
MEETING	CABINET
DATE	6 MARCH 2012
PRESENT	COUNCILLORS ALEXANDER (CHAIR), CRISP, FRASER, GUNNELL, LOOKER, MERRETT, SIMPSON-LAING (VICE-CHAIR) AND WILLIAMS

PART A- MATTERS DEALT WITH UNDER DELEGATED POWERS

107. 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.

The following interests were declared:

- Cllr Simpson-Laing declared a personal, non-prejudicial interest in respect of agenda item 8 – “Community Stadium: Business Case”, as her daughter was a member of York Athletics Club.

The following Members declared personal, non-prejudicial interests in respect of agenda item 7 – “Neighbourhood Working – A New Approach” in so far as it related to staffing matters:

- Cllr Fraser, as a member of the retired sections of Unison and Unite (TGWU/ACTS).
- Cllr Crisp, as a member of the retired section of Unison
- Cllr Williams, as a member of Unison and Unite
- Cllr Gunnell, as a member of Unison
- Cllr Alexander, as a member of GMB

108. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of Annexes A and B to agenda item 8 (The Community Stadium: Business Case) on the grounds that they contained information relating to the

financial or business 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).

109. MINUTES

RESOLVED: That the minutes of the last Cabinet meeting held on 14 February 2012 be approved and signed by the Chair as a correct record.

110. PUBLIC PARTICIPATION

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme and that four Members of Council had also requested to speak.

Councillor Galvin spoke in respect of agenda item 7 – “Neighbourhood Working – A New Approach”. He stated that there was a lack of clarity in the report and it failed to recognise the knowledge that Members had about their own wards and the priorities of residents. He urged that all Members be consulted about any changes to the existing arrangements and that, if necessary, the existing arrangements be retained but with a reduced ward budget.

Councillor D'Agorne spoke in respect of agenda item 7 – “Neighbourhood Working – A New Approach”. He stated that there was a lack of clarity in the report and cited a number of examples. Councillor D'Agorne also expressed concern at the impact that the cuts in budget and in staffing would have on local communities. He also raised issues as to whether the voluntary sector would have the capacity to take on increased responsibilities and stated that the proposed arrangements could lead to increased bureaucracy.

Councillor Healey spoke in respect of agenda item 8 – “The Community Stadium: Business Case”. He queried a number of issues in the report including: the reduction in the contribution from York City FC, the claw back arrangements and the need for there to be signed letters of intent. Councillor Healey expressed concern that, because some of the information in

respect of the business case was restricted, it was difficult to scrutinise this significant public investment.

Councillor Warters spoke in respect of two issues within the remit of the Cabinet. He reiterated concerns raised at the previous meeting about the Military Covenant and urged that support be shown for military families on the housing list, particularly in relation to the Derwenthorpe development. He requested that a written response be provided. The Chair stated that he had discussed this issue with the Chief Executive and that a written response would be forwarded.

Councillor Warters then spoke in respect of agenda item 8 – “Community Stadium: Business Case”. He expressed concern about a number of issues including, the reduction in the proposed contribution from York FC, the siting of athletics facilities at the university and the impact on city centre retail. Councillor Warters stated that there was also a lack of tangible evidence in respect of issues such as the number of jobs that would be created. He urged that the process be carried out in an open and transparent manner and that the Cabinet also take into account the need for funding to be allocated to Osbaldwick for open space replacement.

Virginia Shaw spoke in respect of agenda item 8 – “Community Stadium: Business Case”. She expressed concern that such a major project had reached this stage before a business case had been presented. Concerns were also raised in respect of the spending of public money on architects, the duplication of existing provision, the increase in traffic and the impact that congestion would have on air quality and the effect on city centre business. The Chair responded to issues that had been raised and explained that some of these matters would be for the Planning Committee to consider.

111. FORWARD PLAN

Members received and noted details of those items listed on the Forward Plan for the next two Cabinet meetings at the time the agenda was published.

It was noted that a report on the Police and Crime Panel would also be presented at the Cabinet meeting in May.

112. MINUTES OF WORKING GROUPS

Members considered a report that presented the draft minutes of meetings of the Local Development Framework Working Group (LDFWG) meeting held on 9 January 2012 and the Young People's Working Group (YPWG) meeting held on 16 January 2012 and which asked Members to consider the advice given by the Groups in their capacity as advisory bodies to the Cabinet.

Members' attention was drawn to the current situation in respect of the establishment of a city centre Youth Cafe.

RESOLVED: That the minutes at Annexes A and B to the report be noted.

REASON: To fulfil the requirements of the Council's Constitution in relation to the role of Working Groups.

113. NEIGHBOURHOOD WORKING - A NEW APPROACH

[See also under Part B minutes]

This item was the subject of pre-decision call-in.

Members considered a report that proposed a new model of Neighbourhood Working through which the Council would work with partners to deliver better services for York's communities.

It was noted that paragraph 19 of the report should read...
"There will be three ward publications a year for each ward..."

The Cabinet Member stated that the proposed model of working had taken into account the financial situation and the changing demographics. It would be more efficient than the current arrangements and would bring improvements for Members, residents and the voluntary sector. There would be clear channels for reporting problems and ward credits would enable funding to be targeted where it was most needed. No decisions had yet been made in respect of staffing.

Members stated that there were a number of flaws in the current arrangements and they expressed their support for the

proposed model of Neighbourhood Working. It would enable resources to be allocated where they were most needed.

Discussion took place regarding the importance of ensuring that there was a fair allocation of youth services in wards and that these were linked to need. The provision of activities for young people was an important issue for many residents.

RESOLVED: That the Cabinet make the following in principle decisions, pending consideration by the Scrutiny Management (Calling In) Committee on 26 March 2012:

- (i) That the model of Neighbourhood Working be adopted, including the arrangements for:
 - i. Community Contracts, as set out in paragraphs 9 and 10 of the report
 - ii. Ward funding, as set out in paragraph 11 of the report
 - iii. A new remit for the Neighbourhood Management and Equalities Teams, as set out in paragraph 14 of the report

- (ii) That the Director of Communities and Neighbourhoods, in consultation with the Cabinet Member for Leisure, Culture and Social Inclusion, be instructed to:
 - i. Carry out a restructure of the Neighbourhood Management Unit and Equalities Team under the Council's Scheme of Delegation in order to deliver the new model.
 - ii. Deliver the new "Love where you Live" approach.
 - iii. Procure a third sector management organisation to undertake the administration of the voluntary sector funding pot.

REASON: To deliver better services for York's communities.

114. PRE APPLICATION ADVICE SERVICE REVIEW

Members considered a report that assessed the operation of the formalised pre-application service for planning advice which was introduced on 4 January 2011, and provided options for the delivery of the service going forward. The report set out the extent to which the service had been used in terms of the number and type of queries received, and the number leading to applications.

Members considered the options detailed in paragraph 22 of the report.

Members noted that minor clarifications were required in respect of bullet point 3 of Option (c).

Members were pleased to note the progress that had been made and stated that this was an excellent service to offer.

- RESOLVED:
- (i) That, subject to minor amendment in respect of bullet point 3 to clarify that where detailed or complex specialist input is required, a specified additional charge may be levied at the outset, option (c) as set out in the report be approved i.e.:-
 - Refinement and enhancement of the service combined with modest increase of the fees to recover more of the costs of provision as required in the budget
 - Removal of second charge for follow up queries and add listed building advice category
 - Introduction of fees for ongoing schemes where no charge has been made for the last 12 months; establishment of “retainer”; fees for regular developers and organisations in the city, and provision for additional charges to be levied where significant detailed or complex specialist input becomes necessary.
 - (ii) That the schedule of fees, as set out in Annex 6 of the report (subject to

modification as in (i) above), be approved.

REASON: In order to continue to provide a consistent and structured approach to enquiries, within the required timeframe.

115. COUNCIL TAX SUPPORT BRIEFING PAPER

Members considered a report that provided key information, issues and concerns with regard to the Government's proposal to replace Council Tax Benefit with Council Tax Support. The brief was based on the document "Localising Support for Council Tax in England" issued by the Department for Communities and Local Government on 11 August 2011 and the Government's response to the outcome of consultation issued in December 2011.

It was noted that when the new system of local support for Council Tax was introduced in April 2013, the amount of subsidy provided to local authorities, including York, would be reduced by 10% relative to current expenditure on Council Tax Benefit, saving around £480 million a year nationally and just over £1m in York. As pensioners were protected from losing any benefit, the benefit loss to working age customers would be much higher.

The Cabinet Member stated that a further report would be presented to Cabinet when further information became available. At that point decisions would have to be taken as to how the scheme should be implemented. Members stated that it would also be important to take account of regional views on its implementation.

- RESOLVED:
- (i) That the report and the implication of the Government's proposal to reduce council tax benefit and localise its administration be noted.
 - (ii) That a further paper be presented to Cabinet once the technical details have been provided by the Government (Spring 2012) setting out more detailed proposals and options for delivering a scheme in York.

(iii) That, when further consideration is given to the issue, account also be taken of the regional view.

REASONS: (i) To make Members aware of the financial impact on customers of the Government's changes to the Council Tax Benefit scheme.

(ii) To keep Members informed of the more detailed technical changes to be outlined in the Government's technical paper due in the Spring of 2012 and the ongoing work to develop local schemes.

116. CHAIR'S COMMENTS

The Chair paid tribute to Bill Woolley who would be retiring from his post as Deputy Chief Executive and Director of City Strategy in the summer. Thanks were expressed for his outstanding service to the Council.

PART B - MATTERS REFERRED TO COUNCIL

117. NEIGHBOURHOOD WORKING - A NEW APPROACH

[See also under Part A minutes]

This item was the subject of a pre-decision call in.

Members considered a report that proposed a new model of Neighbourhood Working through which the Council would work with partners to deliver better services for York's communities.

It was noted that paragraph 19 of the report should read...
"There will be three ward publications a year for each ward..."

The Cabinet Member stated that the proposed model of working had taken into account the financial situation and the changing demographics. It would be more efficient than the current arrangements and would bring improvements for Members, residents and the voluntary sector. There would be clear channels for reporting problems and ward credits would enable

funding to be targeted where it was most needed. No decisions had yet been made in respect of staffing.

Members stated that there were a number of flaws in the current arrangements and they expressed their support for the proposed model of Neighbourhood Working. It would enable resources to be allocated where they were most needed.

Discussion took place regarding the importance of ensuring that there was a fair allocation of youth services in wards and that these were linked to need. The provision of activities for young people was an important issue for many residents.

RECOMMEND: (i) That Council approve a change in the Council's constitution in respect of ward committee arrangements, as set out in the Annex to the report.

REASON: To deliver better services for York's communities.

118. THE COMMUNITY STADIUM: BUSINESS CASE

Members considered a report that set out the business case for the Community Stadium to pre-procurement stage. An addendum to the report was tabled at the meeting and is attached to the on-line agenda papers.

Details were given of the proposals and facility mix and the funding for the scheme. Members' attention was drawn to the risk analysis detailed in the report.

The Chair responded to specific issues that had been raised under the public participation item on the agenda.

Councillors Merrett, Simpson-Laing and Williams abstained from voting as they served on the Planning Committee which would consider the planning application for this site.

RECOMMEND: That Council:

- (i) Approve the business case as presented noting the financial risks and potential resultant liabilities that may arise as a result of proceeding with the scheme.

- (ii) Approve its submission to the Planning Committee in support of the outline planning application submitted by Oakgate Group plc.
- (iii) Approve the inclusion in the Capital Programme of the Community Stadium scheme at the value of £19.2m to be funded from £14.85m of S106 Contribution, £4m of Prudential Borrowing (£200k 11/12 and £3.8m 12/13) and £350k York City FC. Members should note that the funding from York City Football Club could be higher than a £350k contribution and this would result in a reduction of the Council's contribution.
- (iv) Approve the release of the balance of the Council's £3.8m Prudential Borrowing as shown in the capital programme in 12/13 in order to progress the Community Stadium project.
- (v) Approve, that as part of the release of the £3.8m capital funding available, that £2m be allocated for the new athletics facility with York University and commit to the delivery of the project. Note the risks outlined in paragraph 50 of the report that if the stadium scheme does not proceed that £2m of CYC Prudential Borrowing will be spent on delivering athletics provision for the City.
- (vi) To note, and accept, the risks set out in the risk management section of the report, and the financial implications section.

REASON: To enable plans for the community stadium project to be developed and progressed.

Councillor Alexander, Chair

[The meeting started at 5.30 pm and finished at 7.10 pm].