	<b>Estimated completion date slipped</b>	Fist workshop held . The Strategy is due to be completed by Dec 2011 and the Action Plan by March 2012
F Williams	Issue		Develop a city wide skills strategy to support the digital inclusion strategy encouraging partner organisations to set individual targets to contribute to the city target	Jun-11	<b>Estimated completion date slipped</b>	Held first meeting on 16 June and began an action plan Second meeting planned for 29 Sept. It is expected that the strategy will be completed November 2011
G Cooper	Issue		Work through Inclusive Arts and our Sports development teams to provide opportunities for people to develop volunteering work across the cultural sector	Not Required	<b>Deleted</b>	Now being taken forward as part of whole CYC Volunteering strategy
A Gourlay	Issue		Promote the improvement of Yortime website to provide a daily activity guide to cultural events in the city - a Council What's on provision.	Jun-11	<b>Completed</b>	The website is now fully operational and content is being added each day. There are still some issues to resolve with the developer and these are being systematically worked through

This page is intentionally left blank



---

**Decision Session: Cabinet Member for  
Leisure, Culture and Social Inclusion**

11 October, 2011

Report of the Director of Communities and Neighbourhoods

**Outcome of the Diversity Peer Challenge: July 2011****Summary**

1. The purpose of this report is to inform the Cabinet Member of the outcome of the Local Government Information and Development Diversity peer challenge which took place on 26 and 27 July 2011.
2. The challenge confirmed that the Council meets the requirements of Level Achieving of the Equality Framework for Local Government.
3. The Council is now working towards Level Excellent, which it aims to achieve within 24 months of the date of this report.

**Background****The Equality Framework for Local Government (EFLG)**

4. The framework is the national standard that measures council performance in equality and diversity. It has been put together by the Local Government Information and Development (LGID), the national organisation that supports councils in continuous improvement.
5. The framework combines the requirements of the British Customer Services Excellence Standard and of current equality legislation. It has three levels of performance: Developing, Achieving and Excellent. The challenge took place against the requirements of level Achieving.

**Diversity Peer Challenge**

6. A team of “peer reviewers” or “peers” led the challenge. They were senior managers and councillors from LGID and councils already at level Achieving. They looked at written evidence and also visited the council and interviewed councillors and officers as well as talking to

local council partners, including people from York's equality community groups.

### **Summary of challenge team findings**

7. The team found that the council's overall strengths were:
  - Senior leadership and commitment to equality and diversity, especially as demonstrated by the Leader, the Cabinet Member for Leisure Culture and Social Inclusion and the Chief Executive
  - A good understanding of the make up of York's communities, which will be furthered through the consistent use in decision making of the information produced by the Business Intelligence Hub
  - The internal and external structures ("governance structures") it has in place to ensure that progress with equality and diversity is ongoing. The peer team noted the importance of the Fairness Commission, and the contribution of the Equality Advisory Group (EAG) and the Staff Equality Reference Group (SERG) . It also noted the importance of ward committees and their newsletters.
  - Engagement and consultation with community groups. The team identified the budget consultation process as "impressive".
  - Equality impact assessments that increasingly influence and improve service development
  - Responsive services and good customer care for older and younger people, disabled people, homeless young people, travellers and users of leisure services.
  - In terms of workforce development, the team noted the young apprentices scheme, the mentoring programme, the variety of equality training available, flexible working and staff engagement through the SERG
  
8. The team suggested that areas for further improvement include:
  - Working with partners to share and use information to inform common decision making
  - Services that are flexible enough to respond to rapid demographic changes and to the needs and aspirations of all equality communities (as opposed to mainly younger, older, disabled, and some Black and Minority Ethnic communities).
  - Increased focus on LGBT and women issues
  - Putting in place a gypsy and traveller strategy

- Promoting equality and diversity through procurement and grants
- Updating the hate crime and domestic violence strategies and processes.
- Promoting a councillor and officer body that reflects York's current demographic profile and consistently engages with equality issues and communities across all service areas and policies.

### **Next Steps**

9. Officers are finalising discussions with LGID following which the official report of the peer team will be published. The council's success in obtaining level 'Achieving' can then be communicated and marked appropriately.
10. An action plan is currently being developed by the Council's Equalities Leadership Group to address the above issues and to move the Council on to level 'Excellent' within two years.

### **Consultation**

11. The Council will continue to consult widely on all aspects of its performance in Equalities and particularly with the Equalities Advisory Group.

### **Corporate Priorities**

12. Achieving level 'Excellent' within the EFLG is an identified priority within the Council Plan.

### **Implications**

13. There are no additional implications arising from this report.

### **Risk Management**

14. Equalities is recognised as a key risk in the Council's risk management framework and as such is constantly monitored by the Council's Management Team.

### **Recommendations**

15. The Cabinet Member is requested to note the contents of the report.

Reason: So that the Council can put in place an action plan to achieve 'Excellent' under the EFLG'.

**Contact Details**

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>		
Evie Chandler Corporate Equalities and Inclusion Manager	Sally Burns Director of Communities and Neighbourhoods		
	<b>Report Approved</b>	✓	<b>Date</b> 26.9.11.
<b>Specialist Implications Officer(s)</b>			
<b>Wards Affected:</b>			<b>All</b> ✓
<b>For further information please contact the author of the report</b>			



---

**Decision Session: Cabinet Member for  
Leisure, Culture and Social Inclusion**

11 October 2011

Report of the Assistant Director (Communities and Culture)

**Discretionary Rate Relief Criteria: 2013 – 2015**

**Summary**

1. This report asks the Cabinet Member to agree amended criteria for Discretionary Rate Relief (DRR) to be awarded by the Directorate of Communities and Neighbourhoods for the period 2013 - 2015.

**Background**

2. Under section 47 of the Local Government Act 1988 charging authorities have the discretion to grant rate relief from all or part of the non-domestic rate account for premises occupied by not-for-profit organisations that are wholly or mainly used for charitable purposes. The cost of awarding DRR is borne 75% by the non-domestic rate pool and 25% locally.
3. Registered charities can apply for 80% mandatory relief. Where an authority exercises its discretion to award DRR above the mandatory level, the remaining 20% is borne 25% by the non-domestic rate pool and 75% locally.
4. Sports Clubs can also apply for “Community Amateur Sports Club” (CASC) status. With this status they will be treated in the same way as charities for the purposes of DRR both in terms of the mandatory and discretionary elements of DRR.
5. Communities and Neighbourhoods has brought together three DRR pots. These 3 pots, which were previously administered by 3 different directorates, are for:
  - a) Organisations working in the area of Lifelong Learning & Culture (awards made for 2 years)
  - b) Community Halls (annual awards)

- c) Voluntary Sector Infrastructure organisations grant funded by the Council (annual awards)

The current criteria are at Annex 1.

6. The 3 pots are currently functioning as follows:

- **Lifelong Learning and Culture:** A total of 61 organisations applied for DRR for 2011 – 2013. Of these 60 met all the criteria and were awarded DRR. Because the eligible awards exceed the available budget the awards were scaled down such that all organisations received approximately 73% of the relief for which they were eligible.
- **Community Halls:** A total of 24 organisations applied for DRR for 2011 – 2012 from this pot. Of these 23 met all the criteria and were awarded DRR. A further 2 organisations applied during the year and although eligible were refused DRR because the budget was fully spent.
- **Voluntary Sector Infrastructure Organisations:** A total of 15 organisations applied for DRR for 2011 – 2012 from this pot. All 15 met the criteria and were awarded DRR. A further 3 organisations applied during the year and although eligible were refused DRR because the budget was fully spent.

### **Consultation**

7. Extensive consultation has taken place over a number of years on the Lifelong Learning and Culture criteria which it is now proposed are used as the basis of the revised criteria for the combined pots. This report proposes some amendment to the DRR criteria. Where changes are proposed which may impact adversely on organisations currently receiving DRR those changes must be advertised at least 12 months in advance. The changes proposed in this report would be advertised in time for the 2013 – 15 award.

### **Issues**

8. The criteria for these 3 DRR pots need to be amended to ensure that the available budget is directed to those organisations who most warrant support. The key issues that are addressed by the revised criteria are as follows.
9. **Cultural organisations and Community Halls:** These two pots are brought together so that:
- I. they have consistent criteria



- II. the criteria reflect the latest Council Plan objectives
- III. the criteria reflect the requirement to increase participation amongst one or more of those groups identified in the One City Plan as being at most risk of disadvantage and exclusion
- IV. the combined budgets are capped at their current level with the criteria providing for eligible awards to be scaled down so that they come within the available budget
- V. social enterprises that do not distribute profits are allowed to apply where they are set up to benefit the public at large rather than their members
- VI. awards are made for two years helping organisations with their planning

The proposed revised criteria are attached at Annex 2.

- 10. **Voluntary sector infrastructure organisations:** This very small pot has never been advertised and has simply been awarded to the same organisations year on year. This is clearly inequitable; however, were it to be advertised eligible organisations would potentially exceed the available funding many times over.
- 11. It is therefore proposed to align this DRR pot with the Council's grant funding to voluntary sector infrastructure organisations. Organisations will only be eligible to receive DRR from this pot where they are in receipt of service level agreement grant funding. Where awarded, grant funding will be paid in the form of DRR to the maximum applicable level. (This maximises the amount that can be reclaimed from central government).
- 12. Revised criteria for service level agreement funding for voluntary sector infrastructure organisations will be taken to the Cabinet in November.

### **Options**

- 13. The options are:
  - o to make the change to the criteria as set out above
  - o to retain the criteria unchanged

### **Analysis**

- 14. The high number of organisations who are now eligible to receive DRR means that the budget is only covering 75% of each eligible organisation's rates liability. We need to ensure that DRR is

effectively channelled to those organisations that genuinely meet the criteria and who are providing a service that warrants public funding in terms of furthering the Council's objectives especially around increasing participation. The revised criteria proposed will do this more effectively.

### **Corporate Priorities**

15. DRR is awarded to meet the key priorities as detailed in Annex 1.

### **Implications**

16. **Financial:** The base budget for DRR in 2011/12 is £55,070.
17. **Legal:** Discretionary Rate Relief is granted under Section 40(5) of the General Rate Act 1967.
18. **Equalities:** The criteria make it a requirement for organisations to have a formally adopted equalities policy and to provide evidence that they are implementing that policy through equality impact assessments.
19. There are no human resources, crime and disorder, or information technology implications arising from this report.

### **Risk Management**

20. In compliance with the Councils risk management strategy there are no risks associated with the recommendations of this report.

### **Recommendation**

21. The Cabinet Member is asked to agree the revised criteria set out in Annex 2.

Reason: In order to establish an amended procedure for 2013-15.

**Contact Details**

**Author & Chief Officer Responsible For The Report:**

Charlie Croft  
Assistant Director (Lifelong Learning and Culture)  
Tel : 613161 Ext 3371

Report Approved  Date

Specialist Implications Officer(s):

LCCS Finance  
Tel 01904 554229

Wards Affected:

All

For further information please contact the author of the report

**Background Papers:**

*Discretionary Rate Relief Criteria: 2011 – 2013: Report to the Executive Member for Leisure and Heritage, 24 March, 2009*

**Annexes**

1. Existing Lifelong Learning & Culture DRR Criteria
2. Proposed amended DRR Criteria

This page is intentionally left blank

<b>DISCRETIONARY RATE RELIEF – LIFELONG LEARNING &amp; CULTURE CRITERIA</b>
---

In order to qualify for Discretionary Rate Relief your organisation must meet all of the following criteria.

The total budget available for Discretionary Rate Relief is cash limited. If the total relief assessed exceeds the available budget, all payments will be reduced proportionately.

1. Your organisation must be working in one of the following areas:
  - Sport and Active Leisure
  - Arts and Culture
  - Heritage
  - Parks & Open Spaces (including allotments)
  - Children's play and young people's leisure
  - Events and festivals that contribute to a vibrant and cosmopolitan city culture
  
2. Your organisation must be undertaking activities that contribute to one or more of our key outcome areas:
  - **Making York More Eventful** - More York residents and visitors will enjoy participating in, and taking the lead in cultural events and activities.
  - **Engagement in Learning** – More people will be supported into learning by providing opportunities for everyone to be part of a creative learning community, particularly focusing on the most disadvantaged.
  - **Being Healthy** – More residents will enjoy the good physical and mental health that comes from increased participation in active lifestyles.
  - **Supporting Stronger Communities** – Local communities will be supported to direct their own cultural activities and to take ownership of well maintained public spaces. Access will be open to all and we will enhance the quality of life of individuals and communities.

- **Developing a Vibrant Cultural Infrastructure** – Residents will enjoy an increasingly thriving cultural sector and the economic benefits that flow from it.
3. Your organisations must be non-profit making. If your organisation is a sports club it must be either a registered charity or a registered Community Amateur Sports Club (CASCs).
  4. The level of your organisation's revenue reserves must not be in excess of:
    - 10 times the amount of the rates payable (after any mandatory relief is deducted), or
    - £10,000(whichever is the higher).

In assessing the level of reserves for this purpose, the assessment will be restricted to "free" reserves which are available in reasonably liquid form (e.g. not tied up in facilities) and are not required to meet legal requirements.

Higher reserves may be allowed if:

- your organisation can demonstrate that they are being kept for a specific, acceptable, development project, or
  - you have charitable status and your organisation's reserve policy meets the requirement of the Charity Commission or
  - it will be unable to pay the rates without putting its financial viability at risk.
5. Your organisation's activities must actively increase participation amongst one or more of our target groups:
    - People with mental ill health, learning difficulties, physical or sensory impairments
    - Young people in care or living in transient families, young parents, young people who are bullied, and those who have low skills or are not in education, employment or training
    - Older people, particularly those living alone
    - Rough sleepers, homeless people
    - Carers
    - People from black and minority ethnic (BME) communities, including asylum seekers, and travellers
    - People on low incomes

6. Your organisation must have a formally adopted Equality and Diversity policy covering gender, disability, faith and religion, race, age, and sexual orientation. Furthermore, you must be able to demonstrate that you are implementing your policy through carrying out equality impact assessments. Membership must be open to all sections of the community. Organisations that require new members to be nominated by existing members will not be eligible for DRR.
7. Any fees charged by your organisation must be consistent with promoting participation and equality of opportunity. Fees must be affordable. (“Affordable” will be interpreted as not being so expensive as to inhibit participation by the wider community). Where, of necessity, a high level of fees is charged, for example in the form of an annual membership subscription, DRR will only be awarded if the organisation can demonstrate that it has taken measures to address affordability through:
  - appropriate remissions for target groups, and
  - payment schemes that allow fees to be paid over the course of the year, and
  - schemes to encourage potential participants to try the activity at a modest cost before having to commit to the full fees
8. Your organisation must be primarily for the benefit of people who live or work in York, (i.e. at least 80% of users fall in this category). Theatres and Museums whose services are aimed at a wider audience and who do not meet this 80% threshold will be given assistance on a sliding scale based on the percentage of York users over the last 12 months.

Organisations who do not meet the 80% threshold may be given up to 100% relief if they provide discounts for YorkCard holders in respect of their core services (as a minimum in line with the level of discount that the Council itself applies). This provision will not apply to any organisation that already receives grant funding from the Council which assists the organisation in providing YorkCard discounts.

This page is intentionally left blank



## **DISCRETIONARY RATE RELIEF – COMMUNITIES & CULTURE PROPOSED CRITERIA**

**In order to qualify for Discretionary Rate Relief your organisation must meet all of the following criteria.**

**The total budget available for Discretionary Rate Relief is cash limited. If the total relief assessed exceeds the available budget, all payments will be reduced proportionately.**

1. Your organisation must be working in one of the following areas:
  - Sport and Active Leisure
  - Arts and Culture
  - Community Centres / Halls (i.e. facilities primarily used as a meeting place by members of a community for social, cultural, or recreational purposes)
  - Museums
  - Public parks & open spaces (including allotments)
  - Children's play and young people's leisure
  - Events and festivals
  
2. Your organisation must be:
  - non-profit making
  - based in and delivering services in York
  - non-governmental
  - for the social good
  - non party political
  - and must reinvest any financial surpluses to further social, environmental or cultural objectives that bring a significant community benefit to York

**If your organisation is a sports club it must be either a registered charity or a registered Community Amateur Sports Club (CASC).**

3. Your organisation must be undertaking activities that contribute to the outcomes under our Council Plan objective of "Building Stronger Communities":

- Community Engagement – more residents engaged in planning and problem solving in their communities.
  - Stronger voluntary sector –a strong volunteering infrastructure with increased levels of volunteering in the city and opportunities for not for profit organisations to deliver services.
  - Safer inclusive communities –safe, resilient and cohesive communities where no person or community feels left behind or disadvantaged.
  - Improved community infrastructure –an appropriate infrastructure including housing, leisure, schools.
  - Healthy sustainable communities –healthy and sustainable living options in communities
  - Communities where young people flourish – we will consult with young people to build communities that reflect their needs.
4. Specifically, your organisation’s activities must actively increase participation amongst one or more of those groups identified by the One City Plan as being most at risk of disadvantage and exclusion:
- Specific neighbourhoods, who feel more excluded due to issues such as low income.
  - Young people who are not in education, employment or training or who face other challenges such as homelessness.
  - Older people who require support to live independently.
  - Black and Minority Ethnic people and migrant workers.
  - Gypsies and Travellers.
  - Carers.
  - Disabled people and people with mental illness.
5. The level of your organisation’s revenue reserves must not be in excess of:
- 10 times the amount of the rates payable (after any mandatory relief is deducted), or
  - £10,000
- (whichever is the higher).

In assessing the level of reserves for this purpose, the assessment will be restricted to “free“ reserves which are available in reasonably liquid form (e.g. not tied up in facilities) and are not required to meet legal requirements.

Higher reserves may be allowed if:

- your organisation can demonstrate that they are being kept for a specific, acceptable, development project, or
  - you have charitable status and your organisation's reserve policy meets the requirement of the Charity Commission or
  - it will be unable to pay the rates without putting its financial viability at risk.
6. Your organisation must have a formally adopted Equality and Diversity policy covering age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, sex, sexual orientation. Furthermore, you must be able to demonstrate that you are implementing your policy through carrying out equality impact assessments. Membership must be open to all sections of the community. Organisations that require new members to be nominated by existing members will not be eligible for DRR.
7. Any fees charged by your organisation must be consistent with promoting participation and equality of opportunity. Fees must be affordable. ("Affordable" will be interpreted as not being so expensive as to inhibit participation by the wider community). Where, of necessity, a high level of fees is charged, for example in the form of an annual membership subscription, DRR will only be awarded if the organisation can demonstrate that it has taken measures to address affordability through:
- appropriate remissions for target groups, and
  - payment schemes that allow fees to be paid over the course of the year, and
  - schemes to encourage potential participants to try the activity at a modest cost before having to commit to the full fees
8. Your organisation must be primarily for the benefit of people who live or work in York, (i.e. at least 80% of users fall in this category). Theatres and Museums whose services are aimed at a wider audience and who do not meet this 80% threshold will be given assistance on a sliding scale based on the percentage of York users over the last 12 months.

Organisations who do not meet the 80% threshold may be given up to 100% relief if they provide discounts for *YorkCard* holders in respect of their core services (as a minimum in line with the level of discount that the Council itself applies). This provision will not

apply to any organisation that already receives grant funding from the Council which assists the organisation in providing *YorkCard* discounts.