
MEETING	EXECUTIVE
DATE	3 MARCH 2009
PRESENT	COUNCILLORS RUNCIMAN (VICE CHAIR, IN THE CHAIR), STEVE GALLOWAY, SUE GALLOWAY, MOORE, REID, RUNCIMAN AND VASSIE
APOLOGIES	COUNCILLOR WALLER

189. 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.

190. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 16 February 2009 be approved and signed by the Chair as a correct record.

191. PUBLIC PARTICIPATION

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Graham Bradbury, representing the York Annual Community Concert, spoke in relation to agenda item 5 (The Barbican Auditorium). He outlined the history of the concert, which was originally founded in 1958 and had been held at the Barbican from 1991 to 2007. He stressed the importance of the Barbican Auditorium, both as a venue for this event and for entertainments in the City as a whole, and urged the Executive to ensure that it was re-opened as soon as possible.

192. EXECUTIVE FORWARD PLAN

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

193. THE BARBICAN AUDITORIUM

Members considered a report which provided a further update on the position of the Barbican Auditorium, following termination of the conditional development agreement with Absolute Leisure, and sought advice on the next steps. A revised version of this report, correcting some errors in the

original version, had been circulated, and published with the agenda on the Council's website, on 25 February 2009.

The report outlined progress made since the first update report to the Executive, on 20 January 2009. After an initial analysis of the physical condition of the site, a specialist local partner, LHL, had been commissioned to undertake a full condition survey, focusing on the needs of the building for the next five years and also looking forward to a thirty year time-frame. On 2 February, Drivers Jonas had been appointed as entertainments specialists to provide advice on the future use of the auditorium. Reports from both LHL and Drivers Jonas were expected by the end of March 2009.

Interim use of the building would be dependent upon the findings of the specialists' reports, but based upon current analysis there were two potential ways forward, on which Members were invited to comment, namely:

Option A – the Council operating the Auditorium or

Option B – a partner operating the Auditorium.

At this stage, Officers considered that Option B had the greatest potential for success in bring in acts and / or events that would add to residents' leisure and entertainment choices and contribute to ongoing running costs.

Costs implications of the work to date and the proposed interim use were set out in paragraphs 23 to 25 of the report. Minimum annual costs for rates, security and insurance had been built into the 2009/10 budget proposals. Consultancy costs would be funded through virements from surpluses within corporate treasury management budgets in 2008/09. Additional funding of up to £70k might be required for interim use options.

Having noted the comments of the Shadow Executive on this item and the comments made under Public Participation, it was

RESOLVED: (i) That the contents of the report be noted, that the further work to be undertaken Officers be approved and that a further report be requested for April 2009, this report to provide feedback from both commissioned pieces of work and, as a result, clearer recommendations for the Executive on interim and long term options for the Auditorium site.¹

(ii) That Option B be endorsed as the preferred model for any interim use.

REASON: To enable future plans for the Barbican Auditorium to be developed and progressed.

(iii) That Officers be requested to ensure that the exterior of the Barbican is maintained in line with 'York Pride' standards and that a professional programme of passive and proactive communications with residents, about the building, its future and alternative leisure opportunities available in the City, is implemented immediately.²

REASON: In order to improve the external appearance of the building pending future developments and to ensure that residents are kept informed.

Action Required

1. Prepare report for April Executive and schedule on Forward Plan CB
CB
2. Make arrangements to initiate a programme of exterior maintenance and a communication plan

194. CARBON MANAGEMENT PROGRAMME – STRATEGY AND IMPLEMENTATION PLAN UPDATE

Members considered a report which provided an update on the Carbon Management Programme (CMP) and the forthcoming Carbon Reduction Commitment (CRC).

A copy of the Carbon Management Programme Strategy and Implementation Plan (CMP SIP), approved by the Executive in April 2008, was attached as Annex A to the report. This required the Council to save approximately 5,800 tonnes of Carbon over the five year period to 2013. To date, four projects had been successfully completed, saving about 380 tonnes of carbon. A further six projects, saving about 1,374 tonnes, were likely to be completed during 2009/10. An additional 740 tonnes would be saved following approval of a bid to Salix (a publicly funded company set up to accelerate energy efficient technologies through invest to save schemes) for £250k to help fund SIP projects delivering CO₂ and revenue benefits, details of which were set out in Annex B. Further savings would be made through other schemes identified in the CMP and through projects, currently being investigated by the CMP Core team, to reduce emissions from street lighting, CYC housing stock, transport, waste procurement and IT.

The CRC was a new, mandatory, carbon emissions scheme to be introduced through the Energy Act 2008. All large businesses and public sector organisations would be issued with annual carbon budgets and must either meet these or buy additional allowances for excess emissions. Details were supplied in Annex C to the report. To deal with CRC effectively, the Council would need to incorporate annual carbon trading strategies into the CMP from 2011 and set up a dedicated team to ensure it remained within its carbon budget. Proposals for managing the CRC would be reported to Members by October 2009. The Council was already involved in a one year virtual trading scheme, set up by Carbon Action Yorkshire, that mimicked the CRC. A full report on this would be provided to the Executive by May 2010.

Members expressed appreciation for the work already achieved in this area and noted that they expected Directors to prioritise the programme now that the resourcing issues had been addressed.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the good progress made to date be noted.

(ii) That it be noted that a full progress report, with forecasted potential carbon savings over the remaining four years, project plan and timetables for implementation, will be supplied to the Executive once a full year of energy data is available, and that it be requested that this report should also include proposals for addressing energy conservation / reduced carbon emissions in the City Council's housing stock and in its transportation activities.¹

(iii) That the creation of a CRC internal officer group, which will investigate CRC and create a proposal for managing it by October 2009, be noted.

REASON: So that Members are fully aware of the co-ordinated approach that City of York Council is taking, and will continue to take, in order to manage carbon emissions from Council activities and to ensure that the Council is prepared for CRC when it is implemented in 2010, and that the 2013 target is met on time.

Action Required

1. Prepare report for Executive as agreed and schedule on SS
Forward Plan

195. THIRD PERFORMANCE AND FINANCIAL MONITOR FOR 2008/09

Members considered a report which provided details of the headline performance issues from the third performance monitor period, up to 31 January 2009, and presented the latest projection of the Council's revenue out-turn for 2008/09. The Chair welcomed Keith Best, the Council's new Assistant Director of Corporate Finance, to the meeting.

With regard to performance issues, there had been an overall improvement in 63% of indicators so far this year, with 64% on target. The figures for LAA indicators were of concern, with 51% improving and 54% on target. However, several LAA indicators were yet to be reported and a full picture would not be available until the end of the year. 65% of indicators supporting a corporate priority were improving, with 55% on target. 80% of the Council's key projects were on track to be delivered on time. The report highlighted specific improvements against targets in relation to: affordable homes, recycling and household waste, serious acquisitive crime, youth offending, independent living, Council Tax collections, and staff attendance / health & safety. Areas for improvement included: out of work benefits, average earnings of employees in the City of York area, educational attainment, and NEETs (16-18 year olds not currently in education, employment or training).

With regard to the revenue budget, service areas were projecting an overspend of £620k, as compared to £170k at monitor 2. Central budgets were forecast to underspend by £136kk and Treasury Management activity

was forecast to underspend by £1,226k. These variations were due mainly to additional costs resulting from the recent extreme weather conditions, continuing increased demand on Children's Social Care costs and the impact of the current economic climate on the activities of Yorwaste. On the Non General Fund, an overspend of £358k was projected on the Dedicated School Grant (DSG) functions. The current working balance of the Housing Revenue Account (HRA) was £7,238k, with a projected out-turn balance of £7,419k. Members were asked to consider requests for:

- The release of an additional £40k of contingency funding in relation to fostering costs (further to the sum granted at the Executive meeting on 20 January 2009 – Minute 159 refers) and
- Approval to vire £106k between the Treasury Management and Leisure and Cultural Services budgets to meet the costs in 2008/09 for the Barbican Centre.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the performance issues identified in the report be noted.

REASON: So that corrective action on these performance issues can be taken by Corporate Management Team and directorates.

(ii) That the application for a supplementary estimate request of £40k for fostering costs to be funded from the contingency fund, as set out in paragraph 27 and Annex 3, be approved.¹

REASON: In accordance with the Executive's Constitutional powers to make decisions on the level and granting of supplementary estimates, and to ensure the provision of services to vulnerable children.

(iii) That the request from the Director of Resources for a virement of £106k between Treasury Management and Leisure and Culture, as set out in paragraph 28, be approved.²

REASON: This is a cross-departmental virement where one side falls within the remit of the Executive.

Action Required

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|---|----|
| 1. Make the budget adjustment as agreed | SA |
| 2. Make the budget adjustment as agreed | SA |

196. CAPITAL PROGRAMME MONITOR THREE

Members considered a report which informed them of the likely out-turn position of the Council's 2008/09 Capital Programme, based on information up to January 2009, and sought approval for revisions to the programme, including slippage of funding on certain schemes.

The current approved programme amounted to £60.537m, financed by £45.696m of external funding, leaving a cost to the Council of £14.841m to be financed from capital receipts. The projected out-turn against this programme was £60.249m, representing a net decrease of £288k, comprising:

- adjustments to schemes increasing costs by £171k and
- the re-profiling of budgets from 2008/09 to future years of £459k.

Details of the variances in each portfolio area were set out in Table 2, at paragraph 6 of the report. There had been £46.739m capital spend up to the end of January 2009, representing 77% of the approved budget.

Paragraphs 10 to 34 of the report summarised key exceptions and implications on the programme in each portfolio area, as reported to Executive Member and Advisory Panel (EMAP) meetings. The revised three-year programme resulting from these changes was summarised in Table 12, at paragraph 36. Approval was sought for the re-stated programme and for slippage on the 2008/09 programme.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the revised 2008/09 budget of £60.249m, as set out in the report at paragraph 6 and Table 2, be approved.

(ii) That the slippage of £459k from 2008/09 to future years, resulting in a revised programme of £60.289m in 2009/10, be approved.¹

(iii) That the re-stated three year capital programme for 2008/09 to 2010/11, as set out in paragraph 36, Table 12, and detailed in Annex A, be approved.

(iv) That the capital receipt projections for 2008/09 to 2012/13, as summarised in Table 13, be noted.

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

Action Required

1. Update the programme spreadsheets

SA

C Runciman, Chair

[The meeting started at 2.00 pm and finished at 2.25 pm].