

Meeting	Executive
Date	25 August 2016
Present	Councillors Carr (Chair), Aspden (Vice-Chair), Gillies, Rawlings, Runciman, Steward and Waller
Other Members participating in the meeting	Councillor Looker
In attendance	Councillors K Myers and Warters
Apologies	Councillors Ayre and D'Agorne

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## **Part A - Matters Dealt With Under Delegated Powers**

### **30. Declarations of Interest**

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

Councillor Waller declared a personal interest in relation to Agenda item 5 (Advertising 'A' Boards and other equipment on the Public Highway) as a member of the Acomb Traders Association.

Councillor Runciman also declared a personal interest in relation to the same Agenda item as her husband was a Volunteer Guide.

### **31. Minutes**

Resolved: That the minutes of the Executive meetings held on 30 June and 14 July 2016 were approved and then signed by the Chair as correct records.

## 32. Public Participation

It was reported that there had been twelve registrations to speak at the meeting under the Council's Public Participation Scheme, two of which had subsequently withdrawn, and that one Member of Council had also requested to speak. The registrations were in respect of the following items:

### Matters within the Remit of the Committee

Cllr Warters referred to current issues in connection with the Community Stadium project which he had raised with the Chief Executive and questioned alternative plans.

### Advertising Boards, 'A' Boards and Other Equipment on the Public Highway

Cllr Warters spoke in support of the implementation of the 'A' Board policy but questioned the exemption of Micklegate.

Diane Rowarth spoke on behalf of York Blind and Partially Sighted Society expressing their complete support for the banning of 'A' Boards in the city. She referred to the difficulties encountered by those with mobility difficulties and expressed sympathy with traders suggesting that consideration should be given to more imaginative and effective methods of advertising businesses. She also asked for the involvement of pedestrians in the 12 month trial.

Ron Cooke spoke as Vice Chair of the Civic Trust following his involvement in this issue over a number of years. He expressed the Trusts full support for this evidence based initiative and thanked Officers for their comprehensive report and work.

Sophie Jewett spoke as the owner of the Cocoa House in Blake Street, confirming the contribution that small independent businesses made to both local residents and tourists. She referred to the outcome of the proposed policy on city businesses that already faced challenges from out of town centres and online shopping. She requested Members to extend the timeframe to find amicable solutions for all concerned.

Sean Gill spoke as the Manager of Og Games who were in their first year of trading in premises situated in an alley off Whip-Ma-Whop-Ma-Gate. He confirmed their reliance on A Boards and to

the effect removal would have on the business. He handed in a petition signed by 350 customers also expressing their concern and requesting the Council to amend the proposed ban on advertising boards to ensure that it only prevented the placement of hazardous boards, or boards in cluttered or unsafe locations.

Harry Baines spoke as the owner of Love Cheese in Gillygate and owner of an A Board which he felt added to the street scene. With a cafe and garden behind their premises he felt that the board drew in custom and the board had received no negative comments. He asked for discussion to assist in the positioning of the board and felt that a blanket ban was unnecessary.

Bob Towner spoke to represent the York Older People's Assembly and expressed the Assembly's full support for the proposals and the process to assist both older people and those with sight and mobility issues. He requested members to provide a consistent approach and include Micklegate in the policy.

Maqsood Sheikh spoke as the Regional Campaign Manager for the RNIB referring to the numbers who suffered sight loss each year. He referred to the numerous injuries sustained from A Boards in the last three months and to the effect on confidence this had. He also highlighted the obligations of the Council in relation to legislation and requested the Executive to support the ban.

Paul Lowman spoke to represent Inkwel a business in Gillygate and he outlined the effects that a ban on A Boards would have on small businesses in areas where there was already little passing trade. He highlighted a lack of consistency in respect of general obstructions on the city's streets. He requested consideration on a case by case basis.

Dawn Argyle spoke as the owner of the Luxury Ice Cream Company in Back Swinegate expressing her concern at the proposals. She referred to the success of A Boards, particularly as low cost advertising for small independent businesses to catch passing trade. She referred to the effect of a blanket ban on business and requested the licensing of A Boards or their use in connection with a cafe licence.

## Capital Programme - Monitor 1 2016/17

Brian Watson spoke in respect of the Community Stadium and in particular to recent events affecting the cities football and rugby clubs. He referred to earlier agreements in relation to both clubs.

### **33. Forward Plan**

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings, at the time the agenda had been published.

### **34. Advertising Boards ("A" Boards) and Other Equipment on the Public Highway**

Consideration was given to a report which advised the Executive of work undertaken following its decision of 28 August 2015 for Officers to prepare a Consultation Draft Policy for 'A' Boards and undertake consultation prior to reporting back to the Executive.

Officers reported on the work undertaken by the cross party Officer group, which included a street audit, prior to circulation of the Consultation Document. The document had been sent out to a range of stakeholders and this had been followed by a consultation session. Wide ranging consultation had been undertaken on the potential licensing of 'A' Boards and the results of consultation had been reported at Annex B of the report.

Members noted that there was a general consensus in support of a more controlled form of advertising and the need for consistency. It was also noted that over and above the initial introduction costs that the cost of operating a licensed process would not impact upon existing budgets.

Officers also highlighted the implications arising from the introduction of the new policy, in particular that the policy addressed the Council's duties with respect to its Highway and Planning responsibilities. They also confirmed that the scope for licence application would be limited solely to Micklegate in view of current work being undertaken to revitalise this area of the city. In answer to earlier comments, Officers confirmed that they would provide a named Officer contact to the York Association

of Voluntary Guides in respect of the advertisement of their services.

Members referred to the short transition period and requested an extension to February 2016 to allow both Officers and businesses additional time for dialogue and implementation of the new arrangements. It was noted that a media awareness campaign would be undertaken with letters being sent to all businesses in the area and information provided on the Council's website.

Members expressed their support for the proposals and thanked Officers for their comprehensive report and work undertaken since the last report to the Executive. Members expressed their support for city businesses and independent traders and agreed that a trial of remote/shared 'A' Boards would provide feedback to enable Members to evaluate the success of the scheme.

Following further discussion consideration was given to the following options:

Option A - implementation of the Draft Policy (Appendix A), and the prohibition of 'A' Boards (and all other comparable advertising materials/features placed on the highway) within the streets shown on the plan.

Option B – For Option A to be implemented over a 4 month transition period (policy implemented 01/01/2017) to allow full communication with the city centre businesses in particular and for adequate staff resourcing and administrative systems to be put in place.

Option C – the alternative originally tendered option of a board placed flat against the building (FAB).

Option D – Recommended for a 12 month trial, an option previously tendered, the Remote (or Shared) RAB/SAB board.

Option E the undertaking of further assessment and consultation with regards to potential policy content for all areas outside of the city centre zone, requiring a further report and recommendations within 12 months

Option F- the undertaking of analysis of the initial city centre policy, with a subsequent report one year post full implementation.

Option G – The option of not implementing the policy was not recommended, for the reasons outlined in the report.

Resolved: That the Executive agree to:

- (i) The implementation of the Draft 'A' Board Policy, relating to the area of city centre as outlined in Option A and as shown on the plan at Appendix A of the report; along with,
- (ii) Option B, a 5 month transition period, to allow the policy to become fully communicated and put into practice for 1<sup>st</sup> February 2017, and
- (iii) Option D, the trial of Remote 'A' Board (RAB)/Shared 'A' Board (SAB) criteria/approvals, for 12 months. <sup>1</sup>.
- (iv) Option E, the undertaking of further assessment and consultation with regards to potential policy content for all areas outside of the city centre zone, requiring a further report and recommendations within 12 months, and
- (v) Option F the undertaking of analysis of the initial city centre policy, with a subsequent report one year post full implementation. <sup>2</sup>.

- Reason:
- (i) To provide adequate control of the many and varied obstructions (particularly for those with impaired mobility for example, blind and/or partially sighted) temporarily located on the public highway, taking into account of the Council's responsibilities under the Highways Act 1980, the Equality Act 2010 and Town & Country Planning Act 1990.
  - (ii) To mitigate the impact on the visual amenity of the conservation area and setting of the many listed buildings in the city centre.
  - (iii) To contribute further to the removal of street clutter, improve the street scene and public realm.

### Action Required

1. Implement the draft policy from 1st February 2016 together with a trial of remote/shared boards. RB
2. Undertake further consultation and add report back one year post implementation on to the Council's Forward Plan. RB

## **35. Local Area Coordination in York**

Members considered a report which outlined progress made to identify an approach to Local Area Coordination, an internationally recognised approach to the creation of networks of support around people to increase independence and reduce dependency on statutory services.

Officers reported on the significant pressures across the health and social care system with a decrease in funding and increased demand and life expectancy. They highlighted that the Coordinators would deliver support alongside local people, in partnership with statutory, community and voluntary services.

Members noted that the initial proposal related to the appointment of three Local Area Coordinators located in three different geographical areas to provide an evidence base to provide a business case for further investment.

Members also noted examples of work undertaken by Local Area Coordinators and that the Local Government Association had provided initial funding for the development of coordination in the city.

Officers confirmed that the selection of areas involved in the trial would be undertaken in conjunction with other Council services, partners and Ward Members and would cover a range of different settings with a variety of different issues.

Members expressed their support for the direction of travel and the need for innovative work to assist with the demand on Council services.

Following further discussion it was

Resolved: That the Executive agree to note the progress made in identifying an approach which helps to address significant demand challenges faced in the city and

approve the progression to the next stage of development, including the recruitment of Local Area Coordinators. <sup>1</sup>.

Reason: To ensure residents are best supported in respect of the future context of Adult Social Care.

Action Required

1. Proceed with implementation of this approach to Local Area Coordination.

WB

**36. Re-procurement of Alcohol & Drug Treatment and Recovery Services**

The Executive considered a report which sought authorisation to approach the market for the tendering of an adult alcohol and illicit drug misuse harm reduction, treatment and recovery service and the delegation of the award of the contract to the Director of Public Health.

Members noted that the proposal was to develop a model for young people's substance misuse services along side the current work for early interventions. Also that consultation had been undertaken with a range of partners with further engagement proposed to include service recipients. It was also noted that it was intended to award a new 3 year contract with an option to extend this by 2 years, up to a maximum of 7 years, subject to performance. With Department of Health cuts to Public Health Grant allocations and projected further reductions a budget reduction of £550k was proposed over the first 5 years of the contact.

Officers highlighted the implications and risks and confirmed that to mitigate these the contact provider would be required to work with the Council as a development partner to provide a safe transition.

Members highlighted the importance of early intervention to improve recovery outcomes and it was

Resolved: That the Executive agree to:

- (i) Authorise officers within City of York Council to approach the market to inform the commissioning and procurement of an alcohol and illicit drug misuse service for adults from July 2017.



- (ii) Authorise the Director of Public Health to accept the highest scoring tender, in accordance with evaluation criteria and award a contract.
- (iii) Support the direction of travel for young people's substance misuse services and the integration of substance misuse for children and young people into the wider offer for children, young people and families being developed as part of the new delivery model for early intervention and prevention in York. <sup>1</sup>.

Reason: To enable substance misuse treatment and recovery services to be available to York residents that are value for money and responsive to local need.

#### Action Required

1. Proceed with the tendering of this service from July 2017 and the acceptance of the highest scoring tender by the Director of Public Health.

LB, MG

### **37. Transport for the North Governance**

Consideration was give to a report which sought Executive approval for the authorisation of Transport for the North(TfN) to submit a draft governance proposal to Government.

Members were reminded that TfN had been created in 2014 to allow the North to speak as one voice on key infrastructure decisions which benefitted the region as a whole. TfN had prepared a Northern Transport Strategy which identified the key objectives for the improvement of transport in the area.

Officers confirmed that TfN was currently in the process of seeking to become a statutory body, to become the first Sub-National Transport Body. They were also seeking the authority's agreement, in principle, to become a constituent authority of TfN and approval to submit the draft proposal to Government, attached at Annex B of the report. Officers highlighted that 16 authorities had already accepted the proposal in principle and outlined details of the draft proposal and, in particular, the voting system and the suggested voting metric.

Members acknowledged the importance of the cities involvement subject to clarification of the matters outlined in the report.

Resolved: That the Executive agree to:

- i) The submission to Government of the draft proposal for Transport for the North (TfN) to become a Sub-National Transport Body.
- ii) Inform Transport for the North of its requirements for full and final agreements and further clarification as set out in paragraph 21 of the report prior to any final and binding agreement to become a constituent authority of Transport for the North.
- (iii) The Director of City and Environmental Services being instructed to engage with Transport for the North to seek the agreements and clarification as set out in ii) above.<sup>1</sup>

Reason: To enable the authority to have influence over the key industry stakeholders and the development and implementation of transport services across the North of England.

#### Action Required

1. Director to confirm Council's agreement to submission of draft proposal but prior to final agreement request listed requirements are met. NF

### **38. 2016/17 Finance and Performance Monitor 1**

Consideration was given to a report which presented details of the Council's overall finance and performance position for the period covering 1 April to 30 June 2016, together with an overview of any emerging issues.

It was noted that the financial pressures facing the Council were projected at £1,197k an improvement from previous years. An overview of the forecast on a directorate basis was shown at Table 1 of the report, with detail of the main variations and mitigating actions proposed in each Directorate at paragraphs 8 to 28 and performance at paragraphs 37 to 96.

Officers highlighted the financial pressures and the challenge of delivering savings of £6.5m to reach a balanced budget. In particular the variations in City & Environmental Services, Adult Social Care and Public Health and reported that any decision regarding the use of the general contingency would be brought back to a future meeting.

Resolved: That Executive agree to:

- (i) Note the current finance and performance information;
- (ii) Continue to look at options for the presentation of performance.<sup>1</sup>

- Reason:
- (i) To ensure expenditure is kept within the approved budget;
  - (ii) To ensure performance reporting and framework is in line with models of good practice across local authorities.

Action Required

1. Report back on performance monitoring arrangements.

DM

**39. Capital Programme - Monitor 1 2016/17**

*[See also Part B minutes]*

Consideration was given to a report which set out the projected outturn position for 2016/17 including any under/over spends and adjustments, along with requests to re-profile budgets to or from current and future years.

With an approved capital budget of £98.035m, following amendments reported to Executive and Council, an increase of £2.111m was detailed in the report which resulted in a revised capital programme of £100.146m, an increase of £2.216m in 2016/17. It was noted that the increases had been attributed to an increase in government grants, use of S106 funds and use of capital receipts. Details of the variances against each portfolio

area were reported at Table 1, at paragraphs 8 to 19 and Annex 1 of the report.

Members noted that £80k had been allocated to the York Explore scheme from the capital contingency to contribute to the purchase of a mobile library vehicle in Haxby, with the closure of the library following a structural survey.

Resolved: That Executive agree to:

- (i) Note the 2016/17 revised budget of £100.146m as set out in paragraph 6 and Table 1 of the report.
- (ii) Note the restated capital programme for 2016/17 – 2020/21 as set out in paragraph 17, Table 2 and detailed in Annex A of the report.

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

## **Part B - Matters Referred to Council**

### **40. Capital Programme - Monitor 1 2016/17**

*[See also Part A minutes]*

Consideration was given to a report which set out the projected outturn position for 2016/17 including any under/over spends and adjustments, along with requests to re-profile budgets to or from current and future years.

With an approved capital budget of £98.035m, following amendments reported to Executive and Council, an increase of £2.111m was detailed in the report which resulted in a revised capital programme of £100.146m, an increase of £2.216m in 2016/17. It was noted that the increases had been attributed to an increase in government grants, use of S106 funds and use of capital receipts. Details of the variances against each portfolio area were reported at Table 1, at paragraphs 8 to 19 and Annex 1 of the report.

Recommended: That Full Council agree the adjustments resulting in an increase in the 2016/17 capital

programme of £2.111m as detailed in the report and contained in Annex A. <sup>1</sup>.

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

Action Required

1. Refer to Council.

JP

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 7.20 pm].

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