

**Notice of meeting of  
Cabinet**

**To:** Councillors Alexander (Chair), Crisp, Fraser, Gunnell, Looker, Merrett, Potter and Simpson-Laing (Vice-Chair)

**Date:** Tuesday, 21 June 2011 (*re-convened from 7 June 2011*)

**Time:** 6:30 pm

**Venue:** **Brierley Room, York Explore**

**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:

**10:00 am on Monday 20 June 2011**, if an item is called in *before* a decision is taken, *or*

**4:00 pm on Thursday 23 June 2011**, if an item is called in *after* a decision has been taken.

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

**1. Declarations of Interest**

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

**2. Exclusion of Press and Public**

To consider excluding of the press and public from the meeting during consideration of Annexes 2 and 3 to Agenda Item 6 (Kent Street Site - Disposal) on the grounds that they contain information relating to the business and financial affairs of particular persons. This information is classed as 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** (Pages 3 - 8)

To approve and sign the minutes of the last meeting of the Executive, held on 26 April 2011.

**4. Public Participation**

At this point in the meeting, members of the public who have registered their wish to speak regarding an item on the agenda or a matter within the Cabinet's remit can do so. The deadline for registering is **5:00 pm on Monday 20 June 2011**.

**5. Forward Plan** (Pages 9 - 10)

To receive details of those items that are listed on the Forward Plan for the next two Cabinet meetings.

**6. Kent Street Site - Disposal** (Pages 11 - 24)

This report seeks approval to sell the former Kent Street coach park site to the North Yorkshire Fire and Rescue Service.

**7. Local Development Framework**

The Cabinet Member for City Strategy will seek Cabinet's support that a recommendation be made to Council to amend the provision for housing growth contained in the submission draft of the core strategy to an average of 800 dwellings per annum, along with other textual amendments. In support of that recommendation, the Cabinet Member will ask that the Director of City Strategy be instructed to prepare a report for Council highlighting the implications of these changes, along with an amended Core Strategy document, and arrange for briefings for Members.

**8. Media Protocol** (Pages 25 - 40)

This report proposes a change to the existing Media Protocol to ensure that communication of Council policies and activities is open and transparent and that there is clear accountability for all Council decision making.

*Please note that this report has been added to the agenda as an urgent item on 17 June 2011.*

**9. Urgent Business**

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

Democracy Officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – [fiona.young@york.gov.uk](mailto:fiona.young@york.gov.uk)

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

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

Contact details are set out above.

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

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If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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### **Holding the Cabinet to Account**

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or Cabinet Member Decision Session) agenda. The Cabinet will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Cabinet meeting in the following week, where a final decision on the 'called-in' business will be made.

### **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

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MEETING	EXECUTIVE
DATE	26 APRIL 2011
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN
IN ATTENDANCE	COUNCILLOR BOYCE

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**197. 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.

**198. MINUTES**

RESOLVED: That the minutes of the Executive meeting held on 12 April 2011 and the Executive (Calling In) meeting held on 5 April 2011 be approved and signed as a correct record of each meeting.

**199. PUBLIC PARTICIPATION**

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

**200. EXECUTIVE FORWARD PLAN**

Members received and noted details of those items currently listed on the Forward Plan for the next two Executive meetings.

**201. FINAL REPORT ARISING FROM CARERS' REVIEW**

Members considered a report which presented the findings of the Carers' Review Task Group, set up by the Health Overview & Scrutiny Committee with the aim of raising awareness of carers in York and improving access to information for carers. Cllr Boyce, as Chair of the Committee and the Task Group, was in attendance to present the report.

The recommendations arising from the Task Group's review were set out in paragraphs 4 and 5 of the cover report. The implications of accepting the recommendations were outlined in paragraphs 11 to 13. The Group's final report had been circulated separately to Members as an A5 booklet and made available on the Council's website.

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

RESOLVED: That the following be agreed as the Executive's response to the recommendations of the Carers' Review Task Group:

<b>Task Group Recommendation</b>	<b>Executive Comments</b>
<p>a) That health commissioners and providers ensure that there is greater consistency around how carers are identified and once identified their needs addressed. This would need to include:</p> <ul style="list-style-type: none"> <li>• Training in carer awareness for all health professionals and allied staff</li> <li>• That the hospital looks at extending the innovative approaches they have been piloting and embedding these into standard practices for all admissions and discharges</li> <li>• That a written report be provided to the Health Overview &amp; Scrutiny Committee on a six monthly basis in relation to quality indicators that are being monitored in respect of carers.</li> </ul>	<p>Agree subject to assessment of training budgets, and accepting that the council can advise the Hospital Trust but that they are the body charged with responsibilities for activities in the hospital.</p>
<p>b) That the Multi-Agency Carer's Strategy Group identifies where it would be helpful to provide public information about what it means to be a carer and how to access support to enable carers to identify themselves earlier.</p> <ul style="list-style-type: none"> <li>• Where places are identified carer awareness training should be made available for key workers.</li> </ul>	<p>Agree</p>
<p>c) That City of York Council reviews its Equalities Framework to ensure that carers become an integral part of all equality and inclusion work and this to include:</p> <ul style="list-style-type: none"> <li>• Inviting a carer representative to become a member of the Equalities Advisory Group</li> </ul>	<p>Agree that CYC review its Equalities Framework, and takes to the next meeting of the Equalities Advisory Group the proposal that a carer representative be invited to join.</p>



Task Group Recommendation	Executive Comments
d) That health commissioners ensure that all care pathways provide guidance on the information and advice carers will need regarding specific medical conditions as well as sign-posting them to support and advice. This will need to address what the impact might be on: <ul style="list-style-type: none"> <li>• The carer</li> <li>• The family as a whole</li> <li>• The cared for person</li> </ul>	Agree
e) That Adult Social Services develop a clear pathway, which provides an integrated approach to assessment for the whole family whilst recognising the individual needs within the family and the impact of caring on the carer	Agree
f) To continue to promote carer awareness an annual update on the Carers Strategy for York be presented to the Health Overview & Scrutiny Committee and thereafter to the Executive Member for Health & Adult Social Services.	Agree that the Executive Member for Health and Adult Social Services should receive an annual report updating the Carers Strategy, and that the same report should be submitted to the Health and Overview and Scrutiny Committee.

REASON: In order to provide an appropriate response to the recommendations of the Task Group and to recognise, and encourage awareness of, the work carried out by carers in York, including young carers.

#### Action Required

- |  |    |
|--|----|
| a) Advise Hospital Trust accordingly and schedule 6-monthly reports on Health Overview & Scrutiny forward plan | KC |
| b) Take action to identify areas for provision of further information and training, as agreed.                 | FP |
| c) Begin review of Equalities Framework and look at appointing carer representative to the EAG.                | EC |
| d) Take action to ensure provision of guidance for carers, as agreed.  | KC |
| e) Take action to develop a clear pathway for an integrated approach to assessment, as agreed.                 | AB |
| f) Schedule annual updates for the Executive Member and Health Scrutiny Committee on forward plan.             | FP |

**202. MINUTES OF WORKING GROUPS**

Members considered a report which presented the minutes of the Local Development Framework (LDF) Working Group meeting held on 14 March 2011.

In particular, Members were asked to consider the following recommendations contained in Minute 40 of the draft minutes at Annex A to the report (Strategic Flood Risk Assessment Update):

- (i) *That the Executive be recommended to approve the proposed Strategic Flood Risk Assessment, included as Annex A to the report, for publication as part of the Local Development Framework evidence base, subject to the comments made by the LDF Working Group and the circulated table of suggested changes provided by Councillor Moore.*
- (ii) *That it be recommended to the Executive that the making of any other necessary changes arising from the recommendation of the LDF Working Group prior to its publication as part of the Local Development Framework evidence base be delegated to the Director of City Strategy in consultation with the Executive Member for City Strategy.*

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

RESOLVED: That the minutes be noted and that the specific recommendations made by the Local Development Framework Working Group, including the amendments referred to in paragraph 6 of the report, be approved.<sup>1</sup>

REASON: In accordance with the requirements of the Council's Constitution in relation to the role of Working Groups, and for the reasons set out in Minute 40 of the LDF Working Group minutes at Annex A to the report.

Action Required

- 1. Make agreed amendments to the Strategic Flood Risk Assessment and publish as part of LDF evidence base. MG

**203. CHAIR'S REMARKS**

The Chair drew attention to the fact that this would be the last meeting of the Executive in the current 4-year cycle.

He thanked the Executive Members for their work over this period and noted the progress made during this time, including the high assessment ratings achieved by the Council's Children's Services and Adult Social Services, York's success in Britain in Bloom, the start of work on the new Headquarters building and the imminent re-opening of the Barbican.

The Chair also extended particular thanks to Cllr Moore, the Executive Member for Corporate Services, who would be standing down on 5 May.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.10 pm].

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**Cabinet Meeting 7 June 2011**

**FORWARD PLAN (as at 13 May 2011)**

<b>Table 1: Items scheduled on the Forward Plan for the Cabinet Meeting on 5 July 2011</b>		
<b>Title &amp; Description</b>	<b>Author</b>	<b>Portfolio Holder</b>
<p><b>Performance and Finance Year End Report 2010/11</b></p> <p><i>Purpose of report: To report the final progress against performance indicators and the financial outturn highlighted in the report.</i></p> <p><i>Members are asked to: Consider and note the issues highlighted in the report.</i></p>	<p>Pete Lowe/ Debbie Mitchell/ Andrew Crookham</p>	<p>Cabinet Member for Corporate Services</p>
<p><b>Review of City of York Council Residential Care Homes for Older People</b></p> <p><i>Purpose of report: City of York Council owns and operates nine elderly persons homes across the city. This report will present options for the future provision of residential care to meet the higher standards and the increased expectations of older people in the immediate and long-term future.</i></p> <p><i>Members are asked to: Consider the options for the future provision of residential care.</i></p>	<p>Graham Terry</p>	<p>Cabinet Member for Health, Housing and Adult Social Services</p>
<p><b>Petition to Council for Support for Vulnerable People</b></p> <p><i>Purpose of Report: At Full Council on 7 April, members considered a petition in respect of support for vulnerable people, which had been submitted to the Budget Council meeting on 24 February 2011 and as an e-petition, together with a background report from the Director of Adults, Children and Education. The petition had been signed by more than 1000 people and had therefore been taken to Council for debate, in accordance with the agreed process. Following debate it was agreed that the petition be referred to the Executive to determine any appropriate action.</i></p> <p><i>Members are asked to decide on the appropriate course of action.</i></p>	<p>Pete Dwyer</p>	<p>Cabinet Member for Health, Housing and Adult Social Services</p>

**Table 2: Items scheduled on the Forward Plan for the Cabinet Meeting on 6 September 2011**

Title & Description	Author	Portfolio Holder
<p><b>York Education Partnership</b></p> <p><i>Purpose of report: The Schools White Paper : “The Importance of Teaching” was published on the 24 November. This paper describes the steps that have taken place between the Local Authority and the school community to respond to the direction of travel described in the document.</i></p> <p><i>Members are asked to consider the recommendations</i></p> <p><i>This item was moved from the Executive meeting on 15 March to the Decision Session as consultation was still underway with schools. The move to the Decision Session in June was to allow the response to encompass schools’ views. This item will now be considered by the Executive on 6 September 2011 due to having to wait for the Education Bill to receive Royal Assent.</i></p>	Pete Dwyer	Cabinet Member for Education, Children and Young People’s Services



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Cabinet

7<sup>th</sup> June 2011

**Report of the Assistant Director of Economy and Asset Management**

**Kent Street Site - Disposal**

Summary

1. This report seeks approval to sell the former Kent Street coach park site (the Site) to the North Yorkshire Fire and Rescue Service (NYF&RS).

Background

- 2 Coach parking facilities are now available at St George's Place and Clarence Street car parks and consequently the Site is surplus to the council's service requirements. The location of the 0.36 hectares (0.9 acres) site is shown verged black on the attached plan as **Annex 1**.
- 3 The council exchanged contracts to sell the Site to a property company Indomito Properties in 2007, and the developer subsequently obtained planning permission to construct a 108 bedroom hotel with bar and restaurant facilities. However, the developer was unable to secure funding to buy the Site, so the council terminated the contract in April 2009.
- 4 In September 2009, following advice received from consultant surveyors, the Site was offered as an optional bid in connection with the leasehold disposal of the Barbican Auditorium. The final tender accepted from the preferred bidder SMG UK Limited in September 2010 however, did not include an offer to purchase the Site.

5 Information

In September 2010, NYF&RS wrote to the council to register their interest in acquiring the Site and requested negotiations in order to reach a 'subject to contract' heads of terms agreement. The request was based on NYF&RS's view that the Clifford Street fire station is situated in an outdated building, is too small, has inadequate training facilities and is subject to flooding, consequently the building hinders the provision of a modern and efficient service. It believes the Site will provide a better option than Clifford Street, giving quicker access to both city centre and the south east of York and will provide a project cost saving of approximately a £1m. The new fire station could be operational by March 2013.

6. NYF&RS has undertaken a consultation exercise and a report including the public's and interested bodies responses were considered by the North Yorkshire Fire & Rescue Authority at their meeting on 9<sup>th</sup> February. The Authority decided that a fire station at Kent Street should be the new location for the inner city fire station and the Site should be acquired on the provisional terms agreed with the Corporate Landlord. Details of the heads of terms agreement are included as **Confidential Annex 2**.
7. NYF&RS's architect and planning consultant have discussed the new fire station at the Site at pre-planning meetings with the council's development management group, and planning officers have indicated, that a fire station at this location is being looked at positively and the planning issues were of detail rather than principle and these relate to highways, local amenity and archaeology. NYF&RS intend to submit an outline planning application to build a new fire station and carry out a local planning consultation exercise on their proposal.
8. Since April 2009, two developers and Indomito Properties have expressed interest in acquiring the Site if it became available; attracted by fact the Site has a hotel planning permission. Indomito Properties is a local property company and from the media publicity is aware of NYFR&S intentions to acquire site and consequently, it has made a formal offer to purchase the site. Details of the offer are included as **Confidential Annex 3**.
9. If a sale to NYF&RS was approved this would be categorised as an off-market sale and to comply with the statutory 'best consideration' rules a valuation report was commissioned from King Sturge to in order provide a current market value of the site. Details of the valuation are included as **Confidential Annex 2**.

### Consultation

9. There has been no consultation with any members on the negotiations with the NYF&RS. As reported above NYF&RS have carried a 12 week citywide consultation exercise and there have been a number of reports on the project in the local media.

### Options

11. The options available to the Cabinet are:
  - a) Sell the Site to NYF&RS for a proposed fire station.
  - b) Put the Site on the open market for sale by informal tender.
  - c) Do nothing and wait for an improvement in property values before putting the site on the market for sale.

### Analysis of Options

12. Option a) – The Site is vacant and is surplus to the council's requirements and therefore is under-utilised for a well located off-centre site, in that it is



not creating employment opportunities or adding to the economy of the city. If the Site was sold it would realise a significant capital sum, thus maximising the potential of the property asset, and the receipt would be used to support the capital programme. There is a general understanding that assets and/or assistance should be provided between public bodies in order to promote better public services.

Option b) – If the Site was placed on the open market it would attract bids, it is almost certain that Indomito Properties would repeat their bid included at Annex 2. Otherwise, the same advantages would be created as in Option a), although arguably, a hotel development would create more employment opportunities and be a greater income generator for other parts of the city's economy.

Option c) – The price offered by the NYF&RS is above the King Sturge current market valuation of the Site and matches the figure the council intended to sell the Site in 2007, this at a time before the country's economy went into recession. There have been very few hotel transactions in the North of England over the past year due to lack of debt finance being available to the property development market. Should the debt finance market improve and banks become more willing to lend at higher loan to value levels, the values per bedroom for hotel sites might improve to 2007 levels, but most property experts believe it will some considerable time before residual bedroom values increase beyond that point.

### **Corporate Priorities**

13. The Healthy City theme of the Council's Corporate Strategy supports improvement to the wellbeing of York's residents; a new fire station with improved facilities should improve the efficiency of the service and this should be advantageous to York's residents.

### **Implications**

#### **Finance**

14. The sale of the former Kent Street coach park site will realise the value of the capital receipt as previously reported to Members. It exceeds the current market valuation for the site provided by King Sturge and matches the valuation estimated in 2007 prior to the property market falling, in the time of economic recession.
15. The capital receipt will be used to support the capital programme in 2011/12 which has already been included in the 5 year forecast approved by Council as part of the Capital Programme 2011/12 to 2015/16.

#### **Legal**

16. Legal implications are as set out in the report.

**Property**

17. Property implications are as set out in the report

**Human Resources**

18. There are no Human Resources, Crime and Disorder, or Information Technology implications.

**Risk Management**

19. Following an exchange of contracts with NYF&RS, completion will be subject to the Buyer obtaining a satisfactory planning permission. The main risk in not achieving a sale and the council receiving the proposed capital receipt would be the failure by NYF&RS to obtain planning permission for the new fire station.
20. Measured in terms of impact and likelihood, the risk score has been assessed at less than 16, this means that the risk need only to be monitored.

**Next Step**

21. If the recommendation is approved the next step is to exchange contracts. Cabinet is asked to delegate authority to the Director of City Strategy in consultation with Head of Legal Service to conclude the contract. The aim will be to complete the exchange by the end of August.

**Recommendation**

22. Members are asked to consider the following:

Approve Option a), that the freehold interest in the Kent Street site be sold to North Yorkshire Fire and Rescue Service based on the terms and conditions that are contained in the report, and to delegate authority to the Director of City Strategy in consultation with Head of Legal Service to conclude the sale.

Reason: To ensure the development potential of the site is utilised, that a satisfactory capital receipt is obtained to support the capital programme and to assist another local public authority to achieve its service objectives.

**Contact Details**

**Author:**

**John Urwin**

**Property Manager  
City Strategy**

**Tel No 07827823663**

**Chief Officer Responsible for the report:  
Roger Ranson**

**Assistant Director of Economy and Asset  
Management**

**Report Approved**



**Date** 26/5/11

**Specialist Implications Officer(s)** Louise Branford-White -Technical Finance Manager

**Wards Affected:**

**All**

**For further information please contact the author of the report**

**Background Papers:** None

**Annexes:**

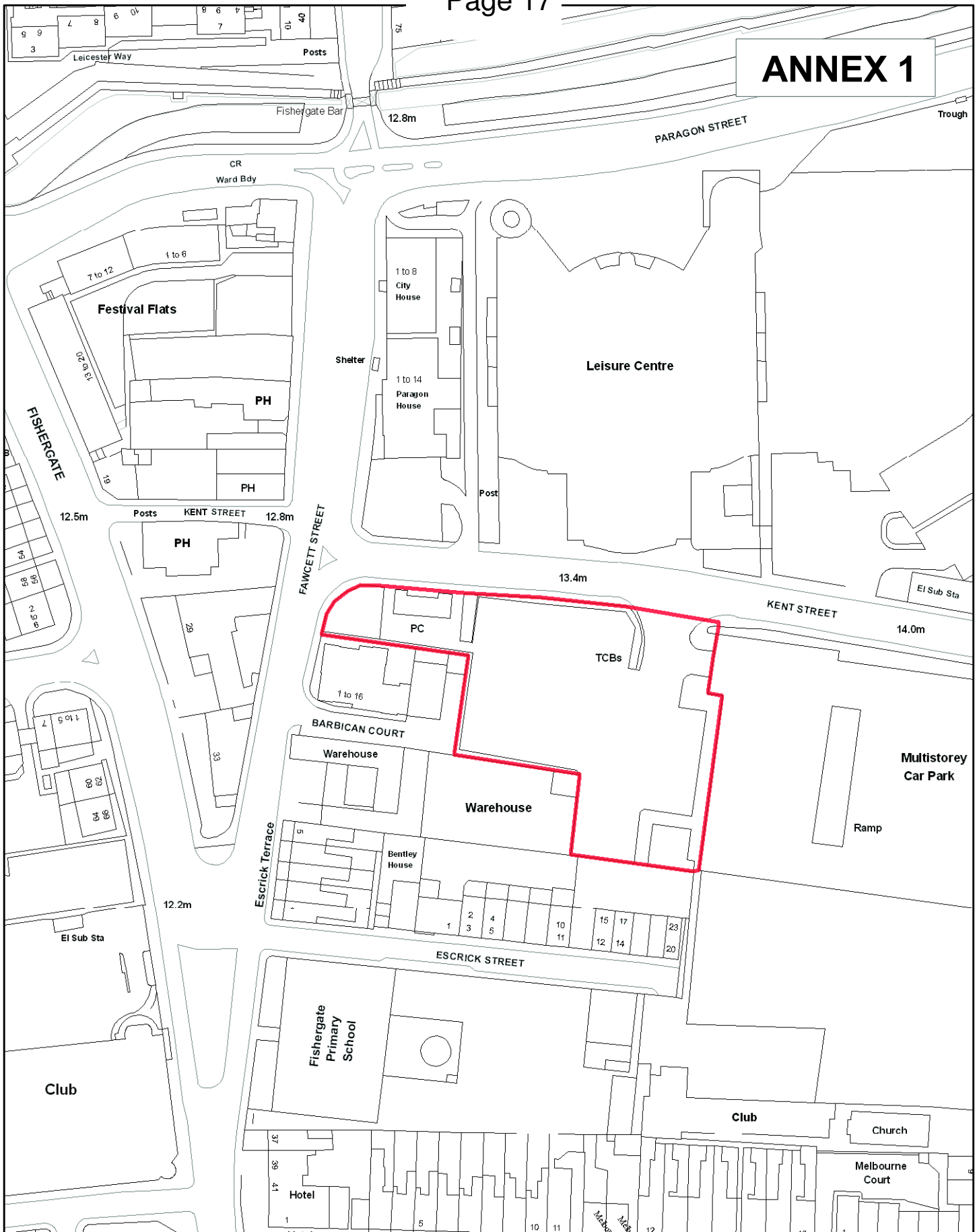
Annex 1 - A plan showing the location of the site.

Annex 2 - Confidential - A summary of the Heads of Terms agreement with NYF&RS and the market valuation of the Site provided by King Sturge.

Annex 3 - Confidential - A summary of an offer received from Indominito Properties.



**ANNEX 1**



*Property Services*

SCALE 1:1,250

DRAWN BY: GR

DATE: 5/5/2011

Originating Group:

**Property Services**

Drawing No.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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<b>Cabinet</b>	21 <sup>st</sup> June 2011
Report of the Leader of the Council	

## Media Protocol

### Summary

1. This report proposes a change to the existing Media Protocol to ensure that communication of Council policies and activities is open and transparent and that there is clear accountability for all Council decision making.

### Background

2. The existing Media Protocol was enshrined in the constitution at the beginning of the previous administration in 2003. It prohibited members from being quoted in press releases which relate to the policies and activities of the Council. Instead, officers or unnamed spokespeople have been quoted when setting out the decisions taken by elected members.

### Proposal

3. A review has been undertaken of media protocols in use in other local authorities. This has revealed that City of York is unique in not using quotes from elected members. Common practice throughout the country is to name elected members in communications about the work of the Council.
4. This position is inconsistent with a modern, open, democratically elected organisation which promotes accountability and transparency.
5. The proposed new Media Protocol is attached at Annex A. It sets out revised arrangements where in future, Cabinet Members rather than officers will be quoted on matters of policy and delivery. This will give residents clarity about who is accountable and responsible. Officers will only be quoted where the issues are factual or technical.
6. The Communications and Media team will at no time be involved in developing party political material and their independence and integrity will be preserved at all times.

7. The Media Protocol has been enshrined in the constitution. Normally changes to the constitution are reserved for full Council. However, the Monitoring Officer has the authority to make changes to the protocols embedded within the constitution with the approval of the person with the authority to do so.
8. This position lacks clarity so for the sake of complete transparency, the changes to the Media Protocol are therefore being presented both for Cabinet's approval and for a recommendation to Council on June 30<sup>th</sup> 2011. The Audit and Governance committee will also consider the revised protocol on June 28<sup>th</sup> 2011.
9. It is unusual for a Media Protocol to appear as part of the constitution of a Council. It is unsatisfactory to have uncertainty as the status of this protocol and it is therefore proposed to recommend to Council that the revised protocol clearly sit outside the constitution.

### **Corporate Priorities**

10. The clear and open communication of council policy and activity is essential to deliver the Council's priorities.

### **Implications**

11.
  - (a) Financial - None
  - (b) Human Resources (HR) - None
  - (c) Equalities - None
  - (d) Legal – contained within the report
  - (e) Crime and Disorder None
  - (f) Information Technology (IT) None
  - (g) Property - None

### **Risk Management**

8. The practice of not quoting Cabinet Members in press releases could lead to the failure to clearly communicate who is responsible for Council decisions, fails to hold elected Members to account for their decisions and could lead to misunderstandings which in turn could lead to reputational damage. The revisions included in this report mitigate this risk

### **Recommendations**

9. Members are asked to:
  - a) Recommend the revised Media Protocol to Council on June 30<sup>th</sup> 2011

Reason: To ensure greater transparency and accountability

- b) To recommend to Council the removal of the Media Protocol from the constitution.

Reason: To ensure that future practical amendments can be made to the policy without disproportionate bureaucratic decision making.

#### Contact Details

Author:	Cabinet Member responsible for the report:		
Author's name Tracey Carter Title AD - OCE Dept Name OCE Tel No.553419	Cllr. James Alexander Council Leader		
	Report Approved	√	Date 18 <sup>th</sup> June 2011
Legal advice – Andrew Docherty – AD Governance and ICT			
Wards Affected: List wards or tick box to indicate all			All <input checked="" type="checkbox"/>
For further information please contact the author of the report			

#### Background Papers:

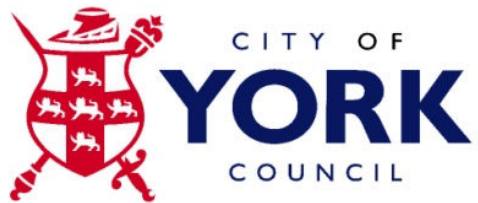
#### Annexes

Annex 1 – Revised Media Protocol

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# Media Protocol

June 2011



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## **1. Introduction**

- 1.1 The purpose of this policy is to define the roles and responsibilities within the council dealing with the media and the production of external publications (those that go to a non-council audience) and internal publications (those sent to staff).
- 1.2 The council receives around 1,500 enquiries from the media each year and issues around 700 press releases. It also organises photo opportunities, media briefings, radio and TV interviews, and produces a range of internal and external publications in both electronic and paper form.
- 1.3 To ensure all this activities is co-ordinated and managed effectively it is important that it is channelled through a central point – the council's Communications & Media team.
- 1.4 The only exceptions to this are political publicity, which is handled by individual political groups and political assistants, and positive publicity relating to schools.
- 1.5 The purpose of this protocol is to define the roles and responsibilities of all officers and members involved in dealing with the media and their role in internal and external publications, as well as providing guidance on how to handle media interest.

## **2. Legal context**

- 2.1 The council operates within the terms of a legal framework set out in the Local Government Act of 1986.
- 2.2 This protocol also reflects the most recent government guidance regarding local authority communications, which is contained in the Code of Recommended Practice on Local Authority Publicity (2011).
- 2.3 All publicity will be produced in line with the council's equality policies.

## **3. City of York Council's approach to publicity**

- 3.1 The council is committed to providing effective communication so that residents and partners are well informed about services that affect their lives and how their money is spent and are able to take an active part in the council's decision-making process

- 3.2 The local, regional and national media plays a valuable role in helping the council reach large numbers of local residents, businesses, stakeholders and visitors. It is therefore vital that we communicate effectively.
- 3.3 City of York Council is committed to being open and transparent about the decisions the council takes and who is accountable for those decisions.
- 3.4 The council aims to continue to foster positive working relationships with the media. Wherever we can we will take a positive approach to meeting media requests for information and interviews.
- 3.5 Underpinning the work of the Communications & Media team, including all dealings with the media, is a number of fundamental principles:
- **Proactive publicity** is a key part of our role. The council will proactively look to promote the work of the authority and its partners on behalf of the city.
  - **Honesty is vital.** The council will never knowingly mislead the media on a story or issue. We are in a long-term relationship with the media and they must trust our counsel and respect our honesty of approach.
  - **Information is accessible and timely.** We are firm, but polite in our dealings with the media. We aim to return media calls as soon as possible, while managing conflicting pressures and deadlines. A council media officer is available 24 hours a day, 365 days of the year.
  - **We are open and fair.** The council does not routinely favour one media source over another. Where appropriate, we will identify the relative importance of media sources and will be able to clearly justify any strategy that promotes one over another.

#### 4. The media

- 4.1 Local – includes newspapers and magazines such as the York Press, York Star, and Local Link and Look it up. Local radio stations include BBC Radio York and Minster FM.
- 4.2 Regional – this includes the Yorkshire Post and regional television stations: BBC Look North (Leeds and Newcastle) and ITV Calendar (Yorkshire and Tyne Tees. News agencies, which feed stories to national media, also have regional offices locally, including the Press Association and Guezellian.
- 4.3 National – this sector includes all national newspapers and TV stations (BBC, ITN, Channel 4 and Channel 5 news) plus BBC Radio and Independent Radio.



- 4.4 International – Occasionally local stories generate international interest in which case Sky TV and overseas publications can be interested.
- 4.5 Specialist – the council generates information about a wide variety of subjects many of which have associated specialist publications. We may want to target these specialist media from time to time with specific information. Specialist publications include The Municipal Journal, The Local Government Chronicle, The Times Educational Supplement (TES), Housing Today and Community Care magazine.
- 4.6 Internet/social media – this is the fastest growing area of the media. All broadcasters and newspapers provide online and social media news services, as well as using the council's web and social media sites for getting information about the council and its services.

## **5. Identifying newsworthy items**

- 5.1 Identifying newsworthy issues is the responsibility of everyone working for the council. However, the Council Leader, cabinet members and chief officers have particular responsibility for flagging up items of interest, positive or negative, as soon as possible.
- 5.2 Members of the Communications & Media team will attend key meetings, including Cabinet, Full Council and departmental management teams, to try to identify items of interest.
- 5.3 The team will offer advice about any communications issues and should be notified of any potentially controversial policies, decisions or events.

## **6. Handling media enquiries**

- 6.1 The Communications & Media team will co-ordinate all media enquiries and arrange appropriate responses to them. They will prioritise enquiries, decide if a political response is required, source relevant information for enquirers, arrange interviews and act as Council spokespeople where appropriate.
- 6.2 Officers who are directly approached by a member of the media should not answer questions themselves; but should refer the journalist to the Communications & Media who will manage the response.
- 6.3 Members who are directly approached by a member of the media can respond in accordance with the guidance contained in this protocol.
- 6.4 Simple, factual queries will be dealt with by the Communications and Media team without reference to other officers or Cabinet members.
- 6.5 Where enquiries are covered by pre-agreed statements, Communications & Media staff will respond directly, without seeking additional clearance from directors, other senior officers or members.

- 6.6 When seeking a response to an enquiry, the Communications and Media team will advise officers and members of journalists' deadlines and, where appropriate, of the consequences of missing the deadlines.
- 6.7 The council will not normally comment on leaks, anonymous allegations or allegations about individual staff.
- 6.8 In all other circumstances the phrase 'no comment' will not be used as a response to a media enquiry. The council is open and accountable and will explain if there is a reason why it cannot answer a specific enquiry.

## **7. Press releases**

- 7.1 Press releases are one of the key ways of publicising council activities, decisions and achievements.
- 7.2 The Communications & Media team will issue all news releases on behalf of the council. This allows a central record to be maintained and ensures that releases follow a Council style, appropriate for the media being targeted.
- 7.3 Press releases will not promote the views of specific political groups, nor publicise the activities of individual councillors.
- 7.4 All releases will be published on the council's website by the Communications & Media team within one working day of issue.
- 7.5 Key messages from releases will also be disseminated using social media channels, as appropriate.
- 7.6 Information for news releases should be submitted to the Communications & Media team as soon as possible.
- 7.7 Information for news releases or articles can be passed to the team in note format i.e. does not need to be properly formatted. Any information sent to the team will be subject to editing.
- 7.8 Quotes in news releases or articles will routinely be attributed to the relevant Cabinet member, particularly when the story relates to council policy, new initiatives or major issues or events. Highlighting the link between elected representatives and council decisions will help residents understand the decision-making process and will increase local accountability.
- 7.9 A relevant officer may be quoted if the purpose of the quote is to provide factual or technical information or if the appropriate member is unavailable.
- 7.10 Press releases relating to the Lord Mayor of York and activities of the Civic Party will be issued on a civic press release template and will be cleared with the relevant civic officer.

- 7.11 Final approval for news releases (after they have been written/edited) will be sought from the originator in most cases. Where a member is quoted, the member will also be asked for approval.
- 7.12 In the case of sensitive, significant or controversial issues approval may also be sought from chief officers or the Council Leader, or statutory officers where appropriate.
- 7.13 The Communications & Media team will seek approval on the factual content of a releases and articles. Matters of style, presentation, punctuation, grammar etc are the responsibility of the team.
- 7.14 Press releases containing time sensitive information may be sent to the media with an embargo. Any such releases will be clearly marked with the date and time the information can be made public.

## **8. Interviews**

- 8.1 Any officer contacted by a journalist requesting an interview should refer the journalist to the Communications & Media team.
- 8.2 The team will liaise with the relevant department/partner organisation to ensure that the most appropriate person is put forward for interview.
- 8.3 Officers will be used to present factual/technical information and when the council's reputation can be enhanced by information provided by a perceived 'expert'. Their role is to provide expertise and factual knowledge only, in support of the council's approved and agreed policies.
- 8.4 The Cabinet member with responsibility for the relevant area will be put forward for interviews relating to policy issues and contentious decisions.
- 8.5 The Communications & Media team can provide information of how to prepare for a media interview and can provide general media training if appropriate.

## **9. Publicising meetings**

- 9.1 All council papers, with the exception of exempt items, will be sent to the local media at the same time they are made available to the public.
- 9.2 Communication & Media staff will attend Cabinet and Full Council meetings to identify which issues may attract media interest, or those that need to be communicated to a wider audience.
- 9.3 In addition, officers and Cabinet members should make the Communications & Media team aware of any potentially newsworthy issues as soon as possible, before the meeting agenda is made public.
- 9.4 The Communications & Media team will aim to issue press releases summarising the main points of reports from key meetings, at the same time

as the papers are issued. Such summaries are often more attractive to journalists than complex and lengthy reports.

- 9.5 Quotes in any releases of this nature will be restricted to providing information, rather than anticipating an outcome or expressing a view to a preferred outcome of the meeting.
- 9.6 Approval for the release will be sought from the relevant officer/Cabinet member.
- 9.7 Information relating to council reports will be embargoed until publication of the papers.

## **10. Post-meeting publicity**

- 10.1 Press releases confirming the decisions taken at meetings may be issued following key meetings, such as Budget Council.

## **11. Cabinet meetings**

- 11.1 The process and principles are the same as for council meetings.
- 11.2 While each Cabinet member has their own portfolio, they share collective responsibility for representing the views of the Cabinet. When speaking on their own specific portfolio area Cabinet members have a responsibility to represent the policies of the authority.
- 11.3 Information relating to Cabinet reports will be embargoed until publication of the papers.

## **12. Scrutiny committees**

- 12.1 The basic process and principles are the same as for council and Cabinet meetings. Chairs of the scrutiny committee will represent the views/work of their scrutiny committee to the media. The post of chair has a non-political role when representing the views of the scrutiny committee.
- 12.2 The Council will not prepare press releases for the Chairs of Scrutiny Committees.
- 12.3 To avoid confusion or misrepresentation, members should make clear when they are speaking in their capacity as a scrutiny chair.

## **13. Ward Committees**

- 13.1 The basic process and principles are the same as for council, Cabinet and scrutiny committees. The chairs of ward committees are expected to represent the views of the committee as a whole.

- 13.2 Where a journalist wants to find out more about what happened at a ward committee they will be referred to the chair or to the relevant ward councillors.

#### **14. Individual councillors and political groups**

- 14.1 The Communications & Media team will provide non-party political communications advice to all councillors on request but will not produce press releases for members on individual ward or party political issues or in advance of a council meeting.

#### **15. Political issues**

- 15.1 The council will not give an official response on 'political' issues. However, a council response can be used to correct inaccurate information or set out the council's position.

#### **16. Pre-election publicity**

- 16.1 The rules governing publicity change once an election has been announced. During this period publicity issued by the council should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual members of groups of members. This is to ensure that no individual councillor or political party gains an unfair advantage by appearing in council publicity.
- 16.2 Officers may be quoted in place of councillors during this period, providing the quote is apolitical.
- 16.3 Proactive events arranged in this period should not involve members likely to be standing for election.
- 16.4 Members holding key political or civic positions are able to comment in an emergency or where there is a genuine need for member level response to an important event outside the authority's control.
- 16.5 Further advice on publicity during election periods is available from the Assistant Director of Governance and ICT, the Communications & Media team and the Code of Recommended Practice on Local Authority Publicity.

#### **17. Schools**

- 17.1 Schools are encouraged to develop good relationships with their local media. They should be proactive and avoid conflict. News releases issued by schools should be copied to the Communications and Media team.
- 17.2 Schools should always alert the Communications & Media team to any controversial issues at the earliest possible opportunity – preferably before

journalists have picked up on the story. Information supplied in this way will be held in confidence and only used to inform future media statements/releases.

- 17.3 The team can give advice and support to school staff on media issues, including providing media training where appropriate and handling negative issues on behalf of the school.
- 17.4 Advice is always available by telephone during office hours. In an emergency, out of hours assistance is available through the council's emergency procedures.

## **18. Partnerships**

- 18.1 Where the council is involved in issuing a press release as part of a partnership arrangement, the partnership's arrangements for whom to quote should be followed. This would normally be the chair of the organisation. In the case of a press release being prepared on behalf of a number of partners it may be appropriate to offer each partner an opportunity to be quoted. All partners should be given an opportunity to approve the release within a set timeframe.

## **19. Non-council related media activity**

- 19.1 Officers and members of the council who have contact with the media in a personal capacity or as members of non-council related organisations must not refer to their council posts and must make it clear to the journalist concerned that they are speaking in a personal capacity or on behalf of the non-council related organisation.
- 19.2 Trade union officers who are employees of the council and who have contact with the media in their trade union capacity must make clear that they are speaking as a union representative. If trade union officers have contact with the media in their capacity as a council employee, then the relevant provisions of this protocol relating to council officers will apply.

## **20. Managing negative issues**

- 20.1 From time to time the council has to respond to negative issues. It is important that we manage these situations so as to limit the potential for negative publicity.
- 20.2 Members and officers must alert the Communications & Media team as soon as a potentially negative issue, which may attract media interest comes to light. They should not wait until contacted by the media.

20.3 The Communications & Media team will work with members and officers and to prepare holding statements ahead of any media contact regarding a negative issue.

## **21. Correcting inaccurate reporting**

21.1 The Communications & Media team scan the media daily to identify inaccurate reporting and will alert the relevant officer/member where appropriate.

21.2 The team will work with the relevant officer or member to agree what action is appropriate, for example, a conversation with the journalist, requesting a correction, a letter to the editor, or seeking legal advice.

## **22. Leaked documents**

22.1 Many officers and members of the council have access to internal documents that may be of interest to media organisations. If information is leaked to the media, for example prior to an agenda being published, the council will not normally comment on the issue.

22.2 The leak will be reported to the relevant chief officer for further investigation.

## **23. External publications**

23.1 Quotes in articles will routinely be attributed to the relevant Cabinet member, particularly when the story relates to council policy, new initiatives or major issues or events.

23.2 Photographs of relevant Cabinet members/the council leader can be included in publications as appropriate. The council can also produce publications showing images of all the authority's 47 councillors. Highlighting the link between elected representatives and council decisions will help residents understand the decision-making process and will increase local accountability.

23.3 A relevant officer may be quoted if the purpose of the quote is to provide factual or technical information or if the appropriate member is unavailable.

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**Report circulated at the meeting****Agenda Item 7****Cabinet****21<sup>st</sup> June 2011**

Report of the Cabinet Member for City Strategy

**City of York Local Development Framework –Core Strategy Submission Draft****Background**

1. The LDF Core Strategy is the key tool for delivering effective, strategic planning and provides the context for all subsequent LDF documents.
2. The Core Strategy effectively involves public participation at the three stages highlighted below.
  - **‘Issues & Options’ Stage** – at this point the Council highlights key issues and options for consultation to inform the content, scope and direction of the Core Strategy.
  - **‘Preferred Options’ Stage** – consultation on the Council’s intended approach.
  - **Submission Stage** - representations are invited on the final document which will be submitted by the Council to the Secretary of State. Any comments received at this stage will be forwarded to the Planning Inspectorate for consideration at a public examination into the document.
3. We are currently at the Submission stage of production. This follows on from two Issues and Options stages undertaken in June 2006 (Issues and Options 1) and again in August 2007 (Issues and Options 2) and a Preferred Options consultation June to October 2009. As highlighted a draft Core Strategy was approved at Council in April for publication and submission for public examination. I would however like to raise further issues to be addressed leading to changes to the document.
4. The issues raised and the subsequent changes will effect several different thematic areas of the plan. In summary, I have been discussing the following issues with officers.
  - To address officers previous concerns about the soundness of the current strategy and to ensure we do not worsen further the already difficult housing position in York as its economy continues to grow, the

need to build more housing than the severely reduced figure in the previous approved Submission draft Core Strategy. This will include increasing the housing requirement to 800 dwellings per annum (in accordance with the evidence base) which may lead to some expansion of the main urban area. Within this approach however it is important that brownfield highly accessible sites continue to be prioritised and the City's historic character and setting continues to be protected.

- Given the issues highlighted in the evidence produced regarding the Article 4 Direction exploring students and local housing supply it is important that the University of York and other Higher Education institutions take more responsibility for providing the necessary levels of extra student accommodation arising from their expansion.
- Government benefit changes will also impact on the demand for young persons single accommodation and I have been examining with officers whether some potential high density sites in suitable locations can be identified for these purposes. This would obviously help to reduce pressures on the wider housing market and family accommodation.
- Whilst it seems appropriate to continue to include some allowance for very small windfall sites it should be ensured that this doesn't come at the expense of conversions of small properties and other starter homes and given government guidance on windfalls, reducing the plan's reliance on them
- To promote sustainability and minimise land take allow for increased densities in highly accessible and well locally serviced locations.
- Additionally need to take into account the emerging picture on the York Central in terms of developable area and ensuring the City Centre's key role is protected and complimented.
- To avoid undermining the critical mass for public transport services, reinstatement of part of the previously proposed employment site North of Monks Cross will ensure we have a good site for any significant future inward employment investment and built critical mass in terms of improving public transport to the whole Monks Cross complex. There also needs to be better protection of sustainably located city centre office sites.
- Consider the transport implications of the revised housing allocations target and better protecting land for future transport schemes.
- To seek to ensure that our future aspirations relating to air quality and addressing climate change are reflected.
- In terms of the provision and protection of open space for amenity, recreational and nature conservation value, and for Green Infrastructure generally, I am looking to strengthen the draft document and to ensure we have significant new public open spaces to compliment any expansion of the city and to address existing deficiencies, as well as giving greater protection for sites of natural interest.

- Ensure that the plan would allow for the need to address deficiencies in existing educational premises and futures demands, and strengthen the reference to city centre pool provision.
- Ensure as far as possible ensure that the plan reflects our views on affordable housing.
- In addition I would like officers to make a range of more minor drafting changes to the Core Strategy, including updates from officers / Natural England that have emerged since the previous document.

**Recommendation**

8. It is recommended that Cabinet instruct Officers to provide a revised Core Strategy document amended to address the points highlighted above. This will include increasing the annual average housing figure for York to 800 dwelling pa for the plan period.

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