



Notice of meeting of

Executive

To:	Councillors Waller (Chair), Steve Galloway, Sue Galloway, Moore, Reid, Runciman and Vassie
Date:	Tuesday, 4 November 2008
Time:	2.00 pm
Venue:	The Guildhall, York

AGENDA

Notice to Members - Calling In:

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

10:00 am on Monday 3 November 2008, if an item is called in *before* a decision is taken, *or*

4:00 pm on Thursday 7 November 2008, 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. **Minutes** (Pages 3 - 12)

To approve and sign the minutes of the meeting of the Executive held on 21 October 2008.

3. Public Participation

At this point in the meeting, members of the public who registered their wish to speak regarding an item on the agenda or an issue within the Executive's remit can do so. The deadline for registering is **5:00 pm on Monday 3 November 2008**.

4. Executive Forward Plan (Pages 13 - 16)

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

5. Castle Piccadilly - Procurement Issues (Pages 17 - 22)

This report outlines the current understanding of the Council's aims and objectives in respect of the Castle Piccadilly area, explains the legal position (particularly in relation to procurement) on the options open to the Council in achieving its objectives and seeks approval for a recommended course of action.

6. Reference Report - National Service Planning Requirements for Environmental Health and Trading Standards Services (Pages 23 - 30)

This reference report asks Members to consider a recommendation from the Executive Member for Neighbourhood Services to approve the service plans for food law enforcement, health and safety law enforcement and animal health enforcement.

7. Urgent Business - Thriving City: Action Plans (Pages 31 - 62)

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

The Chair has agreed to consider under this item a report which responds to a resolution made by the Executive at their last meeting, on 21 October, requesting detailed project plans for specific actions to assist the City of York during the current period of economic downturn.

Note: This agenda was re-published on 31 October 2008 to include the project plans (annexes A to E to the above report)

Democracy Officer:

Name: Fiona Young

Contact details:

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

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

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

Contact details are set out above.

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Further information about what's being discussed at this meeting

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The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive 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 Executive 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

MEETING	EXECUTIVE
DATE	21 OCTOBER 2008
PRESENT	COUNCILLORS WALLER (CHAIR), STEVE GALLOWAY, SUE GALLOWAY, MOORE, REID, RUNCIMAN AND VASSIE

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**95. 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.

Councillors Steve Galloway, Sue Galloway and Runciman declared personal non-prejudicial interests in agenda item 7 (Thriving City – Report Back) as members of the York Credit Union.

Councillor Waller declared a personal non-prejudicial interest in agenda item 7 (Thriving City – Report Back) as a member of the board of the Ryedale Energy Conservation Group.

The following Members withdrew from the meeting for agenda item 9 (Edmund Wilson Pool, Thanet Road), under the provisions of the Planning Code of Good Practice, and took no part in the discussion or decision thereon:

- Councillor Sue Galloway – as a member of West & City Centre Planning Sub-Committee;
- Councillor Moore – as a member of Planning Committee and substitute for West & City Centre Planning Sub-Committee;
- Councillor Reid - as a member of Planning Committee and West & City Centre Planning Sub-Committee.

96. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of Annexes 2 and 3 to agenda item 9 (Edmund Wilson Pool, Thanet Road) (minute 103 refers), on the grounds that these documents contained information relating to the financial and business affairs of particular persons. Such information was classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1974 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

97. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 7 October 2008 be approved and signed by the Chair as a correct record, with an amendment to the recommendation in minute 94 (Capital Programme – Monitor One) to indicate the amounts of funding required for the shortfall on the Disabled Facilities Grant and the additional works at Hazel Court.

98. PUBLIC PARTICIPATION

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

99. EXECUTIVE FORWARD PLAN

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

It was reported that the item on Meals Provision in Elderly Persons' Homes scheduled for 4 November 2008 had been deferred.

100. COUNCIL HEADQUARTERS – SITE OPTION APPRAISAL

Members considered a report which presented the results of an independent review, by consultants E C Harris, of the decision to locate the Council's new headquarters building in the city centre, together with an appraisal of potential sites for the building.

The consultants had concluded that a city centre location was highly likely to be the only appropriate solution for the Council's needs, in terms of both accessibility for customers and best practice. With regard to potential sites, the purpose of the consultants' report had been to gauge the extent of potential viable interest in providing a solution to the Council's accommodation needs and to help inform the criteria for procurement. The aim would be to seek a complete solution from a potential developer, as compared to the previous Hungate solution, where the Council was effectively acting as developer.

The report outlined the current situation in respect of Hungate, together with information relating to two other potential sites; West Offices and Layerthorpe. It was noted that a reduced scheme could be achieved at Hungate within existing budget provisions; however, this would still leave a shortfall of space, resulting in further costs of around £3-5m. It was believed that the other two potential sites had the potential to meet the overall needs of the Council within the affordability parameters of the current approved budget.

Paragraphs 29 to 31 outlined the requirements with which the Council must comply under EU procurement law. These included a competition to

achieve the most economically advantageous tender. A set of detailed criteria for evaluating the outcomes of the procurement process was being developed, based upon the principles outlined in paragraph 33. It was estimated that the procurement could be streamlined to take about six months. A proposed timescale, resulting in completion of the construction by late 2012, was set out in paragraph 35.

Members noted that council tax payers would be better off as a result of the project, despite the delays, as well as the benefits it would deliver for staff and customers. In particular they highlighted that the receipt from the sale of St Leonard's Place had been invested and that the interest it was generating exceeded the additional year's rent that had to be paid as a result of the delay to the project. It was also noted that other funds for the project had been borrowed at low, long term fixed, interest rates and were now generating interest at higher levels.

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

- RESOLVED: (i) That the content of the report be noted, particularly the conclusions of consultants E C Harris in their assessment of the validity of an earlier decision to locate the Council's new headquarters within the city centre as opposed to an out of town location;
- (ii) That the commencement of a procurement process, to support the development of potential solutions that may come forward for consideration, be approved;¹
- (iii) That the set of high level procurement criteria listed in paragraph 33 of the report be approved;
- (iv) That, to support the need for expedience, delegated authority be given to the Project Champion – Director of City Strategy, to approve a set of detailed criteria within the high level criteria listed in paragraph 33 on which the procurement process will be based;²
- (v) That the need for more detailed work to be undertaken to inform the preparation of a more detailed accommodation strategy, to enable the Council to examine all relevant factors before making a critical investment decision, be acknowledged.³

REASON: To progress the Council Headquarters project.

Action Required

- | | |
|--|----|
| 1 - To start the procurement process; | SL |
| 2 - To approve the detailed criteria; | SL |
| 3 - To carry out the work necessary to inform the preparation of the accommodation strategy. | SL |

101. THRIVING CITY - REPORT BACK

[See also under Part B Minutes]

Members considered a report which provided a follow up to an earlier report on York's economic position, presented to Executive on 15 July 2008. It set out the findings of consultation with stakeholders and asked Members to consider options on further action and areas of investment.

Consultation had been carried out with organisations including, among others, the Citizens Advice Bureau, York Credit Union, the Federation of Small Businesses and the Chamber of Commerce, as well as relevant Officers within the Council. Generally speaking, York's economy was continuing to perform well. However some sectors, such as the construction industry, had suffered from the effects of the 'credit crunch' and there was a need to ensure that York's citizens were properly supported in the context of changing economic circumstances. At the first meeting of the Business Forum, held on 8 October, a significant consensus had been highlighted around the priorities for York's development. Ideas discussed included promoting the city 'offer' and refreshing the York 'brand' as a great place to work, invest in and visit.

Options for further action were set out in paragraphs 99 and 100 of the report. They included investment to:

- Help establish an enterprise fund for new business start ups (£50K)
- Support enterprise training within schools (£10k)
- Sustain the activities of the City Centre Partnership (£20k)
- Produce an updated 'York on a Budget' booklet (£3.5k)
- Provide three Credit Union community saving points (£9.8k)
- Recruit an additional CAB advice worker (£26.5k)
- Recruit someone to initiate and co-ordinate a smartcard scheme (£20k)

as well as the following strategic policy action:

- Formation of a cross-directorate anti-poverty and financial inclusion working group
- Enhanced economic planning through the ward committee function
- Pilot work to ensure better links between housing estate management services and benefits / financial inclusion work

and work to:

- Engage with partnerships to discuss the issues outlined in the report
- Explore (via Senior Managers Group / CLG sessions) how the Council can better link with citizens and businesses
- Support the proposal of the Business Forum to promote the York brand and City offer.

Members asked officers to investigate how the Council could engage with lenders who were taking an overly aggressive approach to repossessions of property, often for relatively small amounts of money. They also suggested that detailed risk management information should be included with future reports, rather than just the benchmarking information provided.

Members thanked officers for their work producing the report.

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

- RESOLVED: (i) That detailed project plans be presented to the Executive at their meeting on 4 November 2008 for each of the following:¹
- a) Match funding of the £50,000 provided by Norwich Union to establish an enterprise fund to support new business start ups;
 - b) In principle support for enterprise training within schools to be developed with NYBEP and Young Enterprise up to £10,000;
 - c) Support to sustain the activities of the City Centre Partnership up to £20,000;
 - d) Investment of an additional £3,500 for production of an updated 'York on a Budget' booklet, with the booklet to be approved by the Economic Development Unit;
 - e) Investment of £9,800 to provide three Credit Union community saving points in those communities most in need;
- (ii) That further updates be received on York's economic climate and assessment of the effectiveness of actions initiated as a result of the report;²
- (iii) That the following be dealt with as part of the Council's annual review of grant applications:³
- a) Investment of £26,500 for the recruitment of an additional CAB advice worker to accelerate the implementation of the Gateway client handling and referral system;
 - b) Investment of £20,000 (£4,500 already identified) for the recruitment of a person to initiate and co-ordinate the York smartcard scheme and consideration of the implications for sustainability of funding after year one.

REASON: To respond to the impact of the changing economic situation.

Action Required

- 1 - To present the project plans; SL
- 2 - To provide the further updates; SL
- 3 - To deal with the issues identified as part of the annual review of grant applications. SL

102. CORPORATE RISK MANAGEMENT REPORT 2008/09

Members considered a report which provided information on the Council's significant business risks, as identified by deployment of the risk management strategy, and outlined progress made in embedding risk management arrangements across the organisation.

The introduction of risk consideration into service planning and the implementation of a web based risk register (Magique) had resulted in the compilation of a comprehensive and robust corporate risk register. A consolidated view of all the Council's significant business risks was provided in Annex A to the report. A key focus area since last year's report had been the development of a corporate risk monitoring report for Corporate Management Team (CMT), based around the areas of Key Corporate Risks, or KCRs. Risks currently identified as KCRs were:

- Implementation of new pay & grading structure
- Delivery of the accommodation review project
- Delivery of the waste management strategy partnership
- Delivering the Local Area Agreement
- Significant programmes of change
- Business continuity
- Effective government and management of partnerships

Monitoring and reporting arrangements were continuing to be developed and strengthened across the Council, with the Audit and Governance Committee receiving bi-annual reports on progress. Action to support the embedding of risk management included the delivery of a comprehensive training and communication plan to staff and Members on an annual basis. This year's Risk Management Work Plan included the reviewing and updating of the current risk management strategy and the drafting of a risk management policy. These would be brought to Executive for approval as part of next year's report.

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

- RESOLVED: (i) That the contents of the report, and progress to date, be noted;
- (ii) That the Director of Resources be requested to ensure that the work of the Risk Management system is worked into the Single Improvement Programme as a prioritisation of officer resources;¹
- (iii) That the "Current National Economic Situation" and "Credit Crunch" be included in the Significant Business Risks;²
- (iv) That it be requested that future reports detail the improvements to efficiency and service delivery that have been achieved through this work.³

REASON: To be aware of progress made to date in respect of risk management arrangements at the Council, to ensure that there is clear awareness of risk when delivering key changes in the Council, and to demonstrate the benefits of risk management.

Action Required

- | | |
|---|----|
| 1 - To work the risk management system into the Single Improvement Programme; | SA |
| 2 - To update the list of Significant Business Risks; | SA |
| 3 - To provide the additional detail in future reports. | SA |

103. EDMUND WILSON POOL, THANET ROAD

Members considered a report which presented options for dealing with the site of Edmund Wilson Pool, following closure of the pool and the opening of a new pool at York High School in October 2009.

Three options were available:

Option A – sell the site to T.E Beteiligungs GmbH (trading as Lidl UK GmbH) for use as a food store. This was the recommended option, as it would provide additional food retail space in a socially deprived residential area. Details of T.E Beteiligungs' offer under the tendering process were attached at (exempt) Annex 2.

Option B – sell the site for an alternative development use, e.g. residential. Such development was unlikely to attract substantial interest in the current market and in this location.

Option C – put the land into the Hob Moor Nature Reserve. This would mean the loss of a capital receipt and the opportunity to provide food retail space.

Members thanked officers for their work on this matter.

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

- RESOLVED: (i) That Option A be approved and the tender submitted by T.E Beteiligungs GmbH be accepted, on the terms and conditions included in exempt Annex 2;¹
- (ii) That authority be delegated to the Chief Officer responsible for Property Services to sell the freehold of the Edmund Wilson Pool site, Thanet Road, on the best terms available.²

REASON: In accordance with the outcome of the market testing exercise carried out in respect of the site.

Action Required

- | | |
|---------------------------|----|
| 1 - To accept the tender; | GR |
| 2 - To sell the freehold. | GR |

PART B - MATTERS REFERRED TO COUNCIL

104. THRIVING CITY - REPORT BACK

[See also under Part A Minutes]

Members considered a report which provided a follow up to an earlier report on York's economic position, presented to Executive on 15 July 2008. It set out the findings of consultation with stakeholders and asked Members to consider options on further action and areas of investment.

Consultation had been carried out with organisations including, among others, the Citizens Advice Bureau, York Credit Union, the Federation of Small Businesses and the Chamber of Commerce, as well as relevant Officers within the Council. Generally speaking, York's economy was continuing to perform well. However some sectors, such as the construction industry, had suffered from the effects of the 'credit crunch' and there was a need to ensure that York's citizens were properly supported in the context of changing economic circumstances. At the first meeting of the Business Forum, held on 8 October, a significant consensus had been highlighted around the priorities for York's development. Ideas discussed included promoting the city 'offer' and refreshing the York 'brand' as a great place to work, invest in and visit.

Options for further action were set out in paragraphs 99 and 100 of the report. They included investment to:

- Help establish an enterprise fund for new business start ups (£50K)
- Support enterprise training within schools (£10k)
- Sustain the activities of the City Centre Partnership (£20k)
- Produce an updated 'York on a Budget' booklet (£3.5k)
- Provide three Credit Union community saving points (£9.8k)
- Recruit an additional CAB advice worker (£26.5k)
- Recruit someone to initiate and co-ordinate a smartcard scheme (£20k)

as well as the following strategic policy action:

- Formation of a cross-directorate anti-poverty and financial inclusion working group
- Enhanced economic planning through the ward committee function
- Pilot work to ensure better links between housing estate management services and benefits / financial inclusion work

and work to:

- Engage with partnerships to discuss the issues outlined in the report
- Explore (via Senior Managers Group / CLG sessions) how the Council can better link with citizens and businesses
- Support the proposal of the Business Forum to promote the York brand and City offer.

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

- RECOMMENDED: (i) That the following be funded from the Council's reserves:¹
- a) Match funding of the £50,000 provided by Norwich Union to establish an enterprise fund to support new business start ups;
 - c) In principle support for enterprise training within schools to be developed with NYBEP and Young Enterprise up to £10,000;
 - c) Support to sustain the activities of the City Centre Partnership up to £20,000;
 - f) Investment of an additional £3,500 for production of an updated 'York on a Budget' booklet, with the booklet to be approved by the Economic Development Unit;
 - e) Investment of £9,800 to provide three Credit Union community saving points in those communities most in need.

REASON: To respond to the impact of the changing economic situation.

Action Required

1 - To refer the recommendations to Full Council.

SL

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.50 pm].

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Executive Meeting 4 November 2008

EXECUTIVE FORWARD PLAN

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 18 November 2008		
Title & Description	Author	Portfolio Holder
<p>Minutes of Working Groups</p> <p><i>Purpose of report: To present minutes from recent meetings of the Social Inclusion Working Group on 17 September 2008 and the Young People's Working Group on 22 October 2008.</i></p> <p><i>Members are asked to: Note the minutes and consider any advice put forward by the Working Groups in their capacity as advisory bodies to the Executive.</i></p>	Fiona Young	Executive Members for Leisure, Culture & Social Inclusion and Children & Young People's Services
<p>Local Transport Plan 2006-2011, Mid-term Report</p> <p><i>Purpose of report: The report will be scrutinised by the Government Office for Yorkshire & the Humber (GOYH) and the Department for Transport (DfT), and it is anticipated that the Council will not be directly affected (in terms of financial enhancement/penalty) for the remainder of the LTP2 period, based on their judgement thereof. However, if the report gives evidence of poor performance, the allocation for the successor to LTP2 may have reduced funding. The report is due to be submitted to GOYH/DfT by 31 December 2008. The outcome of the GOYH/DfT evaluation is expected in February 2009.</i></p> <p><i>Members are asked to: Note the content of the report and notify officers of any changes required to the report prior to its submission to GOYH/DfT in December 2008.</i></p>	Ian Stokes	Executive Member for City Strategy

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 2 December 2008

Title & Description	Author	Portfolio Holder
<p>Child Poverty in York</p> <p><i>Purpose of report: In response to a recommendation at Full Council meeting in June 2008.</i></p> <p><i>Members are asked to: Note the current analysis of levels of child poverty in the city and targeted efforts to reduce it locally.</i></p>	Pete Dwyer	Executive Member for Children & Young People's Services
<p>IT Strategy 2007-2012</p> <p><i>Members are asked to agree the strategic objectives for use of technology in the Council over the next 5 years which will drive our investment in IT.</i></p>	Roy Grant	Executive Member for Corporate Services
<p>The Future of York City Archives</p> <p><i>Purpose of report: To ask the Executive to agree a strategic plan for the future development of the City Archive service.</i></p> <p><i>Members are asked to: Agree a strategic plan for the future development of the City Archive Service.</i></p>	Charlie Croft	Executive Member for Leisure, Culture & Social Inclusion
<p>IT Development Plan 2009/10</p> <p><i>Members are asked to agree the funding of IT projects for 2008/9 for the whole of CYC. Members will be asked to review the benefits and risks associated with each proposal and decide which ones to fund.</i></p>	Tracey Carter	Executive Member for Corporate Services
<p>Corporate Strategy Refresh</p> <p><i>Purpose of report: To bring to Members' attention proposed changes to the corporate strategy.</i></p> <p><i>Members are asked to: Consider the changes to the refreshed corporate strategy, in order for the actions to be taken forward and completed.</i></p>	Janna Eastment	Executive Member for Corporate Services

Table 3: Items slipped on the Forward Plan with the agreement of the Group Leaders

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>Meals Provision in Elderly Persons' Homes</p> <p><i>Purpose of report: To inform Members of the proposal to change the meals service within Elderly Persons Homes with effect from 1st April 2009. This will affect residents of elderly persons homes.</i></p> <p><i>Members are asked to: Approve the recommendations in the report to change the provision of and procurement of meals and catering within EPHs.</i></p>	Val Sutton	Executive Member for Housing and Adult Social Services	4/11/08	TBC	For further work on procurement issues

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Executive

4th November 2008

Report of the Director of City Strategy

Castle Piccadilly – procurement issues

Summary

1. This report provides members with background information with regards to the historic and current position in respect of the Castle Piccadilly area, and sets out the current understanding of the Council's aims and objectives. The report also provides an explanation of the legal position (particularly in the context of procurement) applicable to the options which may be open to the Council in achieving its objectives. The report provides a recommended course of action and requests authority to proceed with the recommendation.

Background

2. Members will be familiar with the adopted planning brief for the Castle Piccadilly area. The Council remains a significant landowner in the Castle Piccadilly area. Previously, the Council has pursued the objective of a comprehensive regeneration of the Castle Piccadilly area, including potentially making the Council's land available to developers in order to achieve this objective.
3. A proposal by Land Securities for a comprehensive retail-led scheme was refused planning permission by the Secretary of State in September 2003 following a 'call in' inquiry that ended in August 2002.
4. The Council prepared a new planning brief for the site involving considerable community involvement including an externally facilitated Reference Group to inform the key principles in the planning brief. This was adopted by the Council for development control purposes in March 2006.
5. The York Retail Study by Roger Tym and Partners (2005) and a more recent city-wide Retail Study by GVA Grimley (2008) have concluded that the Castle-Piccadilly site provides the best location for extending the current primary shopping area and the best site in the city centre for meeting the city's longer term retail needs.
6. Land Securities have disposed of their interest in the current Coppergate Centre and other land ownerships within the wider Castle Piccadilly area to La

Salle earlier this year. La Salle have appointed Centros as development managers and are considering plans for an extension to the Coppergate Centre in response to the planning brief.

The Council's Aims and Objectives

7. To recap, the aims of the City of York Council in relation to the land in its ownership and the other land identified in the planning brief can, at present, be summarised as:
 - To achieve best consideration for its land
 - To achieve the Council's vision and planning objectives as set out in the planning brief including: a high quality development which helps to meet the retail needs of the city; development that is viable and helps to deliver wider planning objectives for the area e.g. the provision of quality civic and open space, links across the river, riverside paths and relocation of the Castle car park

All to be addressed looking at the area comprehensively.

Confirmation is requested that these are still the Council's aims and objectives.

How can the Council's Objectives be met?

8. Assuming that the Council wish to pursue the objectives stated in paragraph 7, then the objectives could be achieved by the present majority landowner in the Castle Piccadilly area, La Salle, if they were to come forward with a suitable scheme, but it is also possible that the objectives could be met by other developers or the Council could consider acquiring land and undertaking a development itself. It is clearly impractical for the Council to seek to acquire land to achieve the objectives stated. It is anticipated that the Council will need developers to achieve practical delivery of the Council's objectives.
9. Until the decision in the case of Jean Auroux –v- Roanne, decided in January 2007, public bodies, including local authorities, considered that they were legally entitled to enter into direct negotiations with a potential developer, work up an appropriate scheme and a price for the Council's land, and simply sell the land to the developer with a Development Agreement controlling how the development would proceed. However in the light of the Roanne decision such an option is no longer legally acceptable.

Current Legal Position

10. The Council has sought legal advice regarding the present position due to changes in understanding of how public bodies are obliged to meet their legal and procurement obligations. The case of Roanne, combined with the effects of earlier cases, has more closely defined what is a public works contract, and when the present procurement regulations are applicable. We are advised

that, entering into a sale or letting of land, where the Council wish to achieve something other than simply payment for the land, will, in most circumstances, amount to public works to which the Procurement Regulations 2006 will apply. The Council's aims and objectives are already clear, from the adopted planning brief, and these include regeneration of the area and the provision of quality, civic and open space. Therefore, even though the Council will not be undertaking the works themselves, the works that we anticipate will be provided by a developer will be meeting the needs and objectives of the Council and, as such, will fall into the definition of works under the Procurement Regulations.

Procurement Process

11. The Council will wish to ensure that it complies with its legal obligations and its own regulations with regards to achieving best consideration for its land, and by making available opportunities, by way of a competitive process, in order to achieve the most economically advantageous outcome. Under the Procurement Regulations, different specific procedures apply, depending upon whether the public works are works being delivered to, or for, the benefit of the Council, or whether they are, in part, concessionary in nature.
12. It is envisaged that the works that may be undertaken by a developer will not involve the delivery of physical works to the Council. If an arrangement is made with a developer, it will be on the basis that the Council will make available its land in return for payment and possibly some degree of future income, together with a developer undertaking to deliver a particular scheme, including meeting the specified Council's aims and objectives. Such an arrangement, whilst involving works, will be a works concession. That is the Council will be making its land available for a developer to use and exploit in a way which is consistent with the Council's aims and objectives. In such circumstances, a works concession procurement procedure must be followed.
13. In procurement of works, the Council is obliged to follow one of 5 processes for placing the work for competition, assessing bids and the relative merits of bids before deciding upon the successful bid and deciding whether to proceed to enter into a contract. In a works concession situation, the procedure is not prescribed, but the Council must follow good procurement practice.
14. A works concession competition commences with the lodging of a Works Concession Notice in the OJEU. Beyond the continuing obligations to conduct a fair, transparent and proportionate process, the Council can then set its own process and reasonable timeframe for assessment and negotiation of bids received.
15. The Council should undertake a fair, transparent and proportionate process to assess the credentials and capability of potential developers to bring forward a development, to negotiate with potential developers with regards to what might be provided, with a view to final proposals being worked up for the approval of the Council. This process can include public consultation. The successful

bidder will be obliged to undertake a competitive tender process to locate subcontractors for a significant part of the overall works it is to undertake.

Recommended Approach

16. It is recommended that the Council adopts a works concession process in order to progress the Council's identified aims and objectives, for the reasons set out in paragraphs 10-15 above.

Corporate Priorities

17. The delivery of a comprehensive scheme in accordance with the vision and objectives of the planning brief, in a way that achieves best consideration for the Council's land, will help to achieve the following corporate priorities:
 - improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces
 - improve the economic prosperity of the people of York with a focus on minimising income differentials

Implications

18. The following implications have been assessed:
 - **Financial** - The cost of undertaking a works concession procurement process will have to be funded by the Council. The likely cost is not yet known but it is a necessary requirement for taking this critical council priority forward in accordance with the legal regulatory framework for procurement.
 - **Human Resources (HR)** - None
 - **Equalities** - None
 - **Legal** – The legal advice is set out in the main body of this report.
 - **Crime and Disorder** - None
 - **Information Technology (IT)** - None
 - **Property** – The property implications are set out in the main body of this report. The process set out will ensure that the Council achieves best consideration for its land.
 - **Other** - None

Risk Management

19. In compliance with the Council's risk management strategy, we have considered the main risks in relation to this issue. The procurement approach recommended in this report minimises the risk of not achieving the Council's planning objectives for this site, and will ensure we achieve best consideration for land in the Council's ownership. The Council will undertake a fair, transparent and proportionate procurement process, to minimise the risk of legal challenge.

Recommendations

20. Members are asked:-
1. to confirm that the Council's aims and objectives are:-
 - i. to achieve best consideration for its land;
 - ii. to achieve the Council's vision and planning objectives as set out in the planning brief, including a high quality development which helps to meet the retail needs of the City;
 - iii. a development that is viable and helps to deliver wider planning objectives for the area e.g. provision of quality, civic and open space, links across the river, riverside paths, and relocation of the castle car park; and
 - iv. to achieve the comprehensive regeneration of the Castle Piccadilly area;
 2. to approve the commencement of a works concession procurement process to support the bringing forward of possible alternative developer solutions in a fair, transparent and proportionate manner;
 3. to provide delegated authority to the Director of City Strategy, in consultation with the Director of Resources, to approve a set of criteria upon which the procurement competition process will be measured.

Reasons:

To achieve the Council's objectives whilst complying with the Council's own rules and the current legal regulatory framework

Contact Details

Author:

Dave Caulfield
Head of City Development
01904 551313

Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy

Report Approved **Date** 23/10/08

Specialist Implications Officer(s):

Financial
Patrick Looker
Finance Manager
Tel: 551633

Property
Philip Callow
Head of Asset and Property Management
Tel: 553360

Legal
Quentin Baker
Head of Civic, Democratic and Legal Services
Tel: 551004

Wards Affected:

All

For further information please contact the author of the report

Background Papers

None



Executive

4 November 2008

Report of the Head of Civic, Democratic and Legal Services

Reference Report: National Service Planning Requirements for Environmental Health and Trading Standards Services**Summary**

1. This report requests Members to consider a decision referred by the Executive Member for Neighbourhood Services and Advisory Panel on 15 October 2008. This referral was made in accordance with the delegation scheme detailed in the Council's Constitution.

Background

2. At the meeting of the Executive Member for Neighbourhood Services and Advisory Panel on 15 October 2008, Members considered a report, which sought approval of the service plans for food law enforcement, health & safety law enforcement and animal health enforcement.

The Executive Member resolved to recommend that the Executive approve the service plans for food law enforcement, health and safety law enforcement and animal health enforcement.

Members are asked to consider the Executive Member's recommendation, as indicated in the above resolution.

Consultation

3. No further consultation has taken place in addition to the consultation detailed in paragraph 11 of the report attached as Annex 1 to this report.

Options

4. The Executive can either approve or reject the proposal of the Executive Member.

Analysis

5. Members need to consider the details in the report attached as Annex 1 and make a decision based on the information therein.

Corporate Priorities

6. The aims in facilitating this referral to the Executive accord with the key principles of improving the Council's organisational efficiency and complying with the requirements of the Council's Constitution.

Implications

7. The implications of the original decision are set out in paragraphs 15 to 17 of Annex 1.

Risk Management

9. There are no risk management implications in relation to the referral to the Executive of this matter and none associated with the recommendations of the original report.

Recommendations

That the Executive approve the service plans for food law enforcement, health & safety law enforcement and animal health enforcement.

Reason: In line with Constitutional requirements.

Contact Details

Author:
Catherine Clarke
Democracy Officer
01904 551031

Chief Officer Responsible for the report:
Quentin Baker
Head of Civic, Democratic and Legal
Services
01904 551004

Report Approved Date 24/10/08

Specialist Implications Officer(s)

N/A

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Decision list from the meeting of the Executive Member for Neighbourhood Services and Advisory Panel, 15 October 2008 (published on the Council's website on 16 September)

Animal Health Local Authority Profile
Animal Health Service Delivery Plan 2008-2009
Food Law Enforcement Service Plan 2008 – 2009
Health and Safety Enforcement Service Plan 2008-2009

The above documents are available on the Council's website at <http://democracy.york.gov.uk/ieListDocuments.asp?CId=440&MId=3644>

Annexes

Annex 1: Report to the Executive Member for Neighbourhood Services and Advisory Panel – National Service Planning Requirements for Environmental Health and Trading Standards Services – 15 October 2008.

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Meeting of the Executive Member For Neighbourhood Services and Advisory Panel

15th October 2008

Report of the Director of Neighbourhood Services

National Service Planning Requirements for Environmental Health and Trading Standards Services

Summary

1. Service plans for food law enforcement, health & safety law enforcement and animal health enforcement are produced on an annual basis in response to national requirements.
2. The purpose of this report is to seek member approval for these plans.

Background

3. In 2001 the food standards agency (FSA) introduced mandatory service planning arrangements for local authority food law enforcement services. In 2002 the government extended service planning regimes into other areas of local authority regulatory work. The Department of Trade and Industry (DTI) introduced a national performance framework for trading standards services (which originally required the production of an annual community service delivery plan but has now been replaced by peer review) and the Health & Safety Commission (HSC) placed a duty on local authorities to produce a health & safety enforcement service plan.
4. In 2004/05 the Department for the Environment, Food and Rural Affairs (DEFRA) added an additional plan. This plan covers animal health and welfare and was introduced to improve local authority enforcement practices following the national outbreak of foot and mouth disease.
5. The previous national plans were approved by the Neighbourhoods EMAP on 17th October 2007.
6. The purpose of each plan is similar in that they are to contain details of how local authorities are addressing national (FSA, HSC and DEFRA) enforcement priorities and how activities locally work towards meeting local authority corporate objectives and priorities. The guidance for completing each plan (issued by the FSA, HSC and DEFRA) states that it should be submitted to the appropriate member forum for approval.

7. All plans must demonstrate that a local authority is providing core functions and an appropriate 'mix' of regulatory activities. The mix includes:
- conducting inspections of premises to a risk based inspection programme to ensure compliance with legislation.
 - taking samples of food to ensure they are safe and correctly described.
 - investigating complaints.
 - taking formal enforcement action (including prosecution) where necessary.
 - providing an educational, promotional and advisory programme to raise standards.
 - working in partnership with business and other enforcement agencies.
8. The plans are extensive in nature and their format prescriptive. They will be available on the council's web site during the week before the meeting and can be accessed through the [Meeting agenda](#).

Alternatively, copies can be obtained by contacting Catherine Clarke or Louise Cook, Democracy Officers, by telephone on (01904) 552030, Fax: (01904) 551035 or by email on catherine.clarke@york.gov.uk or louise.cook@york.gov.uk.

Copies of the plans will also be available at the meeting.

Reporting and Monitoring

9. The council is required to submit an annual monitoring report on each plan. The FSA have used these reports to 'name and shame' poor performing local authorities and to target their audits of local authority enforcement services. The HSC has indicated that they may use their default powers to take over a local authority's health and safety enforcement responsibilities in circumstances where insufficient resources are allocated to this function.
10. The 2008/09 food and health & safety plans include performance variances with targets set in the 2007/08 plans. Reporting these variances is a requirement of the national bodies.

Consultation

11. Staff in environmental health and trading standards have been involved in the development of their respective plans and consulted on the targets that have been incorporated into the supporting work programmes. The activities set out in the animal health plan have been agreed with the DEFRA Divisional Veterinary Manager.

Analysis

12. Each of the plans represents an appropriate mix of enforcement, educational and advisory work required of modern local authority environmental health and trading standards services. Approval of the plans by members is a requirement of the FSA, HSC and DEFRA.
13. It is not known what action will be taken against the council if any of these plans does not receive member approval although it is likely to result in close scrutiny of the council's ability to provide the relevant service.

Corporate Priorities

14. Enforcement activities in the Health and Safety Enforcement Service Plan and Food Law Enforcement Service Plan support the corporate priority to improve the health and lifestyles of the people who live in York.

Financial Implications

15. The work programme outlined in the 2008/09 plans can be resourced from existing budgets. DEFRA are currently directly funding additional animal health and welfare enforcement. This funding is conditional on submission of a service plan that is acceptable to DEFRA.

Legal Implications

16. It is a legal requirement to set a service plan for food law enforcement and health and safety enforcement (Food Standards Act 1999 and Health and Safety at Work etc Act 1974) respectively.

Human Resources (HR) and Other Implications

17. There are no HR, or other implications associated with this report.

Risk Management

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

Recommendations

19. That the Executive Member approves the plans and recommends that they are referred to Full Executive for approval.

Reason: In order that the council can discharge its statutory obligations in regard to service planning for environmental health and trading standards services.

Author:

Colin Rumford
Head of Environmental Health
and Trading Standards
Neighbourhood Services

Phone: 551502

Chief Officer Responsible for the report:

Andy Hudson
Assistant Director
Neighbourhoods and Community Safety

Phone: 551814

Report Approved

3

Date

15th September
2008

Specialist Implications Officer(s)

None

Wards Affected:

All

3

For further information please contact the author of the report

Copies of the national service plans will be available on the council's web site for the week prior to the meeting – they can be accessed through the [Meeting agenda](#)

Background Papers:

Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement
Health and Safety Commission Section 18 HSC Guidance to Local Authorities
DEFRA Framework Agreement



The Executive

4th November 2008

Report of the Director of City Strategy

Thriving City – action plans

Summary

1. This report is in follow up to the paper presented to Executive on 21st October regarding York's economic position which recognised that the council and its partners can take action to assist the city during this period of downturn to help business as well as those individuals and communities hardest hit. This report responds to the request from the Executive for detailed action plans to be put in place for some of the actions presented on the 21st October.
2. The One City project has a good strategic fit with the long term aspirations of the city under the Inclusive City, Learning City, Sustainable City and Thriving City themes in the Sustainable Community Strategy.

Background

3. At the Executive meeting held on 21st October, it was resolved that
 - i. Detailed project plans be presented to the Executive at their meeting on 4th November 2008 for each of the following:
 - a) Match funding of the £50,000 provided by Norwich Union to establish an enterprise fund to support new business start ups;
 - b) In principle support for enterprise training within schools to be developed with NYBEP and Young Enterprise up to £10,000;
 - c) Support to sustain the activities of the City Centre Partnership up to £20,000;
 - d) Investment of an additional £3,500 for production of an updated 'York on a Budget' booklet, with the booklet to be approved by the Economic Development Unit;
 - e) Investment of £9,800 to provide three Credit Union community saving points in those communities most in need;
 - ii. That further updates be received on York's economic climate and assessment of the effectiveness of actions initiated as a result of the report;
 - iii. That the following be dealt with as part of the Council's annual review of grant applications:
 - f) Investment of £26,500 for the recruitment of an additional CAB advice worker to accelerate the implementation of the Gateway client handling and referral system;
 - g) Investment of £20,000 (£4,500 already identified) for the recruitment of a person to initiate and co-ordinate the York

smartcard scheme and consideration of the implications for sustainability of funding after year one.

4. Work is underway to complete the project plans required by the Executive and progress on these will be reported at the meeting.

Consultation

5. In the course of the One City project, the groups and people named below were consulted. At its inaugural meeting, the York Business Forum considered the impact of the global financial crisis on the York economy and their discussions are reflected in the initial paper also.
 - Citizens Advice Bureau/Anti-Poverty Steering Group
 - York Credit Union
 - Future Prospects
 - CYC Neighbourhood Co-ordinator
 - CYC Revenues and Benefits managers
 - CYC Housing Strategy Manager
 - CYC Homelessness manager
 - CYC Housing Standards and Adaptations Manager
 - CYC Skills and Labour Market Manager
 - CYC Head of Economic Development
 - CYC Assistant Director for Economic Development and Partnerships
 - Project Director of Science City York
 - Chair of york-england.com, Visit York and York Professionals
 - Federation of Small Businesses
 - Chamber of Commerce
 - Owner of Japanese Shops chain (former Chairman of York City Centre Partnership Ltd)
 - York Business Forum

Options

6. Members are asked to approve the detailed project plans to be tabled at the meeting and consider any amendments that they may wish to make to these.

Corporate Priorities

7. The actions in this report support the Inclusive City, Learning City and Thriving City elements of the Sustainable Community Strategy, under which future corporate priorities will be formed.

Implications

Financial

At the meeting of the Executive held on 21st October, members agreed to refer to full Council the provision of reserves to support the projects detailed in the action plans. It is important that the council maintain a minimum level of revenue reserves to deal with any unforeseen events. The value of the minimum level of these reserves is determined by a risk assessment undertaken by the Director of Resources and included in the annual Revenue Budget report. For 2008/09 the minimum recommended level is £5.361m. Current projections are that the level of reserves at 31 March 2009 will be £10.4m, although

the forecast also shows that the level of 'headroom' in the level of reserves held compared with the risk assessed value will fall to £2.5m by the end of 2010/11.

Human Resources (HR)

The HR implications of this paper relate to the proposed funding for posts to support the work of the Credit Union.

Equalities

This paper proposes action to support the least well of in York and promotes financial inclusion and economic participation for all

Legal

There are no immediate legal implications

Crime and Disorder

This paper supports the consideration of crime and disorder in the context of deprivation in ward planning as demonstrated by the Kingsway Pilot

Information Technology (IT)

There are no strategic IT implications

Property

None, directly from this report

Risk management

Provision of detailed project plans to support each of the options shown at paragraph 3 is intended to mitigate against the risk of these projects being unclear in their scope or expected outcomes. Further monitoring and reporting back to the Executive on their progress will ensure they remain accountable according to these outcomes.

Recommendations

8. Members are asked to approve the detailed project plans as part of the council's response to the current economic situation.

Contact Details

Author: Simon Hornsby
Policy, Improvements & Equalities
01904 551075

Chief Officer Responsible for the report:

Bill Woolley
Director of City Strategy

Report Approved 24th October 2008

For further information please contact the author of the report

Wards affected – ALL

Specialist implications officer - Financial

Janet Lornie
Finance Manager
01904 551170

Annexes

A – Detailed project plans in support of the options shown at paragraph 3 (to follow)

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Enterprise Fund

Proposal for the establishment of a York Enterprise Fund to support existing and new local businesses

Summary

1. More support for business start-ups has been identified by the Business Forum and others as an area of need, and is an important way of strengthening the local economy to respond to the present challenges. York has a generally low rate of new business formation compared to regional and national rates and improving this has already been identified as an objective in the city's LAA. This is a significant issue especially when conditions are a disincentive to new start-ups.
2. In response, the council has already taken the step of establishing the Eco Business Centre at Clifton Moor which is approximately a third occupied despite being open since only September. The council has also been seeking ways with Norwich Union/Aviva in which a £50k investment from Norwich Union can be matched to establish a fund to support new business start up in York.
3. A further £100,000 could be drawn down from York Business Development Ltd, and York Professionals are in the process of seeking £50,000 of matched investment from its members which will be delivered through business advice and guidance. The proposal therefore seeks approval of £50,000 from the Council to support this enterprise fund.
4. Detailed DRAFT guidance notes for the operation of this Enterprise Fund are attached. Key next steps are:
 - Confirm contributions from all partner organisations – November 2008
 - Establish governance arrangements as outlined in the attached guidance note – November 2008
 - Launch and promote the availability of the Enterprise Fund, linked to launch of the Eco Business Centre
 - Target particular groups: for example, those at risk of redundancy, graduates wishing to set up in business in the City, disadvantaged areas of the City – action plan to be developed further in the New Year.
 - Regular monitoring of take up to be undertaken on a quarterly and annual basis.

Measurable targets and outcomes

Target – to support at least 20 enterprises within one year and over 3 years to support 50 enterprises.

Outcome – entrepreneurs are incentivised, businesses have a ready source of support during their set-up, ultimately impacting upon the rate of new business start-ups in the City.

Funding breakdown

City of York Council	£50,000
Norwich Union	£50,000
York Professionals (cash and in kind)	£50,000
York Business Development Limited (potential loan funding)	£100,000
Total	£250,000

GUIDANCE NOTES FOR YORK4BUSINESS ENTERPRISE FUND**York4business Enterprise Fund programme****About the Programme****What is the purpose of the scheme?**

The scheme is for assisting people who have been made redundant from companies in the York Area or who are out of employment, or who are considering setting up a new business in York as defined in the City Map included in the Appendix.

The members of the scheme are committed to supporting the establishment and growth of new small businesses. The scheme is particularly aimed at supporting new businesses that are innovative, demonstrate the ability to deliver sustainable long lasting economic growth and job creation, adopt good business practices and may deliver environmental benefits.

Who can apply?

The scheme is open to people who reside in the York Area and are intending to set up a new business either in premises in the York Area, or from home with the intention of moving to premises in York in the immediate future.

The Fund has no age limitation but will fill gaps where clients fall outside of the criteria of some of the other enterprise support schemes which operate nationally and regionally.

Applicants must demonstrate that have failed to raise all necessary funds from these other sources. However, it is recognised and accepted that applicants may well be approaching traditional lenders and whilst the programme manager will not be undertaking means testing, it is expected that applicants will demonstrate a contribution of 50% from their own resources.

Equalities Statement - All of the schemes' supporting organisations work to promote equal opportunities within their recruitment and employment processes and practices and this also applies to the provision and access of services supplied by those organisations be they public or private sector.

All of the partner organisations (whose logos appear on the back cover) produce their own statements of policy on equal opportunities. Although we have not sought to amalgamate these policies into a specific policy for this scheme, applicants should rest assured that their application will be dealt with fairly, in strict accordance with the aims of the collective policies.

The highly experienced team at York, Selby and Malton Business Advice Centre (YSMBAC) located in the Eco Business Centre located in Clifton Moor on the outskirts of York, will handle the client's application through all its stages to approval and it will offer on going mentoring to the new business.

What assistance is available?

The scheme can provide finance and through its partners and contacts fund a range of professional services. When finance is provided as a loan, the repayment levels and timescale will be mutually agreed. However, in some circumstances a loan will be made, in return for a small percentage of the business i.e. equity. Ordinarily there will be a fixed upper limit for all loans of £ 5,000. 'In kind' support may also be available from professional firms who are members of the scheme, for example York Professionals but the overall value of the support will in normal circumstances be subject to a cap of £5000.

What can the funding be used for?

The finance could be used (for example) to:

- meet start-up costs
- assist with developing new products/services
- pay for professional services, such as legal fees, Intellectual Property advice
- tax advice, commercial property advice etc
- training and skills development
- acquisition of necessary capital equipment

The funding will not be used to pay for the writing of a business plan, although some of the funding could be used to pay for actions identified that need to be undertaken to support the start-up phase, or to make the business viable. Applicants requiring support with the development of their business plan should, before making an application to the fund, contact Business Link Yorkshire to participate on the new business start-up scheme. This scheme includes a wide range of specialist help and practical support that should be explored before applying to this programme for financial input to your business proposal. YSMBAC will act as a 'signpost' for you in identifying the programmes and support you need via Business Link.

Governance

The governance of the Fund is through a panel made up of contributors to the Fund and business advice experts. The Panel meets on a bi monthly basis to review applications but in the case of urgency ad hoc meetings are arranged to meet specific deadlines or address issues related to the management of the fund and the needs of clients. The Panel decisions are final and irrevocable.

Scheme Funding Rules

- Recipients should be new business starts who have had difficulty accessing funding from other sources. Evidence of this will be needed.
- Loans of up to £5000 for capital purchases maybe approved.
- Interest payment rate 1% above base on APR basis
- Capital holidays of up to 12 months with normal repayment period being no more than 5 years and in most cases to reflect the life of the asset purchased.
- No security
- Match funding of up to 50% with a 30% minimum would be expected from the client own resources in an approved form. .
- Vouchers to a value of £500 will be available to cover the cost of professional services in the start up phase. Evidence of an equal match from the recipient will be sought.
- Each recipients business will receive mentoring by YSMBAC over the life of the loan at a cost of 10% of its value.

Conditions

- Regular reports will need to be provided to the programme administrator giving an update on progress.
- As a minimum, these should be provided bi annually, but for stage payments, reports will be expected before 2nd and subsequent payments are released.
- Where non-financial support is provided, a report from the provider of that support will be required
- the business must acknowledge the support of the programme on literature, websites and in the workplace
- the business must demonstrate a reasonable commitment to fair levels of pay and adequate Health and Safety provision

The scheme will not support any activity which may be considered illegal, immoral, or which supports or promotes a political or religious viewpoint the Panel will pay regard to the impact of the support for a proposal on local

competition. It cannot be seen to subsidise the establishment of one business that may seriously adversely impact on another.

What to do next:

- 1) Please complete the attached form and return signed by post to:
- 2) Please also include a Business Plan. Please note, the programme does not provide a fixed format for a business plan. Normally, a business plan will need to be provided at the time of application and you may use a fixed format as provided by Business Link Yorkshire, an enterprise agency, a bank or an accountant.

If you have any difficulty in completing this form, please contact:

See below:

However, applicants may produce a plan using their own format but in all cases the following information should be included where practicable:

- the market that the product(s) or service(s) will be aimed at;
- customer research and analysis;
- marketing strategy to target market(s);
- start up costs itemised and contained within cash flow and profit and loss;
- operating costs -itemised and contained within cash flow and profit and loss;
- sales projections -itemised and contained within cash flow and profit and loss;
- Where are primary suppliers based;
- risks associated with the project.

Please also include:

3 Copies of letters or other written evidence that you have sought assistance elsewhere and that these sources are not able to provide you with all of the support you require.

4) Quotes for the services, products, fixed assets or other costs for which you are seeking funding,

What happens next?

Once we receive your completed application form and supporting documents, it will be checked by the Administrator for completeness and eligibility. This will happen within 5 working days of receipt and any requests for further information will be made at this stage. Normally requests will be made by email and failure to respond within the allotted timescale could render your opportunity invalid.

Once your eligibility has been acknowledged and once all the relevant information has been made available it will be sent to the Assessment Panel, which consists of representatives of the sponsoring and supporting organisations (see back cover).

. You will be required to attend the Panel, and you are welcome to bring along a business advisor. You will have the opportunity to put your case and answer any questions that the Panel may have.

The Panel's decision and any conditions or recommendations which it may make at the Panel meeting are final

In most cases you will be informed of the decision straight away. If you are successful the Panel will set out the conditions. If you are unsuccessful the Panel will explain its reasons and may suggest options for amending and resubmitting your application or direct you to other sources of funding. Alternatively the Panel may decide that it would like to support you and your proposal in principle but that you need to undertake further work before it can make a final decision. In some circumstances it may offer interim support to enable you to progress your application further.

Until you are informed of the outcome of the meeting you should not conduct your business on the assumption that your application will be successful. You will receive payment after you have signed an agreement, in accordance with the conditions, which will state your obligations including the proposed loan repayment schedule. Evidence may be required to prove that the money has been spent on what was agreed by the panel i.e. in the form of invoices/bank statements as evidence.

Applicants should also note that approval of a loan should in no way be construed as an endorsement of your activity by the Panel, or the schemes supporters. The approval of your application and the making of any grant, subscription or loan are not to be taken by you or any other person as a guarantee or warranty that your proposals are viable. The Panel in the event of subsequent failure will accept no liability of your business.

Application Number

(for office use)

Application Form

Personal Details

Name

Address

Telephone Number

Mobile Number

Fax Number

Email Address

Employment

Name of Employer (current or most recent)

Address

Contact Name (line manager)

When (to be) made redundant.

Please attach copies of any letter or notice of redundancy

How long in post

Position

Please explain circumstances of redundancy

The Proposal

Name of business

Nature of business

Proposed address of business

Proposed starting date

Previous experience of running a business

Name, organisation and contact details of business advisor

Have you ever been declared bankrupt or insolvent (Y/N)?

If yes, please provide details

Training or other relevant management experience

Please describe any constraints or difficulties you will need to overcome (for e.g. disability, childcare, health)

Nature of advisory services sought

Total start up funding required

Total applied for

Personal contribution to the proposal

Total from other sources

(Please state where)

Do you require any business and/or legal advice?

How will the funding applied for be used? (Please indicate quotes, estimates)

What will your role be?

Other key positions/personnel already involved

Outcomes proposed:

By end of 1 year 2 years 5 years

Staffing Numbers

Turnover £000

Other significant outcomes

How would you proceed if no support was available?

How would you proceed if a reduced amount were offered?

DECLARATION

I hereby certify that all information given in this application is true and accurate to the best of my knowledge and belief and I am not aware of any undisclosed facts, which are likely to be material to the consideration of this application.

I also acknowledge that approval of the loan should in no way:

be construed as an endorsement of the proposed activity by the Panel, or the schemes supporters;

be taken by you or any other person as a guarantee or warranty that the proposals are viable;

no liability will be accepted by the Panel in the event of subsequent failure of the business.

I also permit the YSMBAC or Y4B partners to contact the named advisor or organisation whose contact details I have included in the application form.

Full Name of Signatory:

Date:

Signed:

Equalities Monitoring Form

Information supplied on this form is strictly confidential and does not form part of your application. This page will be removed from your application form and the information will not be taken into account when making the appointment, nor will it be supplied to the assessment panel.

Information you provide will be handled and stored in accordance with the Data Protection Act 1998.

The partners of the York4Business Programme welcome applications from all sections of the community. It is a fundamental principle of our collective policies that all people are equally valued regardless of their gender, age, disability, race, ethnic origin, language, religion or sexual orientation. The aim of our collective policies is to ensure that the assessment process does not allow unfair discrimination and to promote equality of opportunity for all.

Help us meet this commitment; we hope that you will assist us in monitoring the applications process by completing this form. Only by collecting the information provided on this form can we progressively assess our collective performance and identify where improvements should be made.

Please fill in all sections in black ink

Surname
First Names

Nationality

Communication

I heard about this scheme through:

Please give one answer only.

Age

I am Under 21
21 -30
31 -40
41 -50
51 -60
60 -64
65 or over

Religion

If you feel the choices below do not provide a suitable option, please write how you would describe your religion.

Christian

Hindu

Sikh

Buddhist

Judaism

None

Muslim

Other*

Business support agency *Please specify

Ethnic origin

The following categories are recommended by the Commission for Racial Equality. If you feel the choices do not provide a suitable option, please write how you would

describe your ethnic origin.

(a) White (b) Mixed

British White and Black Caribbean

Irish White and Black African

Any other white background White and Asian

Any other mixed background

(c) Asian or Asian British (d) Black or black British

Indian Caribbean

Pakistani African

Bangladeshi Any other black background

Any other Asian background If you have ticked one of the any other boxes,

please describe your ethnic origin below.

(e) Chinese or other ethnic group

Chinese

Any Other

Disability

Do you have a disability? Yes No

Definition of Disability

The Disability Discrimination Act 1995 defines disability as follows:

A person has a disability if he/she has a physical or mental impairment which has a substantial and long term effect on his/her ability to carry out normal day to day activities.

According to the Act, a disabled person is currently someone who:

Has a physical or mental impairment

The impairment has an adverse and substantial effect on his or her ability to carry out normal day to day activities

The effect of the impairment is long term

Examples of conditions covered include:

Physical impairments: diabetes; epilepsy; multiple sclerosis; cancer; cerebral palsy; heart disease

Mental impairments: schizophrenia; dyslexia; bi-polar disorder; learning difficulties

Progressive conditions: cancer; multiple sclerosis; muscular dystrophy; HIV Infection

Sensory impairments, such as blindness, having partial sight or hearing loss are also included within physical and mental impairments.

Signature

Position

Date

For office use only

Put forward to the Panel -Date

Supported/Not Supported

Comments and Recommendations

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Nurturing Talent | Enterprising York

Proposal for the development of enterprise, entrepreneurship and skills in young people across the City of York

Background

In September 2005, the introduction of direct funding to schools for Enterprise Education at Key Stage 4 created an unprecedented opportunity for schools to take the lead in providing young people with the knowledge, skills and attributes for business and enterprise. Today, three years on, our perception is that there is inconsistency in how schools prioritise delivering this entitlement to the learner, but that schools have moved forward in their approach at KS4. NYBEP has worked hard to support schools and ensure that teachers, teaching professionals and young people have a clear and dynamic understanding of what enterprise is really about. There is a danger, however, that the 'mixed economy' of enterprise provision in the city could detract from an entitlement for *all* learners; and young people rarely experience early enough the side of enterprise that deals with the application of skills and business start-up.

Never before has the need for enterprising and entrepreneurial young people been so great. Our ambition through this proposal is to nurture learners throughout Key Stage 3 so that they are fully equipped with the knowledge, skills and attributes to make the best of the experiences KS4 can offer them. The need to nurture talent and enterprise from an early age is especially critical in the current competitive employment market, and to secure our future success within the global economy. Our challenge is to ensure we equip the workforce of the future with the right skills and attributes to make the local, regional and national economy shine ever more brightly.

Our proposal summarised

Our proposal to the City of York Council is for funding to develop and deliver an Enterprise Challenge, to inspire young people and raise awareness of the 'sustainability' agenda – through which they can engage with a range of issues and tasks that require them to apply the skills and attributes fundamental to success in their adult and working life. Delivering in partnership with the business community, we will help to ensure the needs of the local and regional economy are covered. As a half-day, intensive enterprise challenge, *Green Griffins* would cater for all Year 9 learners in every York secondary school. The half-day event in each school would engage their whole Year 9 cohort. The challenge will be based on our successful model, the *Griffins' Nest*.

For each half day session students will be given a 'green'-themed brief (linked to the Sustainable Schools Framework and the 8 Doorways – a concept familiar in many schools). Students will be challenged to take part in activities that develop their business acumen and skills; as well as require them to produce, for example, written evidence of their approach to each task, marketing materials to promote their ideas and

a formal presentation to our Green Griffins asking them to invest in their solution to the needs of the brief.

One winning team from each school will be identified during the half day events. The ten teams will be invited to a final to be held at our annual secondary showcase event, Engineering Inspirations, on 1st July 2009, to pitch again to the Green Griffins. In preparation for the final we will continue to work with the ten schools, recruiting business partners and the York Sustainability Group to engage with the students.

Our ambition is to work with schools, teachers and young people to help them understand the long term impact of developing and applying enterprise skills in a range of situations; and help learners to provide solutions and ideas for issues concerning sustainability and the environment. We wish to present opportunities to learners that will inspire them to succeed, to become self-motivated and resilient, to take risks and have a sense of personal confidence to work through challenges and become solutions-focused. We wish to nurture their sense of experimentation and natural curiosity, to help them become successful, self-sufficient adults.

Measurable targets and outcomes

Delivering the event – in order to ensure maximum attendance and the greatest possible volume of young people involved, 10* half-day events would take place during summer term 2008.

* figure based on one half-day per school

Developing the future workforce – through the delivery of a half-day Enterprise Challenge in each of the city's schools up to 1,500* young people, aged 14, would benefit from the experience.

* figure based on the participation of all 10 secondary schools and up to 150 young people per school

Supporting teachers – by incorporating a 'track' within the event designed for teachers and teaching professionals, we will contribute to the knowledge and understanding of up to 20* adults, influential in providing impartial IAG to young people. In addition, the knowledge provided will further support emerging Diploma (sector-linked lines of learning) plans and developments

* figure based on 2 teachers/teaching professionals attending per institution

Enhancing the role of business support – organisations responsible for business support and creation will be central to the *Green Griffins* design and delivery. A minimum of eight organisations will be engaged to plan and deliver the event – taking into account their needs and those of the sectors or economies they represent.

Measuring success and impact – In addition to measuring training course attendance and participation, it is recommended that NYBEP assess the opinions of students on the standard of training and its influence on them. It's proposed that a sample of them would be questioned before and after training to assess their attitudes to entrepreneurship and

how these have changed as a result (recommended sample size to make the exercise credible will be 5 schools, 5-6 learners in each). In addition to seeking feedback on the general quality of the training, NYBEP would also test to what extent students' awareness of what it is like to run a business had improved and whether this had influenced the way they thought about their future careers.

There is potential for NYBEP to explore work with Business Link and their recently formed team of enterprise champions, whose involvement throughout the provision of training could provide a key quality assurance role and resource for shaping its content. In addition, It is suggested that Business Link and other business support services provide feedback on the enterprise training received by their clients and its influence upon their career choices. The council and Business link will be asked to support the process through being 'judges' as required this will help the council monitor delivery, engagement and impact from an integrated perspective.

Funding breakdown

NYBEP will make a firm time and resources commitment to ensuring the planning and delivery of *Green Griffins* is well co-ordinated. It should be noted that the figures mentioned above (in terms of outputs) are based on the following funding levels: naturally, further funding would ensure greater development time, and therefore increase the reach and impact of the proposal.

NYBEP Adviser time (includes event co-ordination and all liaison with participating schools and support organisations)	£3,000
*Resources and equipment hire (includes materials, resources and equipment required to deliver/stage the event x10)	£5,000
Contribution to EI Planning and staging the finale	£2,000
Total	£10,000 (inc of VAT)

**JA/CR NYBEP
October 2008**

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City Centre Partnership

Proposal for the sustaining of activities previously undertaken by the York City Centre Partnership Company Limited

Summary

1. Members are asked to support promotion of the city centre and specifically the work of the York City Centre Partnership. Members will be aware that following the ending of funding from Yorkshire Forward, the York City Centre Partnership was unable to extend the contract of its Chief Executive. Previous reports to the Executive have highlighted the importance of sustaining some of the activities of the partnership, particularly regarding maintaining an active dialogue with retailers and traders through the Retailers Forum, encouraging private sector involvement with initiatives such as Christmas lights and other promotional activities, developing new initiatives such as the Minster Quarter and taking a longer term view of the development of the city centre through the Area Action Plan.
2. The City Centre Markets and Operations team have been restructured to enable for some support to be given to these initiatives following the departure of the Partnership's Chief Executive. However, some additional resource is still required to provide administrative and project management support to sustain activities previously undertaken. The likely cost of these is estimated at £20,000 per annum.
3. A thorough review of the activities of the York City Centre Partnership has been undertaken. Where possible, the activities of Partnership are being maintained through existing staff resources within the City of York Council. There are however some areas which require further support beyond this; these include:
 - maintain regular quarterly meetings of the Retailers Forum to engage with City Centre traders and retailers and to enable them to develop a collective voice on City Centre issues;
 - maintain and update the database of city centre businesses;
 - maintain regular contact with city centre businesses through newsletters and events;
 - develop and enhance measures of the performance of the city centre;
 - project management support for activities previously supported by the City Centre Partnership – for example, Christmas lights, York in Bloom, Safety and Security issues.
4. Success of this project will be monitored through regular quarterly meetings of the Retailers Forum and the Retail Strategy Group.

Measurable targets and outcomes

Target – to maintain the active involvement of at least 25 city centre businesses through the Retailers Forum and the Retail Strategy Group.

Outcome – to maintain the economic performance of the City Centre. Initially this will be measured by City Centre footfall (monitored by pedestrian count camera on Coney Street which has been in place for approximately 12 months; a further camera on Stonegate is to be installed shortly). Additional measures of City Centre performance are to be developed.

Funding breakdown

Administrative support (includes event co-ordination and all liaison with city centre businesses)	£10,000
Project management (includes effective delivery of Christmas lights and other projects initiated by the City Centre Partnership)	£8,000
Additional work to enhance measures of City Centre performance	£2,000
Total	£20,000

Credit Union community savings points (CSPs)

Proposal for extending York Credit Union services into those communities where they are most needed

Summary

1. Members are asked to support the establishment of 3 community savings points in those areas of the city where the Credit Union's services are most needed.
2. The availability of a sustainable source for savings and credit are key to ensuring financial inclusion in times of economic insecurity and for ensuring that the financial circumstances of those who are most precarious are not exacerbated by the prevailing climate.
3. Consolidation of existing debt presently accounts for 31% of all York Credit Union loans. The need for such support through their services is only likely to rise in the present economic climate. The attached annex shows a comparison of the rates offered by sub-prime lenders in a YO31 postcode, these vary from 183.2%APR to 342.5%APR (though the Credit Union is aware of many higher rates offered in York, up to a maximum of 2,639,385.9%APR). Consolidation of sub-prime debt reduces outgoings to creditors and helps maximise income. Both the additional money lenders have and the payments on their Credit Union loan are retained in the local economy.
4. Credit purchasing accounts for 26% of York Credit Union loans. Where a national retailer offers credit it is unlikely that any of the interest charged will remain in York's economy. The typical cost of credit from a national retailer in York is 29.5%APR (see annex 1). For the purchase of an item at £230 this equates to a total cost, including interest of around £300 (there may be additional credit agreement costs added). The same item purchased over the same period using a YCU loan would result in a total cost of around £260, saving the borrower £40.

Dates for establishment of CSPs from receipt of funding (week 0)

- | | |
|---------|---|
| Week 1. | Begin recruitment of CSP Staff (internal/external).
Identify potential suitable locations (with consideration of potential to share existing council facilities and to ensure security and viability)
Begin discussions with locations. |
| Week 3. | Confirm locations and opening times. |
| Week 4. | Interview for CSP staff.
Begin promotion of CSP locations locally (leaflet distribution/Media/YCU website). |

Week 5. Risk assessments complete for locations.
CSP equipment acquired (Laptop, Scanner, Mobile Office, etc.).

Week 6. CSP staff in post.
Train CSP staff. > Admin
 > Cash Handling
 > Security
 > Anti-Money Laundering
 > Data Protection
 > IT Systems
 > Member Care

Week 7. Launch CSPs (media event).
Ongoing training.

Weeks 7-52 Weekly CSP services

Measurable targets and outcomes

Membership - evidence to date shows that via existing Community Saving Points, York Credit Union recruits around 30 to 35 members per year per CSP. This would equate to an estimate of 100 additional members per year from three CSP's running for 50 weeks per year

Savings – evidence suggests an assumed net weekly Retained Share Growth (the average weekly increase in a member's share balance) of £2.00 (this is slightly lower than average, to reflect the nature of the CSP locations in areas of financial exclusion). If we also assume an average share withdrawal rate of 20%, we will see a net additional cumulative share balance of £8,000 per year

Lending - Where YCU issues a loan, the individual borrower saves an estimated £195 in interest payments, for credit purchases this varies depending on amount (annex 1 shows savings of between 8 and 15%).

Output measures to be reported

- Number of customers attending each CSP per month (with a comparator with the numbers at the main office and existing CSP to ensure that the new CSPs are not abstracting existing customers)
- Number of new accounts opened per CSP per month
- Average balance of these accounts
- Number and value of loans issued through each CSP

Targets	Members	Savings (assuming 20% withdrawal rate)	Loans	Savings made by borrowers on loan consolidation	Savings made by borrowers on credit purchases
Year 1	100	£8k	£22.5k	£2.7k	£468
Year 2	200	£16k	£45k	£5.4k	£963
Year 3	300	£24k	£67.5k	£8.1k	£1.4

Outcomes - Improved financial inclusion, ready and sustainable source of debt consolidation, reduced reliance on doorstep lenders, improved retention of credit in the local economy

Funding breakdown

All CSP's require two staff, and assuming two hours per CSP, plus the travel time involved in moving the CSP kit around the city, this would equate to one full day per staff member (two full staff days). The staff would be employed at Scale 4, point 18 of the NJC scale (£16,536 pro-rata 07/08). Assuming a 3% increase for 08/09 and 15% on-costs, the total staff costs for three new CSP's would be £7,835 per year.

With additional travel, management and training costs	£9,000
One-off purchase of additional IT hardware (laptop, scanner, roller case, etc)	£800
Total	£9,800

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Loan Comparisons for Postcode YO31 9BB
www.lenderscompared.org.uk (14/10/08)

Parameters

Loan Amount: **£500**

Repayment Period: **36 to 60 weeks**

Ranked by: **%APR**

Lender	No. of Repayments	%APR	Total cost for credit
York Credit Union	52	19.6%	£47.05
York Credit Union Smart Loan	52	26.8%	£63.53
Provident Personal Credit	56	183.2%	£340.00
Credit (Hull) Ltd.	40	200.7%	£250.00
MMF (UK) Ltd.	53	206.8%	£348.00
Morses Club	50	210.6%	£330.00
Greenwood Personal Credit	55	220.9%	£380.00
LoansAtHome4u.co.uk	52	230.2%	£366.65
Shopacheck Financial Services	52	246.5%	£384.00
LoansAtHome4u.co.uk	41	281.5%	£320.00
MMF (UK) Ltd.	45	340.0%	£400.00
KDS Finance Ltd.	43	342.5%	£381.50

Comparative costs for credit purchasing

Cash Price	Credit Price in Shop (typical APR 29.5%)	York Credit Union price over the same period	York Credit Union price spread weekly
<p align="center">Television £169.99</p>	<p>12 monthly payments of £16.25 Interest paid £25.01</p> <p>TOTAL COST £195</p>	<p>11 monthly payments of £15.11 Final month payment of £15.03 Interest paid £11.25</p> <p>TOTAL COST £181.24</p> <p><u>SAVING £13.76</u></p>	<p>51 weekly payments of £3.48 Final week payment of £3.09 Interest paid £10.58</p> <p>TOTAL COST £180.57</p> <p><u>SAVING £14.43</u></p>
<p align="center">Washing Machine £231.66</p>	<p>24 monthly payments of £12.50 Interest paid £68.34</p> <p>TOTAL COST £300</p>	<p>23 monthly payments of £10.91 Final month payment of £10.78 Interest paid £30.05</p> <p>TOTAL COST £261.71</p> <p><u>SAVING £38.29</u></p>	<p>103 weekly payments of £2.51 Final week payment of £2.28 Interest paid £29.15</p> <p>TOTAL COST £260.81</p> <p><u>SAVING £39.19</u></p>
<p align="center">Personal Computer £630</p>	<p>24 monthly payments of £33.98 Interest paid £185.52</p> <p>TOTAL COST £815.52</p>	<p>23 monthly payments of £29.66 Final month payment of £29.56 Interest paid £81.74</p> <p>TOTAL COST £711.74</p> <p><u>SAVING £103.78</u></p>	<p>103 weekly payments of £6.83 Final week payment of £5.73 Interest paid £79.22</p> <p>TOTAL COST £709.22</p> <p><u>SAVING £106.30</u></p>

York on a budget book

Proposal for production and distribution of information to help people reduce the cost of living, reduce debt, maximise income and seek further support

Summary

Specifically, the book will cover

- Basic advice about money concerns.
- Hints on controlling finances and managing money better.
- Advice on managing debts.
- Tips for saving money.
- Ideas to help increase income
- Advice about how to manage money at Christmas
- Contacts for more help and advice
- Suggestions of things to do and places to go for free in York

The booklet will be distributed in the following ways:

- Through the Bureau reception, outreaches and specialist projects.
- Via partner agencies e.g. Arclight, Peasholme Centre, GPs libraries,
- Credit Union, probation, through Children's Centres, YREN, York Travellers Trust, CVS etc.
- Through appropriate Council departments, all Councillors and ward committees.
- Estate managers, housing associations, residents associations
- At specific promotional events including the Credit Crunch event at the Guildhall in November
- Money management workshops
- Appropriate community groups and events
- Delivered to specific ward area along with 'Your Ward' publication

Milestones for preparations

Preparation of draft copy and quotes for design and print already completed

Funding confirmation - £2,000 is already identified for the production of the booklet. Additional funding to be sought from the council would allow for its distribution across the city beyond those wards who have funded so far.

Weeks 1 & 2 - Review of copy by CYC officers in Economic Development Unit and Marketing Communications (with reference to style, plain use of English and prominence of CYC branding in accordance with corporate policy)

Weeks 3 & 4 – Design review, final approval and printing, pending booking of print time

