



Notice of meeting of

Executive

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| To: | Councillors Waller (Chair), Ayre, Steve Galloway, Moore, Morley, Reid and Runciman |
| Date: | Tuesday, 7 September 2010 |
| 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 6 September 2010, if an item is called in *before* a decision is taken, *or*

4:00 pm on Thursday 9 September 2010, if an item is called in *after* a decision has been taken.

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

1. **Declarations of Interest**

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

2. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of Annex 3 to Agenda Item 12 (Sale of Parkside Commercial Centre, Terry Avenue) on the grounds that it contains information relating to the financial or business affairs of particular persons. This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes (Pages 3 - 18)

To approve and sign the minutes of the Executive meeting held on 20 July 2010.

4. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak regarding an item on the agenda or a matter within the Executive's remit can do so. The deadline for registering is **5:00 pm on Monday 6 September 2010**.

5. Executive Forward Plan (Pages 19 - 22)

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

6. Minutes of Working Groups (Pages 23 - 46)

This report presents the minutes of recent meetings of the Social Inclusion Working Group, the Young People's Working Group and the Mansion House and Mayoralty Advisory Group and asks Members to consider the advice given by the Groups in their capacity as advisory bodies to the Executive.

7. Operation of the City of York CCTV System (Pages 47 - 100)

This report, deferred from the Executive meeting on 20 July, describes the Closed Circuit Television (CCTV) system operating in the City, outlines protocols and opportunities for expanding the system and seeks approval to formalise the funding arrangements for new camera installations and to adopt a revised Code of Practice for System Operation.

8. More for York - Procurement Work Stream Update (Pages 101 - 108)

This report provides an update on the progress of the More for York procurement work stream in delivering savings, identifies increased potential future savings, sets out a proposed delivery method and requests a change to the More for York investment profile agreed in February 2010, to facilitate the delivery of increased savings.

9. Quarter 1 Finance & Performance Monitor for 2010-11 (Pages 109 - 130)

This report provides details of the headline performance and finance issues from the Quarter 1 performance monitor of 2010-11, covering the period 1st April to 30th June 2010.

10. Treasury Management Monitor 1 and Prudential Indicators 2010/11 (Pages 131 - 146)

This report provides an update on the Treasury Management performance for the period 1 April 10 to 31 July 2010, as compared against the budget presented to Council on 25 February 2010.

11. Capital Programme - Monitor 1 (Pages 147 - 170)

This report presents the likely out-turn position of 2010/11 Capital Programme, based on the spend profile and information to June 2010, and seeks approval for any changes to the programme.

12. Sale of Parkside Commercial Centre, Terry Avenue (Pages 171 - 192)

This report asks Members to consider the bids received for the freehold of the Parkside Commercial Centre, following the recent marketing of the site, and seeks approval to sell the premises to the preferred bidder.

13. Urgent Business

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

Democracy Officer:

Name: Fiona Young

Contact details:

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

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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- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
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Further information about what's being discussed at this meeting

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The majority of councillors are not appointed to the Executive (40 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) 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 | 20 JULY 2010 |
| PRESENT | COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN |
| IN ATTENDANCE | COUNCILLORS HEALEY, MERRETT AND WISEMAN |

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

29. 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.

30. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex 2 to agenda item 7 (Accommodation Project – Update Report), on the grounds that it contains information relating to the financial or business affairs of particular persons and information in respect of which a claim for legal professional privilege could be maintained. Such information is classed as exempt under paragraphs 3 and 5 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

31. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 6 July 2010 be approved and signed by the Chair as a correct record.

32. PUBLIC PARTICIPATION / OTHER SPEAKERS

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

The following Council Members addressed the meeting with the consent of the Chair:

- Cllr Wiseman spoke in support of the proposal contained in agenda item 15 (Capital Programme Out-turn 2009/10 and Revisions to the

2010/11-2014/15 Programme) to allocate £25k contingency to Strensall Parish Council for the provision of youth facilities.

- Cllr Merrett spoke in relation to agenda items 8 and 9 (Review of Winter Maintenance Policy), expressing concern that the reports had not fully recognised the need to ensure that pedestrian routes were properly gritted and asking that further consideration be given to this matter within the Policy.

33. EXECUTIVE FORWARD PLAN

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

34. THE BARBICAN AUDITORIUM

Members considered a report which provided an update on progress made since the last update report, on 22 September 2009, with the Council's strategy to bring the Barbican Auditorium back into public use.

Progress on the procurement exercise to seek an operator for the Barbican was set out in paragraph 8 of the report. Two of the four shortlisted bidders had withdrawn in March because they felt unable to meet the Council's requirements. Detailed solutions had been received from the two remaining bidders in June. The next stages of the procurement, as outlined in paragraph 9, would culminate in a report to Executive on 21 September recommending a preferred bidder, followed by completion of the development agreement and lease by 31 October.

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

RESOLVED: That the report be noted.

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

35. ACCOMMODATION PROJECT - UPDATE REPORT

[See also under Part B Minutes]

Members considered a report which provided an update on the progress of the Accommodation Project and sought endorsement of a property exit strategy to vacate De Grey House and 1A and B Swinegate Court East in 2011 and approval for an increase in the use of the Venture Fund to cover the Early Years Deficit.

On 24 June 2010, the Planning Committee had approved plans for the new Headquarters building. Subject to listed building consent and the developer satisfying the terms of the Conditional Sale and Development

Agreement, work was scheduled to start on site in early November. An indicative timetable for completion of the project was set out in paragraph 33 of the report. On 25 June 2010, the Accommodation Project Board had considered three options for a property exit strategy, as set out in paragraph 16. The option approved, Option C, was to vacate De Grey House and Swinegate Court East, exercise lease break dates in March and May 2011 respectively, retain existing premises and where applicable renegotiate leases in line with the HQ completion date, and relocate displaced staff within the Council's existing accommodation portfolio. The exit strategy would remain under constant review in consultation with the 'More for York' efficiency programme. Officers confirmed at the meeting that the owners of the buildings to be vacated were actively engaged with the Council with regard to the issues of planning and future use.

It was reported that the Early Years deficit figure of £1.93m reported in December 2009 had now risen to £2.25m. This was due to a number of amendments and corrections to the project model, the inclusion of 2009/10 actual revenue costs and 2010/11 budget estimates and a further adjustment to reflect the fall in interest rates. It was suggested that Members recommend to Council an increase in the use of the Venture Fund to cover this sum.

RESOLVED: (i) That the report be noted.

(ii) That the ongoing communication with the public, through the Council's website, Your City and e-mail, be noted.

(iii) That it be requested that the business case for the financial benefit of the project be included in future communication.¹

REASON: To ensure that the benefits of the project, particularly in terms of long-term financial savings, can be clearly communicated to the public.

(iv) That the property exit strategy, and the release of De Grey House and 1A & B Swinegate Court East on the first break clause dates of March and May 2011, with affected staff to be relocated to within the existing accommodation portfolio, be endorsed, and that an updated report be brought to Executive within three months detailing the break clause in leases, tendering process for dilapidation works and the minimisation of the period of time between departure from office and the end of the Council's lease on the building.²

REASON: In order to vacate the premises and re-locate staff within the project's financial model and with minimal disruption and risk to Council services.

(v) That the Director of City Strategy detail to the Leader any costs arising from the objection by the Victorian Society.³

REASON: To assess the financial effect on the project of this late intervention in the planning process by a statutory consultee.

Action Required

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| 1. Ensure that this information re the business case is included in future communication | MW |
| 2. Schedule an update report on Forward Plan for an Executive meeting before end of October | MW |
| 3. Detail this information to the Leader as requested | BW |

36. REVIEW OF WINTER MAINTENANCE POLICY - FINAL REPORT

Members considered a report which presented the findings of the Community Safety Overview & Scrutiny Committee following their review of the Council's Winter Maintenance Policy.

The recommendations made by the Scrutiny Committee in relation to the key objectives of the review - cycleways, salt bins, secondary routes and policy / raising awareness - were set out in paragraph 6 of the cover report and paragraph 52 of the final report at Annex 1. A total of twelve recommendations had been made.

Having noted the comments of the Labour Group Spokespersons on this item and the comments made by Cllr Merrett under Public Participation / Other Speakers, it was

RESOLVED: That the recommendations of the Scrutiny Committee be supported and that Officers be asked to ensure that they are incorporated into the Council's Winter Maintenance Policy.¹

REASON: To provide an appropriate response to the scrutiny recommendations, which will clarify the position regarding treatment of secondary routes, improve the availability of 'self help' salt in severe weather and ensure that information is readily available to the public.

Action Required

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| 1. Ensure that the Scrutiny recommendations are included in the revised Winter Maintenance Policy | SB |
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37. REVIEW OF WINTER MAINTENANCE POLICY

Members considered a report which described the work undertaken by Officers to review the Council's Winter Maintenance Policy in preparation for the next winter maintenance period (from November 2010) and sought approval to amend the Policy in line with the recommended changes arising from the review.

The review had included meetings of the Winter Maintenance Group, chaired by the Director of Communities & Neighbourhoods, as well as feedback from a 'talkabout' survey of 1,000 residents and from ward committee meetings. The main changes proposed were:

- A modest increase in the precautionary gritting network
- A modest increase in the precautionary gritting of footways
- Establishment of a list of secondary routes in extreme weather
- 24/7 coverage by York Contact Centre in long spells of bad weather
- Formation of a Winter Maintenance Group to control resources and communications in prolonged periods of bad weather
- Improvement of information on the Council web site
- Establishment of priority cycle routes.

These changes could be funded from available budgets during a normal winter, although a further severe winter requiring secondary action would result in financial pressures.

With regard to the legal position of residents clearing ice from the pavement in front of their house, Officers confirmed that they were happy with the advice provided to the public on this issue, as indicated in paragraph 63 of the report. With reference to the comments made by Cllr Merrett under Public Participation / Other Speakers, it was noted that the proposals for secondary routes contained in the policy included provision for the treatment of footpaths as and when resources were available.

RESOLVED: (i) That the work carried out so far be noted.

(ii) That the approach to amending the Winter Maintenance Policy be approved, in particular:

- a) the minor changes to the primary routes;
- b) the proposals for secondary routes in times of severe weather;
- c) consultation with ward committees on the location and provision of 'self help' bins;
- d) the revised approach to out of hours contact with the York Contact Centre and improvements in communication with Members and residents.¹

(iii) That the situation with salt supplies nationally be noted.

(iv) That the open day which is to take place in October, following the review of the policy, be noted.

REASON: To ensure that the issues raised during the prolonged period of bad weather last winter are addressed and to improve the Council's response to severe winter weather.

Action Required

1. Finalise the revised Policy, as approved (together with the Scrutiny recommendations) AB

38. TRAFFIC CONGESTION AD HOC SCRUTINY COMMITTEE - REVISED FINAL REPORT

Members considered a report which presented the revised final report of the Traffic Congestion Ad Hoc Scrutiny Committee following the completion of their review of Traffic Congestion in York. Cllr Merrett was in attendance, as Chair of the Scrutiny Committee, to support the Committee's recommendations.

The Executive had already approved, in April 2010, a number of recommendations arising from the review. Since then, the Scrutiny Committee had met again to consider the findings of a city-wide consultation survey on options to tackle congestion. As a result, they had agreed an additional recommendation (recommendation xxvi), as detailed in paragraph 13 of the cover report and paragraph 30 of the final report at Annex 1. This supported the progression of Option C as a long term strategy, as detailed in Annex D to the scrutiny report.

Having noted Cllr Merrett's comments and the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: (i) That the contents of the revised final report and its annexes be noted, against the background of likely reductions in national public expenditure profiles over the next few years.

(ii) That the views expressed by residents in response to the limited strategic choices offered in the Scrutiny Committee's survey of public opinion, and the rather wider options being considered through the LTP3 consultation process, be noted.

(iii) That Officers be requested, when preparing the next Local Transport Plan and when responding to the information detailed in pages 190 to 230 of the Executive papers (Annex E to the scrutiny report), to evaluate, cost and further develop those techniques and initiatives listed within Option C of the scrutiny report, together with an extension of the Council's current LTP policies, including, where appropriate, refinements to the highway network.¹

(iv) That further engagement and consultation with York residents and businesses take place during the LTP3 build process prior to its submission for government funding, and that an ongoing dialogue on transport issues be maintained with local and regional stakeholders.²

(v) That other innovative and creative ways in which to deliver strategic transport improvements, should an application for government funding fall short or fail, be examined.³

REASON: To provide an appropriate response to the recommendations of the Scrutiny Committee, whilst taking proper account of government restrictions on public expenditure and the broader requirements of the LTP3 process.

Action Required

1. Evaluate, cost & develop these elements of Option C when preparing Local Transport Plan RW
2. Carry out further consultation / ongoing dialogue during LTP build process, as requested RW
3. Examine ways to deliver strategic transport improvements in the absence of government funding RW

39. REVIEW OF CYC APPRENTICESHIPS & OTHER WORK BASED LEARNING OPPORTUNITIES - FINAL REPORT

Members considered a report which presented the final report of the Effective Organisation Overview & Scrutiny Committee following their review of City of York Council apprenticeships and other work-based learning opportunities. Cllr Healey was in attendance, as the current Chair of the Committee, to support the scrutiny recommendations.

The Committee had endorsed the adoption of the Draft Workforce Plan considered by the Executive on 6 July 2010 and had agreed three additional recommendations, as set out in paragraph 6 of the cover report and paragraph 43 of the final report at Annex 1.

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

RESOLVED: (i) That the contents of the final report and its annexes be noted.

(ii) That the recommendations set out in paragraph 6 of the cover report be agreed.¹

REASON: To provide an appropriate response to the scrutiny recommendations, which will improve the Council's approach to apprenticeships and other work-based training.

Action Required

1. Put arrangements in place to implement the actions set out in paragraph 6 of the report AW

40. OPERATION OF THE CITY OF YORK CCTV SYSTEM

Members received a report which outlined opportunities for expanding the Closed Circuit Television (CCTV) system operating in the City and sought approval to finalise funding arrangements for new camera installations and

to adopt a revised Code of Practice (CoP) for System Operation. The revised CoP was annexed to the report.

RESOLVED: That consideration of this item be deferred to the next meeting of the Executive.

REASON: To allow time to understand more fully the implications of the information contained in the report.

41. KERBSIDE RECYCLING AND ALTERNATE WEEK COLLECTION EXPANSION

Members considered a report which presented options for recycling and residual waste collections in the Leeman Road, Poppleton Road and Acomb areas, and for other properties in the City that did not currently have full recycling and fortnightly collection of residual waste.

Service changes in these areas has been implemented as previously agreed, in line with the outcomes of the Groves trial project. However further consultation, prompted by residents' concerns, had highlighted the need to review why the new arrangements were working less well in some streets than others. The need to engage with the local community on this had been discussed with the Neighbourhood Management Team, who were looking to create a 'partner task group' to develop Central Collection Points in some streets. In certain streets, as listed in Annex B to the report, front of property collection would be necessary for reasons of safety. Options to resolve residents' concerns in streets where safety was not an issue, and where gates were not installed, were outlined in paragraph 22, as follows:

Option 1 – revert to previous arrangements, but with fortnightly collection of residual waste.

Option 2 (recommended) – continue with revised arrangements but work with residents to improve refuse arrangements.

The Council remained committed to the provision of the Household Waste Recycling Act 2003, the previous roll-out of which had been delayed. Options to get the roll-out programme back on schedule were:

Option 1 (recommended) – provide households with full recycling and move to fortnightly residual waste collection, but make no changes to grey waste collection points. A proposed timetable for implementation of this option by December 2010 was set out in paragraph 26.

Option 2 – provide households with full recycling and move to fortnightly residual waste collection and changes to front of property collection.

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

RESOLVED: (i) That the recently revised kerbside recycling and alternate weekly collection arrangements in the Leeman Road, Poppleton Road and Acomb areas be continued, whilst working with residents to improve refuse

arrangements, in accordance with Option 2 in paragraph 22 of the report.¹

REASON: To ensure that the Council can provide a service within the available budget that meets the needs of residents and the requirements of the collection service.

(ii) That residents of streets off Holgate Road and Poppleton Road be consulted, as per action point (a) in paragraph 22.²

REASON: To help identify and resolve any problems in these streets.

(iii) That the work which will be done for the Communication Plan, as set out in paragraph 29 be noted and that the Communication Plan at Annex C be agreed.³

REASON: To ensure that the Council is communicating clearly with residents and that they are supportive of the efforts to increase recycling.

(iv) That the remaining 16,601 households be provided with full recycling and that the move be made to fortnightly residual waste collection, but that no change be made to collection points except where there are clear safety concerns, as outlined in Option 1 at paragraph 25 of the report, and that the collection points be reviewed at some time in the future to ensure that services are delivered cost effectively.⁴

REASON: So that the Council can meet the requirements of the Household Waste Recycling Act 2003 to provide all households with kerbside collections for at least two recyclable materials by 31 December 2010.

Action Required

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| 1. Take appropriate action to work with residents on improving refuse arrangements | JG |
| 2. Ensure that residents of streets off Holgate Rd & Poppleton Rd are included in consultation | JG |
| 3. Implement the communication plan | JG |
| 4. Make arrangements to implement Option 1 in paragraph 25 of the report | JG |

42. AREA BASED WORKING PILOT

Members considered a report which sought approval to run as a pilot scheme an area-based working model introducing enhanced neighbourhood management support arrangements, designed to develop wider partnership working and more integrated service delivery.

At their meeting on 7 July 2009, the Executive had agreed to support the principle of area-based working and to receive a further detailed report in due course. Since then, the organisational review had merged the Council's Neighbourhood Services directorate with Leisure, Culture & Housing Services. It was therefore proposed that a new model of area working be adopted, based around an enhanced strategic co-ordination role at local level, led by a dedicated neighbourhood management team. Details were set out in paragraphs 7 to 10 of the report, with process examples in Annex 1.

It was proposed to implement the area working model as a pilot for a minimum of six months, from September 2010, in the Acomb, Dringhouses & Woodthorpe, Holgate, Micklegate, Rural West and Westfield wards. Officers from the Neighbourhood Management Unit would hold a series of briefing sessions for ward members in the pilot area prior to the launch, to ensure a full consultation on and understanding of the operation of the model. Further evaluation would take place throughout the trial period. Three options were available for Members' consideration:

Option A – to approve an area based pilot model to run for 6 months in the wards identified, as recommended.

Option B – as above, but in a different cluster of wards.

Option C – not to approve the operation of an area based pilot.

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

RESOLVED: That the implementation of the area working pilot, comprising the wards identified at paragraph 19 of the report be approved from September 2010 for a minimum of 12 months¹ and that an evaluation report be brought back to the Executive in September 2011² in order for Members to determine whether to continue the model and widen the scheme to the rest of the City.

REASON: To provide the scope for delivering improved services at a neighbourhood level by introducing enhanced neighbourhood support arrangements and working closely with a wider range of partners and the voluntary sector.

Action Required

1. Begin to implement the area working pilot in the agreed wards KB
2. Schedule an evaluation report on the Forward Plan for an Executive meeting in September 2011 KB

43. CAPITAL PROGRAMME OUT-TURN 2009/10 AND REVISIONS TO THE 2010/11-2014/15 PROGRAMME

[See also under Part B Minutes]

Members considered a report which highlighted significant achievements from the Council's capital programme for 2009/10, along with the final out-turn position, and sought approval for slippage and changes to the programme.

The current approved programme amounted to £62.956m, financed by £35.095m external funding and £27.861m internal funding. Capital expenditure during 2009/10 had totalled £58.480m, representing an underspend of £4.399m. Effective management had meant there had been only minimal variations on specific schemes, resulting in an increase of £107k in Council resources required. Successfully completed schemes had included the award-winning Joseph Rowntree Secondary school, the new Energise facility and the Fulford Road multi-modal scheme, providing bus priorities and cycle lanes.

Requests had been received to carry forward to future years budgets totalling £4.905m. Details were provided in Table 2, paragraph 9 of the report, and under the individual departmental headings in paragraphs 10 to 46. In addition, Members were asked to approve the use of £25k contingency to support Strensall Parish Council in the provision of youth facilities, following the sale of the former Youth Club premises (paragraph 53), and to recommend to Council the use of Prudential Borrowing to fund the Equal Pay Capitalisation costs of £400k (paragraph 47).

Having noted the comments of the Labour Group Spokespersons on this item, and the comments made by Cllr Wiseman under Public Participation / Other Speakers, it was

RESOLVED: (i) That the 2009/10 capital out-turn position be noted and that the requests for slippage to and from the 2010/11 capital programme be approved.¹

(ii) That the re-stated 2010/11 to 2014/15 programme, as summarised in Table 4 at paragraph 54 of the report and detailed in Annex 1, be approved.

(iii) That the use of £25k contingency to support Strensall Parish Council in seeking to provide youth facilities in Strensall be approved, subject to the receipt by Officers of the business plan showing the scheme and partners.²

REASON: To allow the continued effective financial management of the capital programme from 2010/11 to 2014/15.

Action Required

1. Adjust the budget on the ledger to reflect approved slippage

RB

2. Make arrangements to release contingency to Strensall RB
PC, subject to receipt of business plan

44. TREASURY MANAGEMENT ANNUAL REPORT & REVIEW OF PRUDENTIAL INDICATORS

Members considered a report which provided an update on treasury management performance for 2009/10, summarised the economic environment over the 2009/10 financial year and reviewed treasury management performance in specific areas.

The report summarised the economic environment over the 2009/10 financial year, highlighting the effects of economic conditions on the budget set in February 2009. It reviewed treasury management performance in respect of long term borrowing, debt restructure, short term investments, investment credit criteria policy, the post Icelandic Bank collapse, the Venture Fund, the Treasury Management out-turn and the Prudential Indicators.

Under the Prudential Code, the Prudential Indicators set by Council in February 2009 must be reviewed. Details of the indicators, their estimated and actual out-turns, were provided in Annex A to the report.

RESOLVED: (i) That the 2009/10 performance of the Treasury Management activity, movements on the Venture Fund and the Treasury Management out-turn be noted.

(ii) That the movements in the Prudential Indicators be noted.

REASON: For information, and in accordance with the requirement in the Prudential Code to review the Prudential Indicators.

45. 2011/12 BUDGET PROCESS PLANNING FRAMEWORK AND MTFF UPDATE

Members considered a report which highlighted emerging issues relating to the Council's medium term financial planning and sought agreement in principle to an outline timetable for the 2011/12 budget process, together with plans to commence the budget consultation in September.

The main challenge in terms of budget planning related to the new government's approach to local authority funding, in particular the cuts to Area Based Grants announced on 10 June 2010 and the further public spending cuts contained in the Emergency Budget of 22 June 2010. The latest projections indicated that the Council would need to identify savings of at least £12m in 2011/12, instead of the £10m estimated in February. Options for dealing with potential shortfalls, and how these could be mitigated via the More for York programme, would be assessed over the summer.

Annex 1 to the report set out a plan for the 2011/12 budget process which aimed to address the requirements identified by consultation; namely, a clearer timeline, earlier planning, stronger communication with stakeholders and better education on what the process entailed. The plan was designed to show inter-relationships between milestones and key pieces of work on a month by month basis across four key work areas – the democratic process, reports, key tasks / milestones and the More for York programme. A budget manual would be produced for stakeholders and public consultation would take place from September to December 2010.

RESOLVED: (i) That the emerging issues highlighted in the report be noted and that the outline timetable, and plans to commence the budget consultation in September, be agreed in principle.¹

(ii) That it be noted that any communication direct to households will be through Your City , which will need to be timetabled to assist with the process.

(iii) That Officers be requested to develop a process for group public engagement with the business community and residents in the autumn, with detailed information on the 2010/11 budget lines, for recommendations to be included for the 2011/12 budget.²

(iv) That Officers be requested to ensure that the communications plan complies with the equalities requirements of the Council.³

(v) That the Chief Executive be requested to provide an update report on the work that is being done to relieve York of the burdens of unnecessary red tape, and that these savings be quantified.⁴

REASON: So that the 2011/12 can be prepared in a timely manner, whilst ensuring that the impacts of the More for York programme and government spending cuts are communicated to York residents and businesses as part of the consultation.

Action Required

- | | |
|---|----|
| 1. Make arrangements to implement budget process in accordance with outline timetable | KB |
| 2. Develop process for group public engagement, as requested | KB |
| 3. Ensure that communications plan complies with equalities requirements | KB |
| 4. Provide an update report on this work, as requested | KE |

PART B - MATTERS REFERRED TO COUNCIL

46. ACCOMMODATION PROJECT - UPDATE REPORT

[See also under Part A Minutes]

Members considered a report which provided an update on the progress of the Accommodation Project and sought endorsement of a property exit strategy to vacate De Grey House and 1A and B Swinegate Court East in 2011 and approval for an increase in the use of the Venture Fund to cover the Early Years Deficit.

On 24 June 2010, the Planning Committee had approved plans for the new Headquarters building. Subject to listed building consent and the developer satisfying the terms of the Conditional Sale and Development Agreement, work was scheduled to start on site in early November. An indicative timetable for completion of the project was set out in paragraph 33 of the report. On 25 June 2010, the Accommodation Project Board had considered three options for a property exit strategy, as set out in paragraph 16. The option approved, Option C, was to vacate De Grey House and Swinegate Court East, exercise lease break dates in March and May 2011 respectively, retain existing premises and where applicable renegotiate leases in line with the HQ completion date, and relocate displaced staff within the Council's existing accommodation portfolio. The exit strategy would remain under constant review in consultation with the 'More for York' efficiency programme.

It was reported that the Early Years deficit figure of £1.93m reported in December 2009 had now risen to £2.25m. This was due to a number of amendments and corrections to the project model, the inclusion of 2009/10 actual revenue costs and 2010/11 budget estimates and a further adjustment to reflect the fall in interest rates. It was suggested that Members recommend to Council an increase in the use of the Venture Fund to cover this sum.

RECOMMENDED: That Council approve an increase in the Venture Fund of £435k (from £1,692k to £2,127k) to fund the Early Years deficit, as set out in paragraph 41 of the report, with the Executive wishing to see substantial efforts made to reduce this figure before the Full Council meeting in October.

REASON: To enable the project to proceed, and in view of the fact that the Venture Fund balance is sufficient to cover the deficit, which can be repaid in future years from the estimated NPV savings of the Accommodations Project.

47. CAPITAL PROGRAMME OUT-TURN 2009/10 AND REVISIONS TO THE 2010/11-2014/15 PROGRAMME

[See also under Part A Minutes]

Members considered a report which highlighted significant achievements from the Council's capital programme for 2009/10, along with the final out-turn position, and sought approval for slippage and changes to the programme.

The current approved programme amounted to £62.956m, financed by £35.095m external funding and £27.861m internal funding. Capital expenditure during 2009/10 had totalled £58.480m, representing an underspend of £4.399m. Effective management had meant there had been only minimal variations on specific schemes, resulting in an increase of £107k in Council resources required. Successfully completed schemes had included the award-winning Joseph Rowntree Secondary school, the new Energise facility and the Fulford Road multi-modal scheme, providing bus priorities and cycle lanes.

Requests had been received to carry forward to future years budgets totalling £4.905m. Details were provided in Table 2, paragraph 9 of the report, and under the individual departmental headings in paragraphs 10 to 46. In addition, Members were asked to approve the use of £25k contingency to support Strensall Parish Council in the provision of youth facilities, following the sale of the former Youth Club premises (paragraph 53), and to recommend to Council the use of Prudential Borrowing to fund the Equal Pay Capitalisation costs of £400k (paragraph 47).

RECOMMENDED: That Council approve the use of Prudential Borrowing to fund the Equal Pay Capitalisation costs of £400k.

REASON: To enable these costs to be covered, in line with the Council's successful bid to capitalise costs which would otherwise have to be met from revenue funds.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 3.30 pm].

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EXECUTIVE FORWARD PLAN (as at 14 August 2010)

| Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 21 September 2010 | | |
|---|-----------------|------------------------------------|
| Title & Description | Author | Portfolio Holder |
| <p>Changing Executive Arrangements</p> <p><i>Purpose of report: To consider the response to consultation in respect of changes to the Council's Executive arrangements required by the Law.</i></p> <p><i>Members are asked to: Make a recommendation to Council.</i></p> | Andrew Docherty | Executive Leader |
| <p>Waste PFI – Award of Contract</p> <p><i>Purpose of report: The report will seek to consider the award of a PFI contract to provide a facility to treat the city's waste that currently gets disposed in landfill. Should the Members agree the Contractor will seek planning permission for the facility, build and operate for a period of 25 years.</i></p> <p><i>Members are asked to: The report will ask Members to recommend to full council that the City Council enter into a contract which will result in the future treatment of the councils waste that currently is sent to landfill be dealt with by Thermal treatment/Anaerobic digestion.</i></p> | Bill Woolley | Executive Leader |
| <p>York Renaissance</p> <p><i>Purpose of report: To acknowledge receipt of the final draft report including high level officer views and recommend the report is circulated for wider public consultation.</i></p> <p><i>REPORT DEFERRED as a final draft report has yet to be received from the consultants to allow officer and members' comments to be incorporated.</i></p> <p><i>Members are asked to: To note receipt of report and endorse the recommendations.</i></p> | Derek Gauld | Executive Member for City Strategy |

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| <p>Cycling City Programme – Progress Report 4</p> <p><i>Purpose of report: To inform the Executive Members of the latest progress in the Cycling City York programme.</i></p> <p><i>Members are asked to: To note the report for information.</i></p> | Graham Titchener | Executive Member for City Strategy |
| <p>Publication of FOI Enquiries</p> <p><i>Purpose of report: Consider a proposal to publish FOI Enquiries and replies on the Council's Website.</i></p> <p><i>Members are asked to: Approve the proposals.</i></p> | Pauline Stuchfield | Executive Member for Corporate Services |
| <p>Equal Pay Update</p> <p><i>Purpose of report: To update the Executive of progress with equal pay litigation.</i></p> <p><i>Members are asked to: Note progress to date and provide a mandate to Officers to deal with a small number of new grievances.</i></p> | Chris Tissiman | Executive Member for Corporate Services |
| <p>Exit Provisions and Pension Discretions</p> <p><i>Purpose of report: To ask the Executive to approve a number of changes to the way the Council exercises its exit provisions and pension discretions.</i></p> <p><i>Members are asked to: Approve an amendment to the existing approach to allow flexible application within an overarching governance framework.</i></p> | Chris Tissiman | Executive Member for Corporate Services |
| <p>Barbican Update</p> <p><i>Purpose of report: To update members on progress in identifying a development partner for the Barbican Auditorium.</i></p> <p><i>Members are asked to: Note the Barbican progress and recommendations.</i></p> | Pete Dwyer | Executive Member for Children & Young People's Services |

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| <p>Joint Strategic Needs Assessment for York</p> <p><i>Purpose of report: This report provides an update of health and well being needs, following the original JSNA in 2008. It will include recommendations for the council, primary care trust and for other partners including GP commissioners. The report will also be taken to NHS North Yorkshire</i></p> <p><i>Members are asked to: Accept the recommendations where they relate to council business; and to consider the recommendations for other agencies, particularly those which are likely to become council responsibilities in due course.</i></p> | <p>Rachel Johns/ Pete Dwyer</p> | <p>Executive Member for Children & Young People's Services/ Executive Member for Health and Adult Social Services</p> |
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| <p>Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 5 October 2010</p> | | |
| <p>Reference Report - National Service Planning Requirements for Environmental Health and Trading Standards.</p> <p><i>Purpose of report: To present and seek approval from the Executive for National Service Plans for Environmental Health and Trading Standards.</i></p> <p><i>Members are asked to: Approve the recommendation.</i></p> | <p>Laura Bootland</p> | <p>Executive Member for Neighbourhoods</p> |
| <p>Affordable Housing Viability Study</p> <p><i>Purpose of report: To seek Executive Member approval of the recommendations of the 5 July meeting of the Local Development Framework Working Group (LDFWG). This includes: Approving the study as an LDF Evidence base. Endorsing the Dynamic Model and the Study conclusions for the formulation of the Core Strategy Policy. Adoption of the new affordable housing targets and thresholds, with immediate effect for Development Control purposes</i></p> <p><i>Members are asked to: To approve the recommendations of the 5 July LDFWG.</i></p> | <p>Derek Gauld</p> | <p>Executive Member for City Strategy</p> |

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| <p>Liberating the NHS</p> <p><i>Purpose of report: To advise Executive of the proposals within the White Paper Liberating the NHS, consider any response to the consultations on the proposals, including any opportunity for York to be an Early Adopter. The proposals could impact on Local Authority responsibilities in respect of health and well being, and governance arrangements for overview and scrutiny of health issues. It could offer opportunities for new shared commissioning arrangements. Consultation deadline is 11 October 2010. Implementation of NHS changes is planned for 2012-13</i></p> <p><i>Members are asked to: Consider and agree any response to be made by the Council to the Government's Consultations</i></p> | Pete Dwyer | Executive Member for Health and Adult Social Services |
| <p>Attendance Management Update</p> <p><i>Purpose of report: To provide the Executive with an update on the Council's approach to attendance management.</i></p> <p><i>Members are asked to: Note the work undertaken and agree a number of revisions to HR policies to support attendance at work.</i></p> | Chris Tissiman | 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 |
| None | | | | | |



Executive

7 September 2010

Report of the Head of Civic, Democratic and Legal Services**Minutes of Working Groups****Summary**

1. This report presents the minutes of meetings of the Social Inclusion Working Group (SIWG), the Young People's Working Group (YPWG) and the Mansion House and Mayoralty Advisory Group and asks Members to consider the advice given by the Groups in their capacity as advisory bodies to the Executive.

Background

2. Under the Council's Constitution, the role of Working Groups is to advise the Executive on issues within their particular remits. To ensure that the Executive is able to consider the advice of the Working Groups, it has been agreed that minutes of the Groups' meetings will be brought to the Executive on a regular basis.
3. Members have requested that minutes of Working Groups requiring Executive endorsement be submitted as soon as they become available. In accordance with that request, and the requirements of the Constitution, minutes of the following meetings are presented with this report:
 - Social Inclusion Working Group of 30 June 2010 (Annex A)
 - Mansion House and Mayoralty Advisory Group of 7 July 2010 (Annex B)
 - Young People's Working Group of 21 July 2010 (Annex C)
4. The Local Development Framework Working Group met on 5 July 2010 to consider the Affordable Housing Viability Study. The minutes of the meeting will be included with the report on this issue which is due to be considered by the Executive on 5 October 2010.

Consultation

5. No consultation has taken place on the attached minutes, which have been referred directly from the Working Groups. It is assumed that any relevant consultation on the items considered by the Groups was carried out in advance of their meetings.

Options

6. Options open to the Executive are either to accept or to reject any advice that may be offered by the Working Groups, and / or to comment on the advice.

Analysis

7. Members are asked to consider endorsing the following recommendation from the Social Inclusion Working Group contained in the attached draft minutes at Annex A (minute 4 refers):

“That the Executive be requested to approve a change of name for the Group and for it to be known as the Equality Advisory Group”.

8. The request for a change of name for the Group follows discussions that took place at the Group’s development day on 20 March 2010 as to how the Group would operate to May 2011. The proposed change of name is to avoid confusion with the Inclusive York Forum.
9. At the Group’s development day it was also recommended that:

“The York Independent Living Network – YILN (previously referred to as the Centre for Independent Living) be invited to send two representatives to business meetings”.

Diane Roworth and Lynn Jeffries have subsequently been nominated to represent YILN.

10. The reason for the recommendation that the membership of the Group be extended is because YILN has made progress in developing an inclusive organisation for disabled people in the city and representatives from YILN could make a useful contribution to the work of the Group.
11. The Executive has the power to make appointments to its own Working Groups and hence if Members so wish, they may approve the above recommended appointments without reference to Full Council.
12. Members are asked to consider the following recommendations from the Young People’s Working Group contained in the attached draft minutes at Annex C (minute 4 refers):

“(i) That it be recommended that the remit of the Young People’s Working Group be as detailed in minute annex 1.

(ii) That it be recommended that the council’s Constitution be amended to include a requirement for the Executive Member for Children and Young People to present to council on an annual basis a report jointly produced with the Youth Council.

(iii) *That, in view of the recommended changes to the remit of the Children and Young People's Working Group, it be recommended that the position of Children and Young People's Champion remain vacant at this time but that the position should be retained in the Constitution and the situation reviewed once the pilot arrangements had been trialled."*

13. The recommendations follow discussions at meetings of the YPWG as to how the views of children and young people can best be championed, in the light of developments such as the establishment of the Youth Council.

14. Any amendment to the Executive Member's formal responsibilities would require an amendment to the council's Constitution and hence would need to be considered by the Audit and Governance Committee.

15. Members' attention is also drawn to minute 5 of Annex C:

"That the Group's concerns regarding future funding for the Youth Council be brought to the attention of the Executive".

Corporate Priorities

16. The aims in referring these minutes accord with the council's corporate values to provide strong leadership in terms of advising these bodies on their direction and any recommendations they wish to make.

Implications

17. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider the minutes and determine their response to the advice offered:

- **Financial**
- **Human Resources (HR)**
- **Equalities**
- **Legal**
- **Crime and Disorder**
- **Property**
- **Other**

Risk Management

18. In compliance with the council's risk management strategy, there are no risks associated with the recommendations of this report.

Recommendations

19. Members are asked to note the minutes attached at Annexes A to C and to decide whether they wish to:

- a. Approve the specific recommendations made by the Social Inclusion Working Group and the Young People's Working Group, as set out in paragraphs 7 to 15 above, and/or;
- b. Respond to any of the advice offered by the Working Groups.

Reason:

To fulfil the requirements of the council's Constitution in relation to the role of Working Groups.

Contact details:

Author:

Jayne Carr
Democracy Officer
01904 552030
email:
jayne.carr@york.gov.uk

Chief Officer Responsible for the report:

Andrew Docherty
Head of Civic, Democratic and Legal Services

Report Approved

Date

13 August 2010

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A – Draft minutes of the meeting of Social Inclusion Working Group of 30 June 2010.

Annex B – Draft minutes of the meeting of Mansion House and Mayoralty Advisory Group of 7 July 2010.

Annex C – Draft minutes of the meeting of the Young People's Working Group of 21 July 2010.

Background Papers

Agendas and associated reports for the above meetings (available on the Council's website).

| | |
|-----------|--|
| Meeting | Social Inclusion Working Group |
| Date | 30 June 2010 |
| Present | <p>Councillors Ayre (Chair), Aspden, Brooks, Crisp (Vice-Chair) (Item 6 onwards) and Gunnell (Item 6 onwards)</p> <p>Non-voting Co-opted Members: Peter Blackburn – LGBT Forum David Brown – York Access Group John Burgess – Mental Health Forum Sarah Fennell – LGBT Forum Daryoush Mazloum – York Racial Equality Network Rita Sanderson – York Racial Equality Network</p> <p>Expert Witnesses: Carolyn Suckling – York Access Group Tony Martin – York Older People’s Assembly Maureen Ryan – Valuing People Partnership George Wright – Humanist</p> |
| Apologies | <p>Nicola Bedford – Higher York Claire Newhouse – Higher York Sue Lister – York Older People’s Assembly Paul Wordsworth – Churches Together in York</p> |

1. **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. None were declared.

2. **Minutes**

Resolved: That the minutes of the meeting of the Group held on 17 February 2010 be approved as a correct record and signed by the Chair.

3. **Public Participation**

It was reported that there had been no registrations to speak under the council’s Public Participation Scheme.

4. **Group Working Arrangements 2010-11**

A report was received that summarised the decisions that the group had made during its development day on 29 March 2010 about the way it would operate from April 2010 to May 2011.

Further consideration was given to the recommendation arising from the Development Day that the name of the group should be changed to "Council Equality Advisory Group" (EAG) to avoid any confusion with the Inclusive York Forum. Whilst some members of the group felt that the new name gave greater clarity as to the purpose of the group, views were also expressed that the existing name was more appropriate. Councillor Aspden requested that his unease at a perceived narrowing of the group's focus be recorded.

Following discussions that had taken place at the Development Day, the group looked at the draft of a form that the council could use to collect information about people from the equality strands. Officers went through the questionnaire with the Group and invited their input.

- Resolved:
- (i) That the contents of the report be noted.
 - (ii) That the Executive be requested to approve a change of name for the group and for it to be known as the "Equality Advisory Group"¹.
 - (iii) That the questionnaire (attached as a minute annex) be recommended for use by the council.

Reason: To note and record group working arrangements for 2010-11.

Action Required

1. Refer to Executive for consideration

JC

5. Budget 2010-11: Allocation of £1000 Poverty and Exclusion Awareness Raising Fund

The group received a report that sought views as to how to use £1000 available in 2010-11 for its community organisations to work collaboratively to promote awareness about poverty and social exclusion.

The community organisations that were members of the group were invited to work together to put forward one common proposal.

The group discussed the pressures that were placed on people who were living in poverty and considered how best the funding could be used to raise awareness of the issue and to identify possible ways forward.

The following projects were put forward for consideration:

- A video documentary to promote awareness about poverty and social exclusion. This would provide an opportunity for the different strands to work together and for students to be involved in the filmmaking.
- Raising awareness of homelessness by persuading a local leader of the community to spend a night on the streets.

- A conversation café event to enable groups to debate issues in respect of poverty and look at ways of tackling the problem.

The group was also asked to appoint one of the community organisations to project manage the fund.

Officers gave details of a workshop that they would like to hold in order to seek the group's views on the "One City Strategy". Details of the workshop would be circulated once the arrangements were finalised.

- Resolved:
- (i) That the £1000 funding be used to produce a documentary to raise awareness of poverty and social exclusion and to hold a conversation café event.
 - (ii) That any member of the group wishing to be involved in the documentary project would notify Sarah Fennell of their interest.
 - (iii) That a workshop be held on the "One City Strategy".
 - (iv) That, subject to the necessary consents, the LGBT Forum be appointed as project managers for the fund.

Sarah Fennell was thanked for the work that she was carrying out.

6. Meeting the Needs and Aspirations of the Ageing Population in York

The group received a report that summarised how the council was meeting the needs and aspirations of older people living in the city and its proposals as to what needed to be done in the future.

A video was shown that highlighted issues in respect of dignity for older people.

Officers gave details of how the council was looking to develop its customer insight and to improve co-ordination within the council. It was also keen to promote positive messages and images about age.

The group was informed of changes to the way in which the sharing of resources would become more important in the future and of the way in which services were commissioned.

The group's views were sought on the following issues:

- Is what the council does now enough?
- Is what the council plans to do in the future enough?
- What else should the council be doing?

The following issues were discussed:

- Putting out refuse can be very difficult for some elderly people. Although the council has good assisted collection arrangements in

place, more should be done to make people aware of this, including ensuring that front line staff were aware of the services available.

- Most elderly people are proud and may be reluctant to seek help. They like to be independent. This has to be taken into account when services are offered.
- People who have hearing difficulties or memory problems would prefer to speak to a person rather than an automated telephone system.
- Some elderly people fear that if they complain about a service it will make things even worse.
- Improvements could be made in the communication between council departments. Officers should be able to direct customers to the person who can best deal with their problems. An example of poor practice had occurred when a member of the group had to report a problem with rats and was passed to several different offices.
- There should be more staff training on meeting the needs of the ageing population.
- There should be improvements made to the way in which the council works with tenants when housing improvements are required. These can be summarised as follows:
 - Forward planning could be improved so that work is carried out in stages rather than tenants having a prolonged period of disruption. It is also important that officers make tenants aware of what the work will entail and of any preparations they need to make.
 - The present level of compensation is not sufficient to cover the costs involved in using professional decorators to carry out work. Many elderly or disabled people may not be able to carry out the work themselves. The council should also consider issuing an approved list of contractors who could be used.
 - The council should be better aware of the impact that work of this nature can have on tenants, particularly those who are elderly or vulnerable and for whom living in a house whilst the work is ongoing can be very difficult. Alternative arrangements should be offered if required.
- Older people who live on their own may suffer from isolation or depression – this should be taken into account. More needs to be done to break down social isolation. Initiatives such as “Adopt a Granny” and “Do you know your neighbours?” had taken place in the past and had proved to be a useful way of engaging with older people. Consideration should be given to arranging similar campaigns.
- Clarification was sought as to whether the council had a database in place that identified elderly people to ensure that help and support could be better targeted. Officers explained that a record was kept of vulnerable people in the city in order that they could be easily contacted in the event of an emergency such as flooding. The list was predominantly comprised of people known through social care.

- There is a need to raise awareness of the services and support that can be offered by the council and voluntary groups. It was also important that the services are targeted appropriately. It was noted that an Information Fair was due to be held at the Guildhall on 14 September 2010, at which officers would promote the services that were available. The group also suggested that, if written information was to be used to notify people of services available, the ward newsletters were more widely read than the council wide publication. Details were given of a project that the CVS was carrying out to identify voluntary and community groups in the city. This would enable people to be directed to a group that could best meet their needs.

Officers stated that they would welcome any further comments via email to: chris.weeks@york.gov.uk

- Resolved: (i) That the contents of the report be noted.
- (ii) That the group's comments regarding ways in which the council could improve its provision for older people be taken into account when services are developed¹.

Reason: To ensure that the group has input in this area.

Action Required

1. Group's comments to be forwarded to GT - Assistant Director

JC

7. Fairness and Inclusion Strategy and Single Equality Scheme

The group received a presentation on progress with the council Fairness and Inclusion Strategy and Single Equality Scheme in 2009-10.

A report on progress was due to be considered by the Executive Member for Leisure, Culture and Social Inclusion at a Decision Session on 13 July 2010 at 4.15 pm. The meeting was open to the public and members of the group were welcome to attend.

It was noted that good progress had been made during the year but that work was still ongoing on several issues, including procurement practices and working with partners on common approaches to equality.

Resolved: That the contents of the presentation be noted.

Reason: To inform the group about progress in 2009/10.

8. Progress with Equality Impact Assessments (EIAs) 2009-10

The group received a report that summarised progress with Equality Impact Assessments in 2009-10. Consideration was given to the progress that was being made.

Members of the group commented that the way in which the group was now working was leading to changes in practice. It was also pleasing to

note that it had been recognised by organisations such as Inclusive York that the group had helped to improve accessible information.

Referring to the EIA in respect of public toilets, concerns were expressed that the alarms on disabled user toilets were not linked to anywhere.

- Resolved: (i) That the contents of the report be noted.
- (ii) That, at the next meeting, an update be received regarding the alarms on the disabled user toilets¹.

Reason: To inform the Group about progress in 2009/10.

Action Required

1. Report back to next meeting

EC

9. Single Equality Act 2010

An easy-read report on the Single Equality Act was presented to the group. It was noted that the Act would have far reaching implications. The group would give further consideration to the Act as further information became available.

At the Development Day it had been agreed that each of the groups would receive a sum of £250 in lieu of making members' time available when required, to attend discussions about EIAs. YREN asked for the group's support in using this funding to look into the possibility of facilitating an equalities meeting that would explore the merit in organising an equalities group/forum/network meeting. This would include all of the equalities strands and would be in line with the Equality Act 2010. The group supported this proposal. YREN confirmed that they would also make time available to meet with officers to discuss EIAs as required.

Resolved: That the update be noted.

Reason: To inform the group about the implications of the Single Equality Act 2010.

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

Consultation on Cuts to Services

Members of the group, recognising the current economic situation, expressed concern at the impact that possible cuts to council services could have on members on the community.

A request was made that, because of their insight into the particular problems faced by vulnerable members of the community, the group be consulted on any proposed cuts to services.

It was noted that the outcome of the spending review would not be known until October and hence there would be a very short timescale in which to formulate a response.

Resolved: That the Chair, Vice-Chair and the Equality and Inclusion Manager discuss how best to address the group's request to be consulted on any proposed cuts to services.

Reason: To ascertain whether it would be possible to put a mechanism in place to enable the group to be consulted on any proposed cuts to services.

Councillor N Ayre, Chair

[The meeting started at 6.00 pm and finished at 9.05 pm].

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City of York Council

Draft Committee Minutes

| | |
|-----------|--|
| MEETING | MANSION HOUSE AND MAYORALTY ADVISORY GROUP |
| DATE | 7 JULY 2010 |
| PRESENT | COUNCILLORS SUE GALLOWAY (CHAIR), GALVIN, HORTON, TAYLOR, B WATSON AND HUDSON. MRS J HOPTON (VICE-CHAIR) AND HONORARY ALDERMAN K WOOD MR J WALKER (CO-OPTED NON-STATUTORY MEMBER) AND MR P BROWN (CO-OPTED NON-STATUTORY MEMBER) |
| APOLOGIES | MR P VAUGHAN AND HALL (CO-OPTED NON-STATUTORY MEMBER) |

1. DECLARATIONS OF INTEREST

Members were invited to declared at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

2. MINUTES

Further to the minutes of the last meeting, the Group provided updates on work which had taken place in relation to minute 13 (**Draft Outline Framework for the Mansion House Business and Development Plan 2010-15**) in the following areas:-

Collection Management/Development – Honorary Alderman Wood advised the Group that he had met with Councillor Brian Watson and Mrs Janet Hopton to look at how to manage civic gifts received by the Lord Mayor. The Group put a number of suggestions forward in relation to arrangements for the future display of gifts and the Democratic Services Manager agreed to pursue these actions which had been identified. ¹

Income Generation – In response to a request for an update on the maximum number of persons allowed in State Room, the Chair stated that the Chief Fire Officer had been contacted and would visit the Mansion House in due course. The Democratic Services Manager agreed to pursue this further and report back to the Group. ²

Building Maintenance - The Group advised that Action 2 should refer to Mr John Walker (instead of Mrs J Hopton) and Cllr D Taylor contacting the

Council's Conservation Architect and the Historic Buildings Officer at the Council for British Archaeology to discuss environmental sustainability issues relating to the Mansion House.

In relation to minute 11 (**Reviewing the Role of the Lord Mayor and Civic Party**), one member of the Group suggested that the Constitution should refer to the Lord Mayor being the honorary keeper of the archives. The Democratic Services Manager advised that this could instead be included in the list of operational duties listed under the role of the Lord Mayor in the Civic Guide.³

RESOLVED:

- (i) That the minutes of the meeting of the Mansion House and Mayoralty Advisory Group held on 21 April 2010 be approved and signed as a correct record, subject to the Minute 13 (Draft Outline Framework – Mansion House Business and Development Plan 2010-15) be amended so that Action point 2 refers to Mr J Walker (instead of Mrs J Hopton) and Councillor Taylor.
- (ii) That issues raised relating to the minutes of the meeting on 21 April 2010 be noted.

Action Required

- 1. Democratic Services Manager to follow up suggestions made in relation to collection management. DS
- 2. Democratic Services Manager to follow up visit by Chief Fire Officer and report back to the Group. DS
- 3. Democratic Services Manager to update Civic Guide DS

3. PUBLIC PARTICIPATION

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

4. PROMOTING AND RAISING THE PROFILE OF THE MAYORALTY AND MANSION HOUSE IN YORK

The Group considered a report which set out new arrangements in place and proposed some specific ways to raise the profile, locally, nationally and ultimately internationally, of the Mayoralty and the Mansion House.

The Group discussed what was currently taking place and what more could be done in relation to raising the profile of the Mayoralty, promoting the Mansion House as the home of the Lord Mayor and as a premier venue in the city, and maintaining networks and contacts.

With regard to raising the profile of the Mayoralty, the Chair advised that she had met with the Chief Executive of Visit York to discuss visits to the city and the involvement of the Lord Mayor. This work would continue.

The Group requested an update on current work around the creation of the Mansion House website. The Mansion House and Guildhall Manager provided an update to the Group and agreed to circulate information on the website to members of the Group as requested.¹ The Democratic Services Manager advised the Group that both the brochure and the website would hopefully be launched in September/October 2010.

The Group considered civic and other links to the city. They noted that some Council departments already have existing links with other countries but felt there was no apparent process in place to coordinate this. The Head of Civic, Democratic and Legal Services advised the Group that the Council needed to think strategically about how such links were formed and undertook to pursue this further.

The Group discussed details contained in the report on international visits undertaken by former Lord Mayors in recent years. Further information from Councillors Brian Watson and Irene Waudby which had been received after the agenda was published was circulated at the meeting.

RESOLVED: (i) That the steps already being taken to improve promotion and profile of the Mayoralty and Mansion House be noted.

(ii) That comments made by members of the Advisory Group be taken into consideration, particularly in relation to the forging of appropriate corporate links.

REASON: To ensure that the great traditions of the Mayoralty and Mansion House are maintained.

Action Required

1. Mansion House and Guildhall Manager to circulate requested website information. RP

5. MANSION HOUSE AND YORK ARCHAEOLOGICAL TRUST PARTNERSHIP WORKING

The Group considered a report which set out the work which has been carried out to date between the Mansion House and the York Archaeological Trust (YAT).

Mr John Walker, Chief Executive of the York Archaeological Trust and a co-opted member of the Advisory Group, and the Mansion House and Guildhall Manager explained the types of work which have been carried out between the two organisations to date and future collaborative work which has been planned.

The Chief Executive of YAT answered queries from the Group regarding the organisation of events.

The Group expressed their thanks to YAT for their help in organising events which raise the public's awareness of the Mansion House and in particular noted the excellent work which had been carried out to repair and conserve the Sigmund sword.

In response to enquiries from the Group regarding the mosaic floor in the Guildhall, the Mansion House and Guildhall Manager updated the Group on progress to date with regard to providing labour for the work which he stated could be carried out in August.

RESOLVED: That the continuing productive relationship between York Archaeological Trust and the Mansion House, offering wide ranging support to the Mansion House, be noted.

REASON: To keep the Advisory Group informed of the valuable work emerging from the relationship between the Mansion House and York Archaeological Trust.

6. MANSION HOUSE AND GUILDHALL PLANNED REPAIRS AND CONSERVATION MAINTENANCE PROGRAMME

The Group received a verbal update on the Mansion House and Guildhall repairs and maintenance programme.

The Mansion House and Guildhall Manager explained that the planned repairs and maintenance programme included the refreshing of paintwork in the hallway and repair of flaking paintwork and water damage around the staircase window, ongoing repairs to chairs and the purchase of new cases for the Civic Party's chains. However he went on to inform that Group that sadly due to budget constraints funding for much of this work was not currently available and would therefore not go ahead at this stage.

However he advised the group that improved security measures for the Mansion House were now in place with the alarm and CCTV equipment now installed. He stated that this work would ensure the security of the Mansion House and prevent insurance premiums being increased. He advised the Group that if there was any money remaining in the budget from this work, it could be used to towards the planned work detailed above.

RESOLVED: That the update be noted.

REASON: In order that the Group is kept informed on ongoing repair and maintenance work on the Mansion House and Guildhall.

7. WORKPLAN

The Group considered a draft workplan for the Mansion House and Mayoralty Advisory Group for the remainder of the current civic year.

The Group were reminded that at the next meeting on 20 October 2010, they would be asked to consider the final version of the Mansion House Business and Development Plan 2010-15 and in response to a question from the group, officers confirmed that finance was an integral part of this plan.

RESOLVED: That the workplan be noted.

REASON: In order to progress the work of the Group.

Councillor Sue Galloway, Lord Mayor, Chair
[The meeting started at 4.00 pm and finished at 6.00 pm].

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City of York Council

Draft Committee Minutes

| | |
|---------------|---|
| MEETING | YOUNG PEOPLE'S WORKING GROUP |
| DATE | 21 JULY 2010 |
| PRESENT | COUNCILLORS LOOKER (CHAIR), RUNCIMAN (VICE-CHAIR), AYRE, BOWGETT AND PIERCE |
| IN ATTENDANCE | REPRESENTATIVES FROM THE YOUTH COUNCIL AND YOUNG INSPECTORS |
| APOLOGIES | COUNCILLOR ASPDEN |

1. **DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting, any personal or prejudicial interests they might have in the business on the agenda. No interests were declared other than those detailed in the standard declarations of interest for the group.

2. **MINUTES**

RESOLVED: That the minutes of the meeting of the Young People's Working Group held on 14 April 2010 be approved and signed by the Chair.

3. **PUBLIC PARTICIPATION/OTHER SPEAKERS**

It was reported that there had been no registrations to speak under the council's Public Participation Scheme. Councillor Alexander had registered to speak on the role of Children and Young People's Champion (minute 4 refers) but was now unable to attend the meeting. Copies of a written statement from Councillor Alexander were circulated and the comments noted.

4. **CHAMPIONING THE VIEWS OF CHILDREN AND YOUNG PEOPLE: A POSSIBLE WAY FORWARD**

Members received a report that took forward the discussion at the previous meeting about the future of the Children and Young People's Champion, and of the Working Group, in the light of recent developments such as the establishment of the Youth Council. The report recommended that *all* members of the Working Group became "champions" of young people's views and interests; and that the Group's remit be revised to establish its primary role as being a conduit for such views.

It was noted that the Executive Member for Children and Young People had legal responsibilities to champion the rights of children and young people. It was therefore proposed that a recommendation be made that

the Executive Member's portfolio responsibilities be extended to include presenting an annual report to full Council. The report would be prepared jointly with the Youth Council.

The views of the Youth Council representatives were sought on this issue. They explained that the Youth Council had discussed the matter at a recent meeting and had put forward the following suggestions:

- Members of the Youth Council did not have the time available to make representation directly to Council or its committees but they did want to have a route to ensure that their views were heard. They had suggested that this could be done via their attendance at the Young People's Working Group. Issues that they raised could then be taken back by Members to the relevant committee or body.
- The Youth Council was aware that it did not currently represent the views of primary school aged children or of the under fives. To address this issue the Youth Council was offering to facilitate consultation with younger children, perhaps on a termly basis.
- The Youth Council would welcome the opportunity to have an input in council policies and had asked if it would be possible for copies of reports to be forwarded to them for consideration.

Members welcomed the Youth Council's proposal that they would facilitate consultation with younger children but highlighted specific challenges that may arise in consulting with the under-fives. It was suggested that advice be sought from early years specialists on this matter. Members confirmed that they would be willing to attend the consultation events facilitated by the Youth Council.

Discussion took place regarding the Youth Council's request that they receive copies of council reports. Whilst Members commended the Youth Council on their interest in having an opportunity to comment on council policies they explained that, in view of the volume of reports and the timescales involved, this might prove to be unmanageable. The report writing protocol required report authors to identify any equalities implications and, as age was one of the equality strands, this should highlight issues that would impact on children and young people. Officers agreed to reflect on other ways to ensure that young people were given the opportunity to give their views on matters that might affect them, without overwhelming them with paperwork.

It was suggested that, in particular, copies of those reports on which the Social Inclusion Working Group (SIWG) were consulted should be forwarded to the Youth Council for their consideration. Whilst it was acknowledged that the Youth Council representatives did not have the time available to attend SIWG meetings, it would nevertheless be very helpful to have their input on issues considered by the group.

RESOLVED: (i) That it be recommended that the remit of the Young People's Working Group be as detailed in minute annex 1.

- (ii) That it be recommended that the council's Constitution be amended to include a requirement for the Executive Member for Children and Young People to present to council on an annual basis a report jointly produced with the Youth Council.
- (iii) That, in view of the recommended changes to the remit of the Children and Young People's Working Group, it be recommended that the position of Children and Young People's Champion remain vacant at this time but that the position should be retained in the Constitution and the situation reviewed once the pilot arrangements had been trialled.
- (iv) That the Youth Council be included as a consultee in respect of reports and Equality Impact Assessments that might affect them, particularly those considered by the Social Inclusion Working Group.

REASON: To ensure young people's views are taken into account in council decision-making.

5. YOUNG PEOPLE'S INVOLVEMENT

Members received a report that invited them to have exploratory discussions with representatives from the Youth Council about issues that were a priority for young people at this time.

Representatives from the Youth Council brought the following issues to Members' attention:

Political Education

A copy of a toolkit entitled "Future Decision Makers" was circulated. The training resource had been produced by the Youth Council and Youth Parliament for use in secondary schools. Members were asked for their help in promoting the resource in schools.

Members congratulated the representatives from the Youth Council on this excellent piece of work and offered their support by agreeing to raise awareness of the resource. Officers also offered their support in promoting the toolkit.

Funding the Youth Council

Members' attention was drawn to the uncertainty regarding funding for the Youth Council from April 2011 onwards. It was noted that the funding for staffing from "Take Part" would cease in 2011. In addition to staffing, money was needed to fund residential activities, running costs for meetings and funds to attend regional meetings of UKYP.

The representatives from the Youth Council asked if it would be possible to use the facilities at the Explore centre without charge. They would wish to

use the building, on a Wednesday evening if possible, to hold Youth Council and campaign group meetings.

Members paid tribute to the way in which the Youth Council was working and the contribution that it was making to ensure that young people had a say in decision making. Concerns were expressed at the impact that the loss of funding may have on the group; however, it was not possible to offer certainty about any Council funded programmes from 2011 onwards. The position would be clearer in the Autumn. Meanwhile, officers agreed to look into the possibility of making the Explore centre available to the Youth Council as a contribution in kind. The Executive Member for Leisure, Culture and Social Inclusion would also follow this up.

City Centre Building

An update was given on the city centre building project to provide a place for young people to socialise. Members were delighted to hear that good progress had been made and that an application for change of use had been made in respect of the building. Details were given of the fundraising that was taking place. Members congratulated those involved on having already raised £54k. Requests had been made for ward funding and for contributions from parish councils. Members suggested that Youth Council representatives should attend ward committee meetings to explain more about the project and how it would benefit young people in all parts of the city, not just those in the Guildhall Ward. Discussion took place as to charities and businesses that could be approached to seek donations. Details of the Twitter account for the youth café were circulated (twitter.com/youthcafe4york).

Social Networking

Details were given of a request by the Youth Council to make use of opportunities presented by Social Networking Sites and in particular Facebook. The Youth Council had worked with council officers to develop a framework detailing how they would wish to use social networking sites. The framework was included as Annex A of the report. At the request of Members, details were given of the safeguards that would be in place and of the way content would be moderated.

- RESOLVED: (i) That the comments made by the representatives of the Youth Council be noted.
- (ii) That Members would seek to promote awareness of the training pack on democracy.
- (iii) That Officers would explore the possibility of Youth Council representatives being invited to give a presentation on the training pack at a meeting of heads or deputy heads during the autumn term.
- (iv) That the Group's concerns regarding future funding for the Youth Council be brought to the attention of the Executive.

- (v) That the Executive Member for Leisure, Culture and Social Inclusion explore the request from the Youth Council regarding the use of facilities at the explore centre.
- (vi) That the framework detailing how the Youth Council planned to use social networking sites be endorsed.

REASON: To ensure young people's views are taken into account in council decision-making.

The Youth Council representatives were thanked for their attendance at the meeting and for the contribution that they had made.

6. PRESENTATION BY THE YOUNG INSPECTORS

Two of the young people who were taking part in the Young Inspectors programme gave an oral presentation to Members. They explained that this was a pilot programme that had been set up by the Department for Education to enable young people to inspect local services and activities and have a voice in assessing these services.

Details were given of an inspection that the Young Inspectors had carried out at a community centre. They explained how they reported on their findings and how they would be revisiting places they had inspected to assess whether their recommendations had been actioned. Future inspections would include Energise Sports Centre and Yearsley Swimming Pool.

The Young Inspectors answered Members' questions about the programme and the way in which they carried out their inspections.

Members thanked the Young Inspectors for attending the meeting and wished them well with the programme. The Inspectors agreed to attend a future meeting in order to provide an update on their work.

RESOLVED: That the Young Inspectors be invited to attend the meeting on 17 January 2011 in order to provide an update on their work.

REASON: To ensure Members are kept informed of the progress of the programme.

Councillor J Looker, Chair

[The meeting started at 6.00 pm and finished at 7.40 pm].

Young People's Working Group: Remit

Background

City of York Council's Young People's Working Group (YPWG) is an advisory group to the Council's Executive. It has no formal decision making powers but can make recommendations to the Executive or to the Executive Member for Children and Young People. The Executive reviews its minutes.

Membership

Membership of the Working Group comprises those Elected Members agreed by Full Council, plus up to four members of York's Youth Council. It is for the Youth Council to decide whether to nominate four individuals, or to rotate attendance at YPWG meetings.

In addition, YPWG may from time to time co-opt other Members, or invite their attendance, recognising in particular the valuable contribution of the voluntary sector to this area of work.

Remit

The main function of the YPWG is to provide a conduit for Elected Members and young people to exchange views. Elected Members and Council Officers may use the Working Group as means of seeking young people's views on a range of issues. Equally, young people may use the group to raise issues that concern them. Each meeting of the Working Group will, as a matter of routine, have on its agenda an item enabling young people to raise such issues as they may determine.

Elected Members who serve on the YPWG undertake to act as champions for young people's views and interests in other Council forums where they may have a role, including Full Council, the Council's Executive, relevant Scrutiny Committees, and the Social Inclusion Working Group.

The Executive Member for Children and Young People has a specific legal responsibility to further the interests of children and young people, and will look to the YPWG to assist him/her in discharging this role. The Executive Member for Children and Young People will work with the Youth Council and with the YPWG to prepare an annual report to be laid before Full Council.

To ensure that the YPWG is able to take into account the views of all children and young people, including those not represented on the Youth Council, members of the group will be invited to attend the consultation events for primary and pre-school children that will be facilitated by the Youth Council.



Executive**7 September
2010**

Report of the Director, City Strategy

Operation of the City of York CCTV System**Summary**

1. This report describes the Closed Circuit Television (CCTV) system operating in the City, and outlines protocols and opportunities for expanding the system.
2. As well as providing a description of the current system, this report seeks approval to formalise the funding arrangements for new camera installations and adopt as Council "CCTV Code of Practice" the draft revised Code of Practice for System Operation. A copy of this draft code of practice is attached as appendix A to this report.
3. The need to adopt the revised Code of Practice (CoP) arises from advances in the technology the system uses that mean operating procedures have changed. Revision of the CoP to reflect these changes and remain relevant are therefore required.
4. Formalising funding arrangements for third party camera provision is required to limit growing budgetary pressures on the system and ensure the system continues to be operable within its current level of funding. Adopting this as policy will ensure the existing budget for operation is not overstretched by new additions to the system whilst at the same time giving clarity to those wishing to pursue new cameras as to the budgetary commitment that will be required of them.

Background**Description of the current System**

5. This section of the report presents a description of the size, scope and operation of the CCTV system, and identifies some areas of expansion and alteration that are likely to happen in the medium term.

Current CCTV System

6. The City Council is currently operating a CCTV System of over 70 cameras throughout the City. Installation of the system commenced 15

years ago utilising traditional fibre-optic analogue technology and comprises the following elements;

- 69 analogue video cameras, the majority with pan-tilt-zoom (PTZ) heads and fibre-optic connections;
 - 3 digital video cameras (2 with PTZ heads) and wireless connectivity;
 - A central communications and switching matrix at St Leonard's Place;
 - Digital Video Recording system at St Leonard's Place;
 - A control room at Fulford Rd Police Station (staffed 24 hours per day)
7. Additionally, trials are now underway to test the suitability of digital 'Internet Protocol' cameras that use commercial wireless communications services such as 3G. This offer an alternative to traditional fibre optics or short-range 'wi-fi' wireless communications for remote locations where fibre or wi-fi installation costs would be prohibitive. Currently four cameras, from two different suppliers have been installed and are being evaluated. An additional benefit of this 3G based technology is it's portability; moving such cameras is relatively straightforward allowing them to be re-deployed quickly as and when required. Whilst this technology is unlikely in the foreseeable future to match the quality of fibre optic systems, it does offer real advantages in terms of cost and ease of deployment. It is anticipated that rather than being an alternative to the fibre-optic system for live city centre monitoring, where it's lower quality would be a disadvantage it will allow us to provide CCTV of acceptable quality in areas and for purposes where fibre optic would be prohibitively expensive. This will enhance the ability of the system to respond to requests from third parties where a need for CCTV has been established but for whom funding the cost of a full fibre optic camera would not be feasible.

Operation of CCTV System

8. The system is monitored from Fulford Road Police Station in a control room that is operated and staffed by City Council personnel but who work in close co-operation with North Yorkshire Police colleagues. The control room is equipped with three control keyboards capable of controlling the cameras and 21 display screens. A further control keyboard is available within the Police Station for use during emergencies and major incidents, and further two keyboards and display screens are located at St Leonard's Place and used mainly for traffic monitoring. The CYC control room staff are all trained and certified to current SIA (Security Industry Authority) standards; this is a legal requirement for staff engaged in monitoring CCTV covering areas of public realm. They are also all Criminal Record Bureau (CRB) and enhanced security cleared to allow them to work in the Police Station and have access to the police radio system. The above requirements have a significant effect on staffing the control room and the additional

limitations and costs of meeting them impacts greatly on the process of appointing and retaining operators. The operators are on the Network Management team establishment; they do however undertake the full range of monitoring tasks and work closely with the police in providing CCTV support for crime and disorder activities. At present, the control room is staffed by two operators during the both the day and night time (seven days a week). The operators have access to the police radio system and City centre 'Shopwatch' and 'Pubwatch' anti-shoplifting and pub security radio systems. Access to these various radio systems allows them to monitor and react to police activity and assist with operational matters

9. At the heart of the CCTV system is the communications and switching equipment located at St Leonard's Place. This equipment collects the images from the cameras and distributes it to the users and recording facilities and allows the users to operate the pan, tilt and zoom controls of each camera. At the core of this control equipment is a Matrix – basically a large video switch that allows signals from any camera to be sent to any control keyboard or display screen. The central in-station at St Leonard's Place also includes the Digital Video Recording system. This uses an array of hard-disk recorders to store a rolling 31 days of footage for each of the cameras on the system the DVR also includes terminals that allow operators to review footage and burn recordings to DVD or CD-Rom.
10. In operational terms the cameras generally fall into one of three operational areas; those which are primarily used for monitoring the City Centre, those which are primarily used for monitoring traffic conditions and those which are used to monitor the operation of car parks.
11. Although each of the cameras was originally installed to meet a particular operational area, they are now normally considered to be a single system, albeit one where the operational priorities differ depending on the time of day and particular camera locations. The three original operating areas of the system are now expanding with the provision of cameras at non-City centre locations (including the deployment of wireless cameras), paid for from other funding sources. This has added the task of monitoring social disorder at non-City centre sites to roles of the system.
12. The operation of the system lies with City Strategy's Highway Network Management Team, reflecting the fact that two of the three main operational purposes of the system (highway network monitoring and car park security) are Network Management functions. Additionally, Network Management's Systems Team possesses the necessary technical expertise to manage the maintenance and expansion of the system.

13. The staffing levels of the CCTV control room are determined by the ability of individual operators to watch and respond to numerous cameras. As well as undertaking particular duties at certain times of the day, the operators are responsible for monitoring the full bank of 21 monitors, and expected to react to events they see. The addition of more cameras to the system, and the need for more monitors to view them on will start to overload the abilities of the Operators and require additional staffing resource. Also, as each of the separate uses of the system increases, it will become sensible to allocate operators by function. This could mean dedicated operators specialising in Traffic monitoring, crime and disorder or car park security. In either case there will be a need for additional funding to be found to increase the staffing resource available, and this will need to come from the body promoting the various areas of expansion.
14. In operational terms, the uses that the CCTV system is put to divide up by time as much as camera location – It is expected that operators will devote their energies to traffic network monitoring during the peak traffic periods, City centre and car park crime and security during the day, and disorder issues (particularly around the bars and pubs) during the evening and night.

New Headquarters

15. As part of the plans to relocate City of York Council services in the City centre to a new headquarters building, the CCTV control room will be moved from its current location at the Fulford Road Police Station to a new, purpose built accommodation within the new building. This offers the opportunity both to undertake a 'technology refresh' and replace current life expired system components with new, and to ensure we provide the type of accommodation for the control room that will allow the growth of the system as outlined above.
16. Network Management are currently working with the new headquarters project team to ensure our requirements for the control room, and the technology systems we need to house in the new building are met. It is planned that as well as moving to a more flexible 'video wall' layout for the monitoring of the cameras, the opportunity will be taken to provide more operator stations and possible demarcation of duties as outlined in section 11. Additionally, it is also proposed to provide a dedicated suite for the review of recorded footage and a separate monitoring room specifically for traffic monitoring and control.

Managed Service

17. In January 2010, the Council commenced a Managed Service Agreement (MSA) covering all aspects of communications between Council sites and the wider world with a solutions provider named Pinacl Systems. As part of this arrangement Pinacl are responsible for the delivery of all communications to the authority and staged

improvements to the various communications systems in use. This includes the provision of a network of private fibre optic around the City that will carry Council communications and allow the many rental agreements in place with providers such as BT to be terminated. To take advantage of this move to private fibre, a project will be commenced during summer 2010 to trial the migration of CCTV. This is not a trivial task, as the current analogue fibre system we use although expensive, offers extremely high levels of operability and reliability.

18. Assuming the trial is successful, the migration of the CCTV camera network to the private fibre will commence in 2011. As well as offering a significant reduction in operational costs this development should offer increased flexibility in terms of camera location. Although it will not alter the underlying principal of promoters paying for the full costs of cameras they wish to install, it should significantly reduce to costs involved.

The CCTV Code of Practice for Systems Operation and Code of Practice for the Production of Footage

19. Public Space Surveillance Systems owned and operated by public bodies are subject to a wide range of legislation governing their use. To ensure the council does not breach any of the legal requirements placed upon it, it is necessary for a structure to be laid down detailing how the system is to be used. This takes the form of a Code of Practice (CoP) which whilst not legally binding, represents an important tool in demonstrating that the system is being operated in a professional, responsible and controlled manner.
20. Since the City of York Council first installed it's CCTV system, it has always been covered by a relevant CoP and from time to time it becomes necessary to update this CoP for reasons such as changes in legislation or updates to practice and technology.
21. This report presents an update to the current Code of Practice which is necessary to maintain it's relevance to the current system, (see Appendix A). The changes primarily relate to technological updates which have been integrated to the system, namely the movement to a purely digital recording system and removal of analogue recording components. Other changes throughout the document are minor and relate to re-wordings to clarify certain paragraphs, as well as a new structure and additional guidance relating to third party footage requests.
22. The main changes to the Code of Practice relate to:
 - *Technological updates* - Within the last 2-3 years, improvements in technology have seen the obsolete analogue recording components within the system replaced with modern digital

devices. This change in technology requires an update to the operational practices involved with using this technology.

- *New section on policy for the release of footage to third parties* - This section provides a quick reference for third parties to ascertain whether they will be able to request recorded material from the system. It does not represent a change in policy, but is a mechanism to more easily facilitate requests.
- *New Structure* - The document has been re-ordered to create a more logical and easy to understand format. For example, all relevant legislation relating to The System has been brought together in one section to provide a single reference point for queries relating to laws and legislation.

Managing operation and expansion of the CCTV System

23. There are serious issues around the funding of the systems operation and expansion. Due to the systems success in dealing with crime and disorder, and acting as a tool for managing the City's transport network, there is constant pressure to expand the system, particularly through the provision of additional cameras. Whilst in principal there is no problem with this, and indeed the system has been designed to be capable of growth, there are issues around staffing levels and on-going revenue commitment that need to be addressed.
24. In general, the Network Management team does not have access to a capital budget for the expansion of the system it does however, have strong aspirations for the expansion of the system in terms of highway and traffic monitoring. These aspirations are generally met by insuring the provision of CCTV is included in all major highway schemes as appropriate. By these means Network Management is promoting the steady expansion of the system to cover the main radial routes into the City. Recently this has been successfully achieved on Fulford Road, where cameras have been provided as part of the on-going improvement scheme, and is planned for the A59 and B1363 corridors as part of the proposed Access York works. It is proposed that this expansion of the system through opportunities presented by larger highway schemes be formalised as policy.
25. Where new cameras are required for non highway related purposes, it falls onto the party promoting their provision to provide funding for purchase and installation. This approach is well understood, and over the years has been used widely to procure new cameras, mainly for crime and disorder purposes (and funded by Safer York Partnership), or highway monitoring purposes, funded by the budgets of specific highway schemes.
26. The issue that is less well understood by parties promoting the expansion of CCTV coverage is the need to provide on-going revenue

support for each camera that is installed. Fixed line, fibre optic cameras require between £2000 and £5000 per annum to cover costs associated with communications line rental, maintenance and their recording by the DVR, and it is not possible for the Network Management Team to allocate on-going resources for this. For this reason, it is now the case that new cameras must be fully funded, both in terms of capital for their provision and revenue for their yearly operation. In cases where on going funding is not provided cameras may be disconnected from the system and removed. Parties promoting the provision of cameras, and funding their ongoing operation may also consider their removal or relocation; were, for instance, a camera is located for crime reduction purposes it may become apparent that the need for the camera has diminished, or is greater elsewhere then the promoting party may request removal or relocation. Network Management will assist with such requests, subject to all associated costs being met by the promoting party. Generalised costs for the provision and operation of a new camera are shown below.

27. Additionally, there are issues around the staffing of the control room that will be exacerbated by the continued expansion of the system. Even assuming sufficient monitors could be provided, there is a limit to number of cameras that a single operator can, or should be expected to, monitor simultaneously. Although the current arrangement of operating with two staff present during the day, and one during the night is sufficient for current camera numbers, a point will be reached in the future when it is not (as outlined in section 11 above). Unless a solution for the expansion of staffing is planned out in the near future, this issue will become a limiting factor on the expansion of the system.

Technical Authority

28. Cameras may be provided for a number of purposes, and funded by various promoting parties but the Network Management team will in all cases remain the system's Technical Authority. This means that where new cameras are requested, it will be the responsibility of Network Management to specify the equipment to be used and arrange it's procurement and ongoing maintenance. Also, although it is the responsibility of promoting parties to prioritise their CCTV requirements and satisfy themselves that the locations they propose met their aims and offer value for money, the final decision on the exact location of equipment will remain with Network Management. This is to ensure that locations that are compatible with CCTV operation are chosen and equipment operates to the best of its ability. It is also to ensure that the overall system develops in a coordinated and logical way.

29. Network Management, as Technical Authority is also responsible for the operation of the system and coordination of staff resources. Although best efforts are made to ensure cameras are successful in achieving the purpose they were installed for, the system will always be

viewed as a single entity and the right is reserved to use any camera for any legitimate purpose as required by operational demands.

Consultation

30. A process of ongoing discussion has been held with the CCTV operational staff regarding the development of the Code of Practice, such that the Code for which approval is sought fully reflects their input and operational expertise.
31. The proposed funding and technical arrangements for the development of the system have been developed through experience gained to date by working with third parties to provide cameras, and are based on the ongoing discussions and negotiations with such parties and in effect, regularise the informal procedures already in place.

Options

32. This report deals with two issues, namely the formalisation of funding arrangements for expansion of the CCTV system (and the establishment of a Technical Authority) and the adoption of the draft Code of Practice. For each of these issues a single option is presented.
33. In the case of the funding arrangements this is because the recommendation seeks to formalise the approach to new camera provision and operation that has been operating informally for some time, and is considered to be operating successfully. In the case of the Code of Practice this is because the new code of practice for which approval is sought closely follows current national practice.

Analysis

34. This report outlines the current situation with the City of York CCTV system and sets out the costs and issues associated with expanding it. The need to consider expansion is growing, as pressure to provide CCTV both solely for CYC needs and in partnership with North Yorkshire Police, across wide areas of the City increases.
35. The operation of the system is governed by a Code of Practice (see appendix A), which has recently been rewritten to reflect changes in the technology on which the CCTV system is based. The attached document should be formally adopted as the Council's CCTV Code of Practice.
36. The system as it exists at present is funded from CYC Network Management budgets, although future expansion will be subject to the requirements outlined above. There is a significant shortfall in this budget in terms of covering fibre optic line rentals. Until the costs

savings of the move to private fibre as part of the MAS are realised, additional revenue funding will be required.

37. This report should form the basis of any planning being undertaken for the development of the system. Where new cameras are being considered, the funding model outlined herein should form the basis of any budgetary planning.
38. As a general principle, coverage of the highway network for traffic monitoring purposes will be expanded. This will be achieved by the inclusion of funding for CCTV provision (as appropriate), in all major highway improvement schemes.
39. The need to ensure costs of additional cameras are fully funded (in capital and revenue terms) by their promoters should be adopted as policy. Also, the fact that no additional funding to operate new cameras exists within Network Management budgets, and that support for unfunded cameras may be ceased must be considered by those promoting new camera provision.
40. The Network Management team are the Technical Authority for the system and retain ultimate control of the types of equipment proposed, the location of cameras and the management of equipment and staff resources. It is however, for the individual promoting parties to prioritise their CCTV requirements.

Corporate Priorities

41. The York CCTV system plays a central role in managing traffic on the city's road network and assisting in realising secure and safe communities and addressing crime and antisocial behaviour. The recommendations presented in this report will allow the system to continue to expand in a way that meets the aspirations of its users and the wider community and ensure that its future operation is properly governed and regulated.
 - **Thriving City** – The presence of CCTV ensures that public realm within the City remains safe and inviting for residents, business and visitors. It also greatly assists the police in dealing with crime and securing convictions. In this way the CCTV system has a central role to play in helping the City to continue to thrive and the outcomes sought by this report will ensure it is capable of continuing to do so, both by appropriate and sustainable expansion of the system and ongoing properly managed and controlled operation.
 - **Sustainable City** – One of the primary roles of the CCTV system is to allow the Network Management Team to monitor conditions on the City's transport network and quickly react to events. This allows

incidents to be dealt with efficiently and ensures the network works as reliably and predictably as possible. This in turn both reduces the negative effects of congestion and pollution and increases the degree to which public transport is able to operated as an effective alternative to private car use. The recommendations presented in this report will secure the continued contribution of the CCTV system to achieving a sustainable transport system.

- **Safer City** – As outlined above, the CCTV system is a essential tool available to the police, Safer York Partnership and other promoting parties to tackle crime, disorder and antisocial behaviour. Our ability to collect and store footage of events in a manner that ensures they are admissible as evidence has assisted in numerous convictions. The adoption of the current draft Code of Practice will ensure this continues and is able to react to new practices and technology. Secondly, our ability to offer the opportunity of a range of very high quality, managed CCTV solutions to communities can play an important role in dealing with localised issues. The adoption of a formal framework that allows organisations who work with communities to fully understand the issues surrounding CCTV provision, and gives them certainty of budgetary implications is viewed as being central to ensuring this can continue to be offered in the future in a way that id financially and operationally sustainable.
- **Inclusive City** – The ongoing properly managed, sustainable operation and expansion of the CCTV system ensures that the role it plays in dealing with crime and antisocial behaviour will continue. In securing this, we will also secure the benefits is offers in ensuring the City’s highways and public spaces remain safe and inviting for all members of society.
- **Healthy City** – As above, CCTV has a role to play in ensuring all members of society are able to feel safe and secure when out in public places. This has a benefit in helping give people the confidence to walk and cycle around the City and reduce the sense of vulnerability that may people perceive. Setting protocols to ensure the system can be expanded into new areas, were such barriers still exist will increase the contribution is is able to make to this priority.

Implications

- a) **Financial** – Ongoing pressure on the current CCTV budget has lead to the proposal to formalize the process for third parties who want to promote CCTV installations. This will involve all such proposals needing to be brought forward with a capital and revenue budget identified. This is to ensure the system can grow

to meet needs whilst protect the existing CCTV budget from incurring additional expenditure.

- b) **Human Resources (HR)** – The existing CCTV operating staff will be required to adhere to the draft Code of Practice, if adopted. No other HR impacts
- c) **Equalities** – None anticipated.
- a) **Legal** - There are 3 main areas of legislation pertinent to the operation of a PSS (Public Space Surveillance) system by a public body. These are;
 - *The Human Rights Act 1998* which states that a Local Authority has a duty to use it's CCTV system proportionately, legally and in an accountable and necessary manner. Failure to abide by the Human Rights Act may result in unlawful operation of the system.
 - *Data Protection Act 1998*, which relates to the way personal information collected about individuals is collected, stored and released. As The System is capable of, and deliberately attempts to, collect personal information this act is of specific importance. Failure to abide by the Data Protection Act could present a legal liability to the Council.
 - *Freedom of Information Act 2000*; because of exemptions to this act relating to commercially and personally sensitive data the Freedom of Information Act only occasionally has relevance to CCTV operation. Nevertheless, there are some instances in which an Fol request becomes pertinent.

The CCTV System Code of Practice whose adoption as policy is proposed by this report deals with our obligations under the above acts and is the mechanism by which compliance with them will be assured. It should also be noted that the system is currently operating in a legal manner with respect to these issues, as outlined in the current Code of Practice. The updated Code of Practice presented by this report relates to changes necessary due to advances in technology, optimised working practices and updated working procedures more suited to fulfilling the stated legal obligations.

- d) **Crime and Disorder** – As outlined above, the York CCTV system has a significant role to play in dealing with crime and disorder in the City. The adoption of a protocol for system expansion will give certainty to those proposing new CCTV installations and clarify the process for bringing such requests forward. Adopting the CCTV Code of Practice will ensure the system continues to develop and be operated in a manner that is compatible with the use of footage by the police in investigations and prosecutions.

- e) **Information Technology (IT)** – None immediately, but work is ongoing with ITT to ensure that when the system migrates to the proposed new HQ building, any synergies between corporate IT requirement and those of the CCTV system are realised.
- f) **Property** - None anticipated.
- g) **Other (Highways)** – The CCTV system is central to the effective management of the city’s transport network. It’s ongoing development and operation, in line with the recommendations of this report is essential to the Authority meeting it’s obligations under the Traffic Management Act and aspirations to operate the highway network efficiently and minimize congestion.

Risk Management

- 42. In compliance with the Council’s risk management strategy there are no risks associated with the recommendations in this report.
- 43. However, significant risks can be associated with the failure to adopt a formal funding arrangement for new cameras. The pressure from third parties to add cameras to the system is likely to increase going forward. Without a protocol for dealing with this that clearly states the capital and revenue funding such parties need to provide then the expectation that such new provisions could be funded from the CCTV budget would continue to prevail. This would inevitably lead to more pressure on the budget and would result in either a reduction in the level of service we are able to offer or the need to find additional revenue resource within City Strategy.

Recommendations

It is recommended that;

- 44. The draft Code of Practice for System Operation is adopted as the formal “City of York Council CCTV System Code of Practice” for those using the system and that agreement to abide by it be a prerequisite for all staff engaged in operation of the system.

Reason: To ensure the operation of the CCTV system continues to conform to national guidance, and is compatible with users requirements (such as the police, for evidence purposes)

- 45. The principles that promoting parties fund the installation and ongoing operation of cameras they promote as outlined herein be adopted as policy.

Reason: To ensure a clear protocol covering procedures for requesting and funding new camera installations is in place that can be easily understood by third parties requesting new cameras.

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| None | | | | | |
| Wards Affected: | | | | | All |
| For further information please contact the author of the report | | | | | |

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Code of Practice for the operation of Closed Circuit Television

City of York Council



In Partnership with
The Safer York Partnership
and
North Yorkshire Police

Certificate of Agreement

The content of this Code of Practice is hereby approved in respect of the City of York Closed Circuit Television System and, as far as is reasonably practicable, will be complied with by all who are involved in the management and operation of the System.

Signed for and on behalf of the City of York Council

Signature:

Name:

Position Held:

Dated:

Signed for and on behalf of North Yorkshire Police

Signature:

Name:

Position Held:

Dated:

Signed for and on behalf of the Safer York Partnership

Signature:

Name:

Position Held:

Dated:

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1.0 Introduction

- 1.0.1 A Closed Circuit Television (CCTV) system has been introduced to the City of York. This system comprises a number of cameras installed at strategic locations.
- 1.0.2 Some of the cameras have pan, tilt and zoom facilities; other are fixed cameras with no 'PTZ' functionality.
- 1.0.3 Some cameras were primarily installed for Traffic Network Management purposes, whereas others have the primary purpose of crime prevention and detection. Many cameras serve both purposes.
- 1.0.4 There are currently 2 control rooms used for the operation of the system, located separately. The 'Primary Control Room' is manned 24 hours a day and is the main site for live CCTV monitoring. The second site is the 'Traffic Control Room'. It has access to the same network of cameras, but is manned infrequently.
- 1.0.5 At the time of writing, there are plans to co-locate the two separate control rooms.
- 1.0.6 All images from the camera network are first brought back to the Traffic Control Room. Here, they are all recorded 24 hours a day on a digital recording system and forwarded to the viewing stations. There are viewing stations in the Traffic Control Room and the Primary Control Room. Only the Traffic Control Room has the ability to review and retrieve past footage recorded on the digital recording system.
- 1.0.7 There is a single viewing station in Silver Command, Fulford Road Police Station, which will have a single video feed displayed at any one time for Police operational purposes.
- 1.0.8 The owner of the system is the City of York Council.
- 1.0.9 For the purposes of the Data Protection Act, the 'data controller' is the City of York Council, whose representative is the Assistant Director (City Strategy, Development and Transport).
- 1.0.10 The 'system manager' is the City of York Council, whose representative is the Head of Network Management.
- 1.0.11 The City of York CCTV system (hereafter referred to as 'The System') has been notified to the Information Commissioner.
- 1.0.12 The purpose of this Code of Practice is to describe the means by which The System shall be utilised to obtain its stated objectives, whilst adhering to all relevant legislation pertinent to such systems.
- 1.0.13 Closely related to this Code of Practice is a document called the Procedural Manual. It contains detailed instructions for monitoring room operators in regards to their daily duties. It is not publicly available due to its sensitive nature. For example, it contains instructions on how to log in to the relevant operational systems.

2.0 **Key Personnel – Responsibilities and Contacts**

2.0.1 System Owner:

The City of York Council is the owner of the system.

The Assistant Director (City Strategy, Development and Transport) takes on duties related to being the system owner. His role includes a responsibility to:

Ensure the provision and maintenance of all equipment forming part of The System.

Maintain close liaison with the system manager.

Ensure the operation of the system is in accordance with this Code of Practice.

Bear the duties relating to holding the position of ‘Data Controller’ specified in the Data Protection Act 1998

Contact:

Assistant Director – Development and Transport
City Strategy
9 St Leonards Place
York
YO1 7ET

2.0.2 System Manager:

The Head of Network Management is the manager of the system. His role includes a responsibility to:

Ensure the operation of the system is in accordance with this Code of Practice.

Maintain close liaison with the owner and operators of the system.

Make the final call regarding decisions relating to the release of footage to third parties.

Contact:

Head of Network Management
City Strategy
9 St Leonards Place
York
YO1 7ET

The Head of Network Management also has delegated responsibilities relating the Traffic Management Act 2004, details of which are referred to in section 4.7.

The system manager is also the councils designated authorisation officer in relation to the RIP Act. see section 4.6.

2.0.3 Operational Manager:

The Divisional Head of Traffic is the Operational Manager of the system. His role includes a responsibility to:

Manage the day-to-day running of the monitoring rooms, including staffing issues

Maintain close liaison with staff employed in the monitoring rooms

Contact:

Divisional Head (Traffic)
City Strategy
9 St Leonards Place
York
YO1 7ET

3.0 **Purpose and Objectives of The System**

3.1 ***Purpose***

3.1.1 The purpose of The System, and the reasons for implementing The System are to achieve the objectives laid out below.

3.2 ***Objectives***

3.2.1 To aid in the expeditious movement of traffic, as per the Traffic Management Act 2004

3.2.2 To reduce the fear of crime

3.2.3 To deter crime

3.2.4 To detect crime and provide evidential material for court proceedings

3.2.5 To assist in the overall management of the City of York

3.2.6 To enhance community safety, assist in developing the economic well being of the area and encourage greater use of the city centre and car parks

3.2.7 To assist the Local Authority in its enforcement and regulatory duties

3.2.8 To assist in Traffic Management

3.2.9 To assist in supporting civil proceedings which will help detect crime.

4.0 Privacy and Relevant Legislation

4.1 *Legality of The System*

4.1.1 Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide closed circuit television coverage of any land within their area for the purposes of crime prevention or victim welfare and it is also considered a necessary initiative by the police towards their duty under the Crime and Disorder Act 1998.

4.2 *Data Protection Act 1998*

4.2.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.

4.2.2 Concern over the use of public space CCTV systems has become a topic of much discussion in recent years. Concern typically centres on the two issues of personal privacy and how recorded images of oneself are to be utilised.

4.2.3 With the growing use of such systems, it was deemed that public confidence could only be maintained by tighter legislation covering their usage and deployment (House of Lords Select Committee on Science and Technology – 5th Report – Digital Images as Evidence)

4.2.4 This legislation took the form of the Data Protection Act 1998. This act is built upon the 1984 Act, broadening its definitions such that it can more effectively be applied to CCTV systems. It is this 1998 Act that provides much of the legal framework by which the City of York Council is obligated to operate The System.

4.2.5 All personal data obtained by The System, shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the system, those objectives having been specified in section 3.2. In processing personal data there will be total respect for everyone's right to respect for his or her private and family life and their home. The process by which this shall be achieved is specified in section 8.0.

4.2.6 The storage and security of the data will be strictly in accordance with the requirements of the Data Protection Act 1998 and additional locally agreed procedures. These processes are specified in section 8.0.

4.2.7 The operation of The System has been notified to the Office of the Information Commissioner in accordance with current Data Protection legislation.

4.2.8 All data will be processed in accordance with the principles of the Data Protection Act, 1998 which are summarised below:

- i) All personal data will be obtained and processed fairly and lawfully.
- ii) Personal data will be held only for the purposes specified.
- iii) Personal data will be used only for the purposes, and disclosed only to the people, shown within these codes of practice.
- iv) Only personal data will be held which are adequate, relevant and not excessive in relation to the purpose for which the data are held.
- v) Steps will be taken to ensure that personal data are accurate and where necessary, kept up to date.
- vi) Personal data will be held for no longer than is necessary.
- vii) Individuals will be allowed access to information held about them and, where appropriate, permitted to correct or erase it.

4.3 *Subject Access Request*

- 4.3.1 A guide relating to the Council's policy for producing footage captured by The System is located in the appendices. The guide should be your first reference when discovering whether you will be able to access data held on The System.
- 4.3.2 Note: Each and every application for release of footage will be assessed on its own merits and general 'blanket exemptions' will not be applied.
- 4.3.3 The Council's policy for footage release takes into account one's rights as laid out in the Data Protection Act 1998 (namely requests for information under Section 7, the Data Subject Access legislation) Laid out below is information regarding requests that fall into this category.
- 4.3.4 Any request from an individual for the disclosure of personal data which he / she believes is recorded by virtue of the system will be directed in the first instance to the system manager.
- 4.3.5 The principles of Sections 7 and 8, and 10 of the Data Protection Act 1998 (Rights of Data Subjects and Others) shall be followed in respect of every request.
- 4.3.6 Any person making a request must be able to satisfactorily prove their identity and provide sufficient information to enable the data to be located. The appropriate 'Subject Access' request form is in the appendices.
- 4.3.7 In considering a request made under the provisions of Section 7 of the Data Protection Act 1998, reference may also be made to Section 29 of the Act which includes, but is not limited to, the following statement:

Personal data processed for any of the following purposes -

- i) the prevention or detection of crime
- ii) the apprehension or prosecution of offenders

are exempt from the subject access provisions in any case ‘to the extent to which the application of those provisions to the data would be likely to prejudice any of the matters mentioned in this subsection’.

4.3.9 Further information on retrieving recorded material under this legislation is in section 11.4.

4.4 ***The Human Rights Act 1998***

4.4.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.

4.4.2 The council recognises that public authorities and those organisations carrying out the functions of a public service nature are required to observe the obligations imposed by the Human Rights Act 1998, and consider that the use of CCTV in York is a necessary, proportionate and suitable tool to help reduce crime, reduce the fear of crime and improve public safety.

4.4.3 It is recognised that operation of the City of York CCTV System may be considered to infringe on the privacy of individuals. The partnership recognise that it is their responsibility to ensure that the system should always comply with all relevant legislation, to ensure its legality and legitimacy.

4.4.4 The system will only be used as a proportional response to identified problems and be used only in so far as it is necessary in a democratic society, in the interests of national security, public safety, the economic well being of the area (for example, aiding the expeditious movement of traffic), for the prevention and detection of crime or disorder, for the protection of health and morals or for the protection of the rights and freedoms of others.

4.4.5 The Code of Practice and observance of the operational procedures contained in the Procedure Manual shall ensure that evidence is secured, retained and made available as required to ensure there is absolute respect for everyone’s right to a free trial.

4.4.6 The City of York CCTV System shall be operated with respect for all individuals, recognising the right to be free from inhumane or degrading treatment and avoiding discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

4.5 ***Freedom of Information Act 2000***

4.5.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.

- 4.5.2 The Freedom of Information Act 2000 gives the public a general right of access to information held by local authorities to promote openness and accountability.
- 4.5.3 This act may be used to request specific information about the operation of The System.
- 4.5.4 Due to its sensitive nature, recorded material collected by The System is not available under this act, confidential information being an example of material exempt from the act. Individuals are advised to seek access via the Data Subject Access legislation in the Data Protection Act 1998 if they require access to recorded material.
- 4.6 ***Regulation of Investigatory Powers Act 2000***
- 4.6.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.
- 4.6.2 The Regulation of Investigatory Powers Act 2000 was introduced to regulate surveillance and similar activities carried out by public bodies.
- 4.6.3 The system manager, named in section 2.0, is the councils authorising officer in relation to the RIP Act.
- 4.6.4 The CCTV operators shall be trained to identify surveillance that requires RIP Act authorisation and know the process required to obtain this authorisation. Surveillance requiring such authorisation shall not be carried out without obtaining authorisation. Certain instances may necessitate retrospective authorisation.
- 4.6.5 The Act defines 2 types of covert surveillance relevant to the use of CCTV systems, 'intrusive' and 'directed' surveillance. The following paragraphs refer to The Acts definition of 'directed' and 'intrusive'.
- 4.6.6 Intrusive surveillance shall only be undertaken at the request of the police or similar body, and only then on receipt of RIP Act authorisation from a suitable officer, examples named in The Act.
- 4.6.7 Directed surveillance shall primarily be carried out at the request of the police or similar body, though the council retains it rights under The Act to authorise directed surveillance in certain necessary instances.
- 4.6.8 To maintain public confidence in The System, The council pledges not use directed surveillance for minor or petty offences and shall only resort to directed surveillance in significant cases where other solutions have been exhausted.
- 4.6.9 An example where directed surveillance shall not be employed would be in determining the school catchment area of residents for purposes of determining a school applicants validity.

4.6.10 An example where directed surveillance would be permitted would be to determine the identity of individuals engaged in repeated criminal damage to property with the aim of bringing about a prosecution.

4.7 ***Traffic Management Act 2004***

4.7.1 The City of York Council has a responsibility under the Traffic Management Act 2004 to 'secure the expeditious movement of traffic on the authority's road network'

4.7.2 Under this act, the Council must name a 'Traffic Manager' who holds accountability for undertaking said responsibilities. The Traffic Manager for the City of York is the Head of Network Management as shown in section 2.0. The Head of Network Management thus has a dual role as CCTV System Manager and Traffic Manager.

4.7.3 The council undertakes it's duties as per TM Act 2004 via several means, an integral tool to these being the use of The System. As per section 3.2, purpose 3.2.1 of The System derives it's necessity from this act.

4.7.4 No such operation of The System for Traffic Management duties will fall outside the rules applied to the operation of the system for other purposes.

4.7.5 As such, this Code of Practice; any guidance, rules or obligations; restraints or policies, shall be followed equally whether The System be used for Traffic Management duties, or for prevention/detection of crime and disorder. This includes, but is not limited to obligation under Freedom of Information and Data Protection Acts.

5.0 **Camera Installation and Coverage**

5.1 ***Installation***

- 5.1.1 The siting of new camera installations will be considered carefully, so as to comply with all relevant legislation, particularly the Data Protection Act 1998.
- 5.1.2 Consideration shall be given to the fact that a cameras location will be chosen such that it is capable of carrying out the purpose for which it was installed.
- 5.1.3 From time to time transportable or mobile cameras may be temporarily sited within the area. The use of such cameras, and the data produced by virtue of their use, will always accord with the objectives of the CCTV System and be governed by these Codes and Procedures.
- 5.1.4 None of the permanent cameras forming part of the System will be installed in a covert manner. Some cameras may be enclosed within 'All weather domes' for aesthetic or operational reasons but the presence of all cameras will be identified by appropriate signs.
- 5.1.5 All permanent camera locations will be advertised by the siting of appropriate signs, visible upon entering the area for which the camera covers.

5.2 ***Coverage***

- 5.2.1 Cameras should be sited such that they can only monitor areas that are intended to be covered.
- 5.2.2 In those instances where the previous proviso cannot be complied with, installation can still go ahead, but consideration must be given to the procedures involved with coverage of areas not intended to be viewed.
- 5.2.3 In those instances where it is not possible to restrict coverage of areas not intended to be viewed, the operators will comply with their training in regards to recognising the privacy implications of such spaces being monitored (First and Third Data Protection Principles)
- 5.2.4 There are instances where coverage of private property may be necessary. These instances are described and governed under the section covering the Regulation of Investigatory Powers Act 2000, section 4.6.

6.0 **Monitoring Rooms – Access, Security, Staffing and Facilities**

6.1 *Access*

- 6.1.1 Only authorised persons will be permitted access to the CCTV monitoring rooms.
- 6.1.2 Appendix C lists the persons with pre-approved authorisation for access to the monitoring rooms.
- 6.1.3 Authorisation for persons not on the pre-approval list will be at the System Managers discretion.
- 6.1.4 Public access will normally be prohibited.
- 6.1.5 All persons accessing the monitoring rooms will be required to fill in the access control log, part of which is a visitors declaration of confidentiality, located in Appendix D.

6.2 *Security*

- 6.2.1 A trained and authorised operator must be present at all times when the equipment is in use. If the monitoring facility is to be left unattended for any reason it will be secured. In the event of the monitoring room having to be evacuated for safety or security reasons, the provisions of the Procedural Manual will be complied with.
- 6.2.2 In the event that a Lay Visitor (section 9.1) or approved visitor (within the terms outlined in section 6.1.3) is present within the monitoring room, all cameras shall be operated only in wide angle and in such a manner that the identification of individuals or specific vehicles is not possible.
- 6.2.3 The monitoring rooms will at all times be secured by a locked door. This door is to remain closed and locked at all times other than for access of authorised personnel.
- 6.2.4 It is the responsibility of any authorised operator to ensure that the above access requirements are complied with at all times. Should any operator find that the monitoring room or its equipment has been left insecure the operator shall secure the equipment appropriately and an immediate report of the incident, quoting the time and date must be made to the system manager within 24hrs.

6.3 *Staffing*

- 6.3.1 The Operational Manager is responsible for managing the staffing of the monitoring rooms.
- 6.3.2 Equipment associated with The System will only be operated by authorised personnel who will have been properly trained in its use and all monitoring room procedures.
- 6.3.3 Operators will all be SIA trained and licensed.

6.3.4 Every person involved in the management and operation of the system will be personally issued with a copy of both the Code of Practice and the Procedural Manual, will be required to sign a confirmation that they fully understand the obligations adherence to these documents places upon them and that any breach will be considered as a disciplinary offence. They will be fully conversant with the contents of both documents, which may be updated from time to time, and which he / she will be expected to comply with as far as is reasonably practicable at all times.

6.3.5 All operators shall receive training relevant to their role in the requirements of the Human Rights Act 1998, Data Protection Act 1998, Regulation of Investigatory Powers Act 2000 and the Codes of Practice and Procedures. Further training will be provided as necessary.

6.4 *Discipline*

6.4.1 Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with The System to which they refer, will be subject to the Employing Authority discipline code. Any breach of this Code of Practice or of any aspect of confidentiality will be dealt with in accordance with those discipline rules.

6.4.2 The system manager will accept primary responsibility for ensuring there is no breach of security and that the Code of Practice is complied with. The system manager will have day to day responsibility for the management of the monitoring room and for enforcing the discipline rules. Non-compliance with this Code of Practice by any person will be considered a severe breach of discipline and dealt with accordingly including, if appropriate, the instigation of criminal proceedings.

6.4.3 Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with The System to which they refer, will be required to sign the operators declaration of confidentiality. This document is located in Appendix E

6.5 *Facilities*

6.5.1 A staffed monitoring room is located at Police Divisional Headquarters, Fulford Road, York (The Primary Control Room)

6.5.2 The Primary Control Room has no recording facilities housed in it. All footage viewed from the Primary Control Room is automatically recorded at the Secondary Control Room.

6.5.3 The Primary Control Room has access to the Police 'Airwave' Radio system.

6.5.4 The Secondary Control Room is located in the UTC room (Traffic Control Room) at the Council Headquarters. It has access to exactly the same network of cameras as the Primary Control Room. It is manned only during office hours.

6.5.5 The Secondary Control Room houses all recording facilities for both Primary and Secondary control rooms. It also houses the facilities necessary for viewing and managing the recorded material and appropriately processing requests for footage.

7.0 System Operation Practice

7.0.1 This section covers those non-sensitive general practices involved in the operation of the system, in either control room.

7.0.2 Participation in the system by any organisation, individual or authority assumes an agreement by all such participants to comply fully with this Code and to be accountable under the Code of Practice.

7.1 Operation Principles

7.1.1 Any person operating the cameras will act with utmost probity at all times.

7.1.2 The system will be operated in accordance with the Data Protection Act at all times. Further detail can be found in section 4.2.

7.1.3 The system will be operated in accordance with all the requirements and the principles of the Human Rights Act 1998. Further detail can be found in section 4.4.

7.1.4 Camera operators will be mindful of exercising prejudices which may lead to complaints of the system being used for purposes other than those for which it is intended. The operators may be required to justify their interest in, or recording of, any particular individual, group of individuals or property at any time by virtue of an audit of the system.

7.1.5 The system will be operated with due regard to the principle that everyone has the right to respect for his or her private and family life and their home.

7.1.6 The public interest in the operation of the system will be recognised by ensuring the security and integrity of operational procedures. This Code of Practice contains the means by which this shall be achieved.

7.1.7 Throughout this Code of Practice it is intended, as far as reasonably possible, to balance the objectives of the CCTV System with the need to safeguard the individual's rights. Every effort has been made throughout the Code to indicate that a formal structure has been put in place, including a complaints procedure, by which it can be identified that the System is not only accountable, but is seen to be accountable.

7.2 Operation Practice

7.2.1 As previously stated in section 1.0.13, "Closely related to this Code of Practice is a document called the Procedural Manual. It contains detailed instructions for monitoring room operators in regards to their daily duties. It is not publicly available due to it's sensitive nature. For example, it contains instructions on how to log in to the relevant operational systems."

7.2.2 The cameras, control equipment, recording and reviewing equipment shall at all times only be operated by persons who have been trained in their use and the legislative implications of their use.

- 7.2.3 Every use of the cameras will accord with the purposes and key objectives of the system and shall be in compliance with this Code of Practice.
- 7.2.4 Cameras will not be used to look into private residential property except under specific circumstances. This highly regulated behaviour is explained and described in section 4.6 and section 10.3.
- 7.2.5 The operation of the system will also recognise the need for formal authorisation of any covert 'Directed' surveillance or crime – trend (hotspot') surveillance as required by the Regulation of Investigatory Powers Act 2000 (RIP Act), further info in section 4.6.
- 7.2.6 The System will be operated fairly, within the law, and only for the purposes for which it was established and are identified within this Code, or which are subsequently agreed to be in accordance with this Code of Practice.

7.3 ***Control Priority***

- 7.3.1 Operators located in the Primary Control Room have priority in operation of any of the cameras on the System. This priority is due to the fact that the Primary Control Room has access to the Police 'Airwave' Radio system, giving them a better idea of what incidents require the most immediate attention.
- 7.3.2 This priority is achieved by programming built into the system whereby simultaneous operation of a camera by both the Primary and Secondary control rooms will default to taking commands from only the Primary control room.
- 7.3.3 The operators in the Primary Control Room have the ability to choose which camera is displayed on the monitor in Silver Command. The choice of camera shown will usually be at the request of the Police.

7.4 ***Incident Logging***

- 7.4.1 Whenever an operator witnesses a incident, he shall note down the relevant details in the incident log at his control station.
- 7.4.2 Each incident will be sequentially numbered, dated and timed.
- 7.4.3 Any incident or circumstance which gives rise to suspicion or concern even if no further action is required by North Yorkshire Police should be recorded in the incident log.

7.5 ***Directed Surveillance Requests***

- 7.5.1 There will be occasions upon which the Police not only request a specific camera be shown in Silver Command, but that the camera be operated in a way that constitutes 'Directed Surveillance'.

- 7.5.2 All operators will be able to identify requests that fall under the category of ‘Directed Surveillance’ and will know the action to take in regards to the Regulation of Investigatory Powers Act 2000 (RIP Act). More information on the RIP Act is in section 4.6.
- 7.5.3 A record of any request is to be made into a book specifically held for this purpose after the operator has satisfied him/herself that the request falls within a category for which directed surveillance may be considered appropriate under the RIP Act.
- 7.5.4 Each request will be sequentially numbered, dated and timed and the record endorsed with the name and number of the police officer requesting the directed surveillance and brief details of the reason for the request. The time that the directed surveillance ceased shall also be entered into the record.
- 7.5.5 Directed surveillance requests from sources other than the police will only be accepted upon written authorisation by The System Owner. Upon such authorisation being given, the above information will be entered into the Directed Surveillance record book. In any case, section 4.6 still applies.
- 7.6 ***Operational Command of the System by the Police***
- 7.6.1 Under rare and extreme operational circumstances the Police may make a request to command the use of The System to which this Code of Practice applies. These circumstances may be a major incident or event that has a significant impact on the prevention and detection of crime or public safety. Such use will provide the police with a broad overview of events in order to command the incident.
- 7.6.2 Such requests will be viewed separately to the use of the systems’ cameras with regard to the requirement for an authority for specific types of surveillance under the Regulation of Investigatory Powers Act 2000
- 7.6.3 Applications made as at section 7.6.1 will be considered on the written request of a police officer not below the rank of Superintendent. Any such request will only be accommodated upon the personal written permission of the most senior representative of the System owners, or designated deputy of equal standing. In the event of an urgent need, a verbal request of the senior officer in charge, and in any case an officer not below the rank of Inspector, will be necessary. This should be followed as soon as practicable within 72 hours by a Superintendents’ written request.
- 7.6.4 In the event of such a request being permitted, the Monitoring Room will continue to be staffed, and equipment operated by, only those personnel who are specifically trained to do so, and who fall within the terms of Appendix C of this Code. They will then operate under the command of the police officer designated in the verbal / written request, taking into account their responsibilities under this code.
- 7.6.5 In very extreme circumstances a request may be made for the Police to take total control of The System in its entirety, including the staffing of the monitoring room and personal control of all associated equipment, to the exclusion of all representatives of the System owners. Any such request should be made to The

system manager in the first instance, who will consult personally with the most senior officer of the system owners (or designated deputy of equal standing). A request for total exclusive control must be made in writing by a police officer not below the rank of Assistant Chief Constable or person of equal standing.

7.7 *Maintenance of the System*

- 7.7.1 To ensure compliance with the Information Commissioners Code of Practice and that images recorded continue to be of appropriate evidential quality The System shall be maintained in accordance with the requirements laid out below.
- 7.7.2 The maintenance agreement will make provision for regular/ periodic service checks on the equipment which will include cleaning of any all weather domes or housings, checks on the functioning of the equipment, and any minor adjustments that need to be made to the equipment settings to maintain picture quality.
- 7.7.3 The maintenance will also include regular periodic overhaul of all the equipment and replacement of equipment which is reaching the end of its serviceable life.
- 7.7.4 The maintenance agreement will also provide for 'emergency' attendance by a specialist CCTV engineer on site to rectify any loss or severe degradation of image or camera control.
- 7.7.5 The maintenance agreement will define the maximum periods of time permitted for attendance by the engineer and for rectification of the problem depending upon the severity of the event and the operational requirements of that element of the system.
- 7.7.6 It is the responsibility of the System Manager to ensure appropriate records are maintained in respect of the functioning of the cameras and the response of the maintenance organisation.

8.0 Management of Recorded Material

8.1 *Principles*

- 8.1.1 For the purpose of this Code of Practice, 'Recorded Material' refers to any digital images stored by any part of The System. A single digital image may be referred to as a video 'still' or 'print' but differs from video footage only in the fact that a still is a single image whereas a video comprises of a number of sequential images.
- 8.1.2 The System is only capable of recording digital images; no videotape functionality is present.
- 8.1.3 There are only 2 ways in which The System can store recorded material. The first is within an isolated storage device located in the camera to which it is attached. The second is by means of a centrally located storage device at the Secondary Control Room which concurrently records all cameras connected to it. Cameras linked to the centrally located storage device comprise the majority of The Systems camera estate and are referred to as 'fibre' cameras due to the communications method employed.
- 8.1.4 Both means of recording shall be treated the same in regards to the management of recorded material stored thereupon.
- 8.1.5 Access to and the use of recorded material will be strictly for the purposes defined in this Code of Practice only.
- 8.1.6 Recorded material will not be sold or otherwise released and used for commercial purposes or for the provision of entertainment.
- 8.1.7 The practice laid out below in regards to managing recorded material is devised as to comply with the Data Protection Act 1998 and the Information Commissioners Code of Practice. Specifically, those parts relating to the storage of personal data (Data protection Principles 4, 5 and 7)

8.2 *Practice*

- 8.3 Retention - Images shall be retained for 31 days, after which they will be automatically overwritten, unless backed up on a separate device or media. 31 days has been chosen as the retention period due to a compromise between the technological storage capabilities of current technology, against the period of time it can take for criminal activity to be reported. (See Data Protection Principle 5)
- 8.4 Quality – Footage from every fibre camera is recorded 24 hours a day in the Secondary Control Room. The quality of footage varies from camera to camera, but in any case will not typically fall below 10fps at 704x576. As stated, this quality of footage will be maintained for 31 days, 24 hours a day when no faults are present.
- 8.4.1 The system is capable of recording at higher framerates and resolutions, but this quality and framerate has been calculated such that evidential quality footage is still available, yet there is not an unreasonable demand upon storage resources.

- 8.5 Spot Recording – As a means of replacing conventional videotape ‘spot recording’ facilities, a process has been set up on the central storage device to provide extra short-term, high quality recording for every camera, as a supplement to the standard quality long-term footage. For a period of 168 hours, footage from every camera shall also be recorded in 24fps at maximum possible resolution. The operators must then ensure the ‘best evidence’ is removed from the system where possible by organising the retrieval of footage within the stated period. It is to be noted and expected that in a lot of cases, the report of an incident will be received after the ‘spot recording’ footage has expired, and only the standard quality of footage will be available.
- 8.6 Viewing – Recorded material shall only be viewed by authorised operators and only in a private, secure location. This will be the Secondary Control Room. Viewings by third parties will be at the discretion of the system manager as per the procedures in sections 6.0 and 11.0 and 4.2. (7th data Protection Principle)
- 8.7 Removal - Recorded material removed from The System will remain in digital format, on a CD, DVD or Hard Disk Drive. The removal of footage shall be documented in the following way.
- 8.7.1 A CD / DVD / HDD production log is held within the Secondary Control Room and is filled in for EVERY instance in which recorded material is removed from The System.
- 8.7.2 The log documents:
- The date on which the images were removed from the system
 - The date and time/period of the footage removed
 - The camera(s) the footage was removed from
 - The location the footage pertains to
 - A crime reference number if relevant
 - The incident to which the footage relates
 - The operator who removed the footage
 - The operator who handed the footage over to the third party
 - The third party who is in receipt of the footage
 - The date and time the footage was handed over
- 8.7.3 This procedure complies with and exceeds the requirements of the 3rd and 7th Data Protection Principles.
- 8.7.4 The security of stored recorded material is addressed as follows
- 8.7.5 Recorded material stored on the centrally located storage device is secured by means of being located in a restricted room (see section 6.2) and by means of a password protected viewing station.
- 8.7.6 Material produced to CD / DVD / HDD is secured by means of being located in the restricted room until being removed by a third party who signs the production log, documenting its removal. Once removed, the third party becomes responsible for it’s security.

- 8.7.7 These measures satisfy the 5th and 7th Data Protection Principles.
- 8.7.8 Requests for footage from third parties, including Data Subject Access Requests are explained in section 11.0.

9.0 **Assessment of The System**

- 9.0.1 Assessment of The System can take many forms, from cost benefit analyses as to it's cost effectiveness, to enquiries into whether The System is being operated within this Code of Practice, and hence legally. Other forms of assessment may also become necessary over the course of the life of The System.
- 9.0.2 The primary means by which The System facilitates assessment is via a comprehensive audit trail covering all aspects of it's operation. An assessment can be carried out at any point due to the data that is always available on the following topics, from the mentioned sources.
- 9.0.3 Note that the following information may be construed as sensitive and will not necessarily be available under the Freedom of Information Act.
- 9.0.4 Financial Implications – The System is financed from specific budgets in the City of York Council. As such, The Council's Financial Management System has a complete record of all expenditure on The System.
- 9.0.5 Impact upon Crime – The Police have access to crime statistics for areas covered by The System.
- 9.0.6 Additionally, a record is kept of every evidential piece of footage that is provided to the Police, with relevant incident number and evidence tag. Amongst other forms of analyses, one possible process is for the Police, on receipt of this record, to determine how many pieces of surrendered footage have been used in court proceedings.
- 9.0.7 Legal operation of The System – As stated in section 8.0, every movement and production of footage shall be recorded, this enables an assessment of whether Recorded Material has been managed legally and in accordance with this Code of Practice.
- 9.0.8 Every usage of any camera attached to The System is recorded on the centrally located recording facility. An assessment of direct usage of cameras in line with the law and this Code of practice can be enacted from this recorded material.
- 9.0.9 Utility for Traffic Management and City Centre Administration – A log shall be kept of all uses of The System for Traffic Management and City centre Administration purposes.
- 9.0.10 These audit trails provide sufficient evidence to assist in any assessment of The System.
- 9.1 ***Lay Visitor Scheme***
- 9.1.1 Regular assessments are carried out by a group of lay visitors who visit the control rooms to determine whether The System is being operated in accordance with this Code of Practice. The Lay visitor scheme operates as follows.

- 9.1.2 The lay visitors panel shall consist of 10 people who can apply for the positions when advertised.
- 9.1.3 Exclusions from applications:
- Officers of local government or their immediate families
 - Police officers.
 - Elected members of local or national government.
 - Applicants with a criminal record.
- 9.1.4 All applications will be subject to vetting by the police.
- 9.1.5 Application will be forwarded to the chairman of the local Community and Police Group for interview and selection. This recommendation will then be forwarded to the Police Authority for confirmation.
- 9.1.6 Positions will be held for two and three years initially and thereafter every two years.
- 9.1.7 The lay visitors will be responsible for undertaking an ethical and procedural audit to ensure the code of practice is being complied with and will submit an annual report to the City of York Council and the Chief Constable.
- 9.2 ***Changes to the Code of Practice or Procedural Manual***
- 9.2.1 Any major changes to either the Code of Practice or the Procedural Manual, (i.e. such as will have a significant impact upon the Code of Practice or upon the operation of the system) will take place only after consultation with, and upon the agreement of all organisations with a participatory role in the operation of the system.
- 9.2.2 A minor change, (i.e. such as may be required for clarification and will not have such a significant impact) may be agreed between the manager and the owners of the system.

10.0 **Accountability and Public Information**

10.1 ***Overall Accountability***

10.1.1 The Assistant Director (City Strategy, Development and Transport), named in section 2.0.1, being the nominated representative of the system owners, bears duties relating to being the owner of The System.

10.1.2 Formal consultation will take place between the owners and the managers of the system with regard to all aspects, including this Code of Practice and the Procedural Manual.

10.1.3 The other parties with responsibilities relating to The System are listed in section 2.0.

10.2 ***Accountability in regards to observing incidents***

10.2.1 The presence of a CCTV system does not guarantee that every action in the vicinity of a camera will be captured. This is due to the uni-directional nature of cameras, the limits upon the resolution of images captured by cameras; and infrequent, unavoidable hardware failures.

10.2.2 Furthermore, the number of cameras available exceeds the number of operators, meaning it is not possible to monitor every camera continuously.

10.2.3 Taking these points into consideration, the City of York Council will not be held accountable for failure to observe any incidents occurring in the vicinity of cameras.

10.3 ***Public Information***

10.3.1 A copy of this Code of Practice shall be published on the City Councils' web site, and a copy will be made available to anyone on request. Additional copies will be lodged at public libraries, local police stations and Council 'receptions. Salient details of this Code of Practice will also be made available in leaflet form.

10.3.2 Signs will be placed in the locality of the cameras and at main entrance points to the relevant area. The signs will indicate:

- i) The presence of CCTV monitoring;
- ii) The 'ownership' of the system;
- iii) Contact telephone number of the 'data controller' of the system.

10.3.3 The system will be subject to audit by an independent volunteer group of lay visitors, see section 9.1.

10.3.4 Cameras capable of obtaining personal information from private property will not be used to do so except under the specific requirements of an RIP Act request. See section 4.6. Furthermore, such an RIP Act request will only be made for investigations originating from the police or other body investigating serious

offences. Minor and non-criminal offences will not be investigated using intrusive surveillance.

10.3.5 An example for which intrusive surveillance will be used would be the monitoring of a private property being the focus of a police drugs raid or hostage situation.

10.3.6 All CCTV staff are contractually subject to regulations governing confidentiality and discipline. An individual who suffers damage or distress by reason of any contravention of this Code of Practice may be entitled to compensation.

10.4 ***Complaints***

10.4.1 A member of the public wishing to register a complaint with regard to any aspect of The System may do so by contacting the System Owners representative – The Assistant Director (Development and Transport). All complaints shall be dealt with in accordance with the City of York Councils' complaints procedure, a copy of which may be obtained from the Guildhall, York or any Council offices. Any performance issues identified will be considered under the organisations disciplinary procedures to which all members of the City of York Council, including CCTV personnel are subject.

11.0 Release of footage to Third Parties

11.0.1 This section details the principles and procedures involved with the release of footage captured by The System. Located in Appendix A is a guide that will provide an indication on whether footage will be produced for any particular situation. Note that each individual request is still considered on its own merit.

11.1 Principles

11.1.1 Disclosure of recorded material to Third Parties will be made only under the circumstances laid out in this Code of Practice.

11.1.2 Requests for access to recorded material shall be recorded.

11.1.3 Every request for the release of personal data generated by this CCTV System will be channelled through the System Manager. The System Manager will ensure the principles contained within this Code of Practice are followed at all times.

11.1.4 Recorded material shall be processed lawfully and fairly and used only for the purposes defined in the Code of Practice

11.1.5 The release or disclosure of data for commercial or entertainment purposes is specifically prohibited

11.1.6 The City of York Council and its partners are committed to the belief that everyone has the right to respect for his or her private and family life and their home.

11.2 Police Requests for Release of Footage

11.2.1 The majority of requests received by The Council relating to the release of footage come from The Police. As such, a streamlined process has been established that ensures footage is released in accordance with all relevant legislation, as expediently as possible.

11.2.2 This process applies not only to the civil police, but also to: Immigration or Customs Officers, Port Authority or Coastguard Officers, HSE Officers, Fire or Ambulance Officers, British Transport Police Officers, Ministry of Defence Officers, Military Police Officer, Civil Nuclear Constabulary, National Security Service. For brevity, only 'The Police' shall be mentioned hereafter.

11.2.3 The request must relate to one of the following lawful purposes:

- Providing evidence in criminal proceedings
- The prevention of crime
- The investigation and detection of crime
- Identification of witnesses

11.2.4 These purposes being deemed lawful as they coincide with the named purposes of The System, and these purposes being legitimate due to the Police and Criminal Evidence

Act 1984 and Criminal Procedures and Investigations Act 1996 (amongst others), thus satisfying the First Data Protection Principle.

11.2.5 The Police must provide satisfaction that any request made is for one of the above aforementioned lawful purposes. This will usually take the form of a crime reference number relating to the incident in question that will be recorded with the details of the request.

11.3 *Secondary Requests for Release of Footage*

11.3.1 A Secondary request can be thought of as a request that does not originate from the Police and also does not fall under a Data Subject Access Request (see section 11.4). Examples of Secondary requests would be from the media and solicitors.

11.3.2 Each secondary request will be individually considered by referring to The Councils Policy on Release of Footage to Third Parties (Appendix A)

11.3.3 Consideration will also be given to ensure that complying with the request would not contravene any relevant legislation, eg. Data Protection Act 1998, Human Rights Act 1998, Criminal Justice and Public Order Act 1994.

11.3.4 Consideration of any known case law will also be taken into account.

11.3.5 Consideration will be given as to whether release of footage would pass a test of 'disclosure in the public interest'.

11.3.6 The final decision as to whether footage shall be disclosed to a third party will come from the System Manager.

11.4 *Data Subject Access Request*

11.4.1 Section 7 of The Data Protection Act 1998 gives provision to individuals to request access to information held about themselves.

11.4.2 This provision means that a person may make a request to the system manager to view footage of themselves captured by The System.

11.4.3 A person making a request to review footage of themselves can do so through the form located in Appendix B.

11.4.4 There is a charge of £10 for each request made.

11.4.5 The system manager is not obliged to comply with a request under this section unless he is supplied with such information as he may reasonably require in order to satisfy himself as to the identity of the person making the request and to locate the information which that person seeks.

11.4.6 Where a system manager cannot comply with the request without disclosing information relating to another individual who can be identified from that information, he is not obliged to comply with the request unless:

- the other individual has consented to the disclosure of the information to the person making the request, or
- it is reasonable in all the circumstances to comply with the request without the consent of the other individual.

11.4.7 In determining whether it is reasonable in all the circumstances to comply with the request without the consent of the other individual concerned, regard shall be had, in particular, to:

- any duty of confidentiality owed to the other individual,
- any steps taken by the data controller with a view to seeking the consent of the other individual,
- whether the other individual is capable of giving consent, and
- any express refusal of consent by the other individual.

11.5 ***Control of recorded material after release***

11.5.1 Copyright on the footage contained on any released recorded material stays with the City of York Council. All laws pertaining to the usage of copyrighted material apply.

11.5.2 Persons receiving recorded material must also sign an agreement laying out the terms by which they accept receipt of said material, and the terms under which the material may be used.

11.5.3 If the City of York Council incurs damage due to use of released footage outside of the signed agreement, the City of York Council may seek recompense from the party in breach of aforementioned agreement.

11.5.4 Responsibility for controlling released footage in accordance with said agreement falls with the third party to who the material was released.

11.5.5 Should the third party, at a point in the future, no longer feel capable of honouring the agreement, the recorded material will be destroyed.

Appendix A

Policy for release of footage to Third Parties

This section gives a quick reference as to the Council's policy on release of recorded material to third parties. Each request will be considered on its own merits, and in accordance with the relevant legislation, however this section covers the majority of instances that arise.

Release of footage may be predicated by the acceptance of terms of use by the third party.

| | |
|--------------|--|
| Third Party: | Police Officer / Immigration or Customs Officer / Port Authority or Coastguard Officer / HSE Officer / Fire or Ambulance Officer / British Transport Police Officer / Ministry of Defence Officer / Military Police Officer / Civil Nuclear Constabulary / National Security Service |
| Policy: | Footage produced on provision of incident number and other necessary information. |

| | |
|--------------|--|
| Third Party: | Media / Media representative |
| Policy: | Footage is not to be released to the media for entertainment purposes. Footage for purposes such as advertising missing persons should be received from the police, with the councils consent. |

| | |
|--------------|--|
| Third Party: | Insurer |
| Policy: | Is the request in relation to an Insured's claim? If No, Go to 1 If Yes, Go to 2 |
| 1 | Request refused. |
| 2 | Footage usually produced. The council will first evaluate the footage to determine whether production would be in contravention of any relevant legislation. |

| | |
|--------------|--|
| Third Party: | Solicitor |
| Policy: | Is the request in relation to Civil Proceedings? If No, Go to 1 If Yes, Go to 2 |
| 1 | Request Refused. Footage relating to criminal proceedings will always be channelled through the Police. |
| 2 | Request usually accepted. The council will review the footage to determine whether production would be in contravention of any relevant legislation. In some circumstances, a court order or subpoena may be required. |

| | |
|--------------|---|
| Third Party: | Individual |
| Policy: | Are you requesting footage of yourself? If No, Go to 1 If Yes, Go to 2 |
| 1 | Request Refused. Data Protection Act - Section 7 – Data Subject Access Request is the primary process for individuals requesting recorded material. |
| 2 | Is the request in relation to a crime or criminal activity alleged to be committed by yourself or somebody else? If Yes, Go to 3 If No, Go to 4 |
| 3 | Request Refused. Footage relating to potential criminal incidents must be channelled through the Police. |
| 4 | Is the request in relation to an insurance claim? If Yes, Go to 5 If No, Go to 6 |
| 5 | Refuse Request. Footage relating to insurance claims is provided direct to insurance companies upon request from the insurance company. |
| 6 | Is the request in relation to civil proceedings? If Yes, Go to 7 If No, Go to 8 |
| 7 | Refuse Request. Footage relating to civil proceedings is provided direct to solicitors upon request from a solicitor. |
| 8 | Request considered under Data Protection Act 1998, fill in form at Appendix B for consideration. |

Appendix B

Data Subject Access Request Form**How to Apply For Access To Information Held On the CCTV System**

These notes explain how you can find out what information, if any, is held about you on the CCTV System. They also explain how to request copies of such information. Requests will be denied if you do not provide sufficient detail to enable the relevant information of yourself to be found.

Your Rights

Subject to certain exemptions, you have a right to be told whether any personal data is held about you. You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise. The City of York Council will only give that information if it is satisfied as to your identity. If release of the information will disclose information relating to another individual(s), who can be identified from that information, the Council is not obliged to comply with an access request unless –

- The other individual has consented to the disclosure of information
- It is reasonable to comply with the request without the consent of the other individual(s)
- It is possible and reasonable to edit out such information

The City of York System Owners Rights

The City of York Council may deny access to information where the Act allows. The main exemptions in relation to information held on the CCTV System are where supplying the information may jeopardise the enactment of:

- Prevention and detection of crime
- Apprehension and prosecution of offenders

Fee

A fee of £10 is payable for each access *request*, which must be in pounds sterling. Cheques, Postal Orders, etc. should be made payable to ‘**The City of York Council**’.

THE APPLICATION FORM:

(N.B. ALL sections of the form must be completed. Failure to do so may delay your application.)

Section 1 Asks you to give information about yourself that will help the Council to confirm your identity. The City of York Council has a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.

Section 2 Asks you to provide evidence of your identity sufficient to enable a search of your stored data. This will take the form of photo-identification documents.

Section 3 Asks you to confirm whether you will accept just viewing the information, or if you want a copy of the information.

Section 4 **You must sign the declaration**

When you have completed and checked this form, take or send it together with the required identification documents, photograph and fee to:

The Head of Network Management, The City of York Council, 9 St Leonards Place, York ,
YO1 2ET .

If you have any queries regarding this form, or your application, please ring the Head of Network Management on (01904) 551414

SECTION 1 About Yourself

The information requested below is to help the Council (a) satisfy itself as to your identity and (b) find any data held about you.

PLEASE USE BLOCK LETTERS

| | | | |
|---|-----------------|--------------------------|---------------|
| Title | | | |
| Surname/family name | | | |
| First names | | | |
| Maiden name/former names | | | |
| Sex (tick box) | <i>Male</i> | <input type="checkbox"/> | <i>Female</i> |
| Height | | | |
| Date of Birth | | | |
| Place of Birth | <i>Town</i> | | |
| | <i>County</i> | | |
| Your Current Home Address (to which we will reply) | | | |
| | | | |
| | | | |
| | <i>PostCode</i> | | |
| <i>A telephone number will be helpful in case you need to be contacted.</i> | <i>Tel. No.</i> | | |

SECTION 2 Proof of Identity

Your application must be accompanied by **TWO** official documents that between them clearly show your name, date of birth, current address and evidence of your physical appearance, to confirm your identity, and to enable the retrieval of the appropriate data.

One document must be a copy or original of a photo identification document of yourself. This can be a driving license, passport, armed forces identity card or other approved document.

The second document must confirm the address of the applicant. A utility bill or tenancy agreement will be sufficient. It must show the same name as the photo identification document.

Failure to provide this proof of identity may delay your application.

SECTION 3 Supply of Information

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form. Do you wish to:

(a) View the information and receive a permanent copy

(b) Only view the information

SECTION 4 Declaration

DECLARATION (to be signed by the applicant)

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signed by

Date

Warning – a person who impersonates or attempts to impersonate another may be liable to prosecution.

SECTION 5 To Help us Find the Information

You must provide us with specific details of the location and date/time of the footage you wish to request. We will not be to search the database for you. Requests will be denied if you do not provide sufficient detail to enable the relevant able footage of yourself to be found.

| | |
|---------------------------|--|
| Date and Time of Incident | |
| Place Incident Happened | |
| | |
| Brief Details of Incident | |
| | |
| | |
| | |

*Some incidents may relate to a serious, or criminal offence. The police **must** be informed of such incidents before a subject access request is made. Subject Access Requests may be denied if the request relates to a relevant incident that has not yet been alerted to the police.*

Victims of crime are strongly advised to inform the police of any potential CCTV evidence that they believe may or may not exist.

Footage is stored for 31 days. If you believe the footage you are requesting is likely to fall outside this date by the time your request has been processed, follow the below procedure:

- *Fill in the appropriate forms as normal and apply promptly*
- *Contact the System Operator by telephone on 01904 551 426*
- *Inform the System Operator that you are sending in a Subject Access Request, but believe the footage may have expired by the time it will be processed.*
- *Give the System Operator the times and dates you wish to be temporarily archived to ensure the footage is retained.*
- *Where possible, this footage will then be retained for longer than 31 days for the purpose of reviewing the Subject Access Request.*

Before returning this form

- Have you completed ALL Sections in this form?

Please check:

- Have you enclosed TWO identification documents?
- Have you signed and dated the form?
- Have you enclosed the £10.00 (ten pound) fee?

Further Information:

These notes are only a guide. The law is set out in the Data Protection Act, 1998, obtainable from The Stationery Office. Further information and advice may be obtained from:

**The Information Commissioner,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.
Tel. (01625) 545745**

Please note that this application for access to information must be made direct to **City of York Council** (address on Page 1) and **NOT** to the Information Commissioner.

OFFICIAL USE ONLY

Please complete ALL of this Section (refer to 'CHECK' box above).

Application checked and legible? **Date Application Received**

Identification documents checked? **Fee Paid?**

Details of 2 Documents (see page 3) **Method of Payment**

Documents Returned?

Member of Staff completing this Section:

Name **Location**

Signature **Date**

Appendix C

Pre-approval list for access to CCTV Monitoring Rooms

| Persons | Reason For Approval |
|--|---------------------------------|
| CoYC employed Operators | Operation of The System |
| Police Inspector and above, and any Police Officer authorised by a person of that rank | Accountability |
| Any member of the Lay Visitor Scheme | Audit / Assessment |
| North Yorkshire Police CCTV Liaison Officer | Liaison |
| North Yorkshire Police Traffic Management Liaison Officer | Liaison |
| Maintenance Contractors appointed to maintain equipment within the monitoring room | Maintenance |
| North Yorkshire Police Premises Officer | Fabric Maintenance of the room |
| Assistant Director of City Strategy – Development and Transport | System Owners Representative |
| Police Officers with pre-booked appointments for collection of recorded material | Collection of Recorded Material |
| Police Officers with pre-booked appointments for review of recorded material | Review of Recorded Material |

Appendix D

**City of York CCTV System
Visitors Declaration of Confidentiality**

I,

have been granted temporary access to part or whole of the CCTV system and monitoring room.

I hereby declare that:

I understand that it is a condition of my access that I do not disclose or divulge to any individual, firm, company, authority, agency or other organisation, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the CCTV System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be retained in connection with the CCTV System).

In appending my signature to this declaration, I agree to maintain confidentiality in respect of all information gained during the course of my duties, whether received verbally, in writing or any other media format – now or in the future.

I further acknowledge that I have been informed and clearly understand that the communication, either verbally or in writing, to any unauthorised person(s) of any information acquired as a result of my access may be an offence against the Official Secrets Act of 1911, Section 2, as amended by the Official Secrets Act of 1989.

Signed: Print Name:

Witness: Position:

Dated this day of (month) 20.....

Appendix E

**City of York CCTV System
Operators Declaration of Confidentiality**

I,, am retained by the City of York to perform the duty of CCTV Control Room Operator/have as part of my normal duties from time to time to use the CCTV equipment provided as part of The City of York CCTV system (delete whichever is not appropriate)

I have received a copy of the Code of Practice in respect of the operation and management of that CCTV System.

I hereby declare that:

I am fully conversant with the content of that Code of Practice and understand that all duties which I undertake in connection with the City of York system must not contravene any part of the current Code of Practice, or any future amendments of which I am made aware. If now, or in the future, I am or become unclear of any aspect of the operation of the System or the content of The Code of Practice, I undertake to seek clarification of any such uncertainties.

I understand that it is a condition of my employment that I do not disclose or divulge to any individual, firm, company, authority, agency or other organisation, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the CCTV System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be retained in connection with the CCTV System).


In appending my signature to this declaration, I agree to abide by the Code of Practice at all times. I also understand and agree to maintain confidentiality in respect of all information gained during the course of my duties, whether received verbally, in writing or any other media format – now or in the future.

I further acknowledge that I have been informed and clearly understand that the communication, either verbally or in writing, to any unauthorised person(s) of any information acquired as a result of my employment with City of York Council may be an offence against the Official Secrets Act of 1911, Section 2, as amended by the Official Secrets Act of 1989.

Signed: Print Name:

Witness: Position:

Dated this day of (month) 20.....

| | |
|---|--------------------------------|
|  | |
| Executive | 7 th September 2010 |
| Report of the Chief Executive | |

More for York - Procurement Workstream Update

Summary

1. This report provides Members with an update on the progress of the More for York procurement workstream in delivering savings, identifies increased potential savings both in year and in future years, sets out a proposed delivery method and requests a change to the More for York investment profile agreed in February 2010 to facilitate the delivery of increased savings.

Background

2. Procurement is a key workstream within the More for York programme and is expected to deliver large-scale savings. Procurement can deliver better value for money and reduce spend on goods and services without having an impact upon the quality of services to customer. Maximising savings generated from procurement will also lessen the impact of savings upon the workforce.
3. The Procurement workstream has made good progress and the in year target savings of £400k to the General Fund (GF) have already been over achieved by +£259k, a total of £659k savings. In addition to this a further £927k savings have been made that will accrue to the Direct Schools Grant (DSG). A full breakdown of these savings is set out in Annex A. The long-term efficiencies that can be delivered by more effective procurement vastly outstrip the modest existing targets. This report sets out greater potential for savings and sets out an approach to delivering these savings and establishing a different operating model for the procurement function within CYC.
4. Since January 2010 we have concentrated the internal team on delivering savings and have utilised a company called V4 to undertake the analysis of potential savings and delivery mechanisms. This work has concluded that the procurement function requires an expanded mandate to control expenditure and ensure that procurement activity delivers goods and services at the lowest cost and highest quality across the whole organisation. The function needs to be refocused away from simply providing compliance advice and guidance and towards the delivery of savings, establishing a Commercial Hub for the organisation.

Current Operating Model

5. The procurement function in CYC has historically had a predominantly Governance focus. It operates with a small central unit providing: -
- Governance - advising on adherence to financial regulations
 - Advice on OJEU compliance
 - Procurement of some corporate contracts.
 - Links with local SMEs via Chamber of Commerce etc to help local suppliers to do business with the Council

Whilst Directorates undertake the following functions: -

- Significant level of procurement – many of high value
- Commissioning – Specification of goods and services, service levels and quality
- Negotiation with suppliers
- Contract Management
- Requisitioning – ordering and authorising payment for goods and services

Options

6. The proposed alternative operating model is to create a Commercial Hub which becomes the commercial arm of the organisation, with visibility and control of all procurement activity which will enable it to drive out value and lower the cost of goods and services.

Commercial Hub

- Control Procurements
- Challenge specification and needs
- Provide Commercial Focus to specification
- Identify best route to market
- Negotiation with suppliers
- Contract and Supplier Management

Directorates

- Service specialists identify service requirements and assist with specifications
- Commissioning skills to define strategic requirements
- Informed Buyers requisition from corporate contracts

7. The benefits of this approach are: -

- Control and visibility of all significant procurement
- Demand Management – buying only what we absolutely need
- Aggregate requirements – by managing categories of spend ensure we do not buy the same goods from multiple suppliers
- Contract Management – Buying from contracts we negotiate and then getting what we pay for and managing suppliers to perform and constantly challenge costs
- Commercial negotiation with suppliers – getting the best deals possible
- Partnership working – identify potential for shared purchasing with other agencies – increased market leverage and reduced cost
- Better Value for Money
- **Additional net savings of £1.25m in 2010/11**
- **Potential annual savings of between £3m-5m in next 2 years**

8. There are three priorities for the remainder of the year
 - Deliver increased level of savings
 - Implement controls, policies and processes to ensure savings are achieved and retained
 - Develop the Commercial Hub to deliver long-term savings
9. Currently, CYC do not have the in house capacity to simultaneously undertake the work set out above. The Procurement team has an establishment of 6 ftes and are carrying 2 vacancies due to staff turnover and one secondment. Whilst the alternative delivery model was being devised, no recruitment has taken place to avoid potentially recruiting permanent staff with the wrong skills to operate in an outmoded model of delivery. We have been using specialist interim agency staff but this is expensive and offers no guaranteed results.
10. The proposal is to establish a core internal procurement team who will undertake the bread and butter, regular procurement activities. This resource will then be supplemented by bringing in specialist category managers who will lead on certain categories of spend i.e. when we need to procure utilities we will bring in a specialist who has extensive experience in this field and possesses up to date knowledge of the current market and suppliers. It would not be cost effective for us to employ such specialists permanently and their specialism would soon become obsolete. The new team would be funded from existing budgets supplemented by More for York investment identified in February's budget report. The exact balance between permanent staff and temporary specialists will be defined over the coming months as we do further detailed analysis of our category spend and identify how much work is needed in each category. The detailed technical methodology of how procurement can drive out savings is set out in a revised Procurement Blueprint which is available on request.
11. It is believed that collaboration with other authorities to create a shared commercial hub will both reduce the cost of the specialist skills and create greater opportunities for shared procurements. We have recently joined with Calderdale in an OJEU tender exercise to procure expert support but we are not committed to any costs at this stage. This idea will be explored further in the autumn and will possibly lead to a contract from April 2011.
12. In the meantime we do not wish to lose momentum and waste opportunities for making further savings. It is therefore proposed to utilise V4 from an OJEU compliant OGC framework to bring in a team between September 2010 and April 2011 to :-
 - Introduce Demand Management - Implement controls to stop unnecessary spend and drive out better deals and value from existing contracts
 - Retender any contracts that are not commercially attractive/beneficial to CYC
 - Develop future category plans
 - Support the implementation of the Commercial Hub
 - Deliver £1.25m in year net savings before April 2011 through demand management and category management
13. CMT have considered the need to make urgent progress in this area and have agreed a short term piece of work with V4 to :-
 - Review the contracts with our top 30 suppliers to drive out savings from our existing high spend areas
 - Implement demand management programmes in the following areas

- Specialist and Interim staff
- Agency Staff
- Stationary
- Travel and Accommodation
- Legal Services
- Uniforms
- Multi Functional Devices (printing/photocopying/scanning/fax)
- ICT support and maintenance

Analysis

14. Procurement is seen by all local authorities as a key and relatively painless source of savings. The Government recently appointed Phillip Green, the CEO for Arcadia, to lead their own Organisational Efficiency programme and his opening comments suggest that procurement will be a priority, with a particular focus upon aggregating requirements from all Central Government departments and jointly procuring them. The More for York Programme must increase the level of savings to be delivered from procurement and the commercial model set out above is being used by many authorities and has a proven track record.
15. Failure to implement significant change in this area will mean missing an opportunity to reduce costs, month on month. Given the financial position of all local authorities this is not desirable. CYC needs to make increased savings as soon as possible.
16. Options to deliver a similar programme in house have been considered but have not proved tenable. We would not be able to guarantee to find people (either to employ directly or as interims) with the right experience and skills at short notice. This skill set is in demand at the moment and delay will mean a costly lost opportunity.
17. Successful delivery will be based upon using people with the experience of implementing complex demand management programmes in a local government setting. These skills are available to us through the pre-tendered OGC framework which has identified V4 as a top provider in this area, providing cost effective services. The Commercial Hub model was introduced by V4 as part of their earlier work with CYC. The company has successfully introduced this model in a number of other authorities including Peterborough, Calderdale, Havering, Woking and Buckinghamshire and are implementing this model in Darlington. V4 have delivered significant savings through this model and already have a thorough grounding in the specific detail of CYC data, processes and behaviours it is not felt that a competition under the OGC framework or indeed a stand alone tender would deliver any advantage and would serve only to delay the work on achieving savings.

Consultation

18. CMT have considered this issue in depth and recommend this proposal to the Executive. Unions have been consulted on the proposals via the More for York Board and have expressed support for the drive to maximise savings in this way.

Implications

19.

(a) Financial

The More for York Programme includes investment to deliver the entire programme of £1.2m. Of this, a recurring sum of £160k per annum and a one off sum of £110k have been earmarked for the procurement workstream. Of this £90k is remaining in 2010/11. The additional costs of the work set out above are £300k and this will be funded by utilising the remaining £90k, supplemented by £210k of unused funds from the MFY investment profile, funds that will not be used for other work streams such as ICT, income collection and the Project Management Office.

- (b) **Human Resources (HR)** – HR support will be required when detailed staffing structures are devised. This will be provided by the MFY HR lead.
- (c) **Equalities** - A desktop EIA has been undertaken on this blueprint and there are no implications
- (d) **Legal** - Drawing down services from an OGC pre-tendered contract is in line with OJEU legislation and the Council's own financial regulations. The long term implications of improved procurement practices will reduce the risk of legal challenge from OJEU or suppliers across the piece and will protect the Council's legal position by ensuring proper contracts are in place and are actively managed.
- (e) **Crime and Disorder** - None
- (f) **Information Technology (IT)** - This proposal will require changes to FMS to support streamlined Purchase to Pay processes – this can be resourced within the existing FMS support team.
- (g) **Property** - None
- (h) **Other** - None

Risk Management

20. This issue covers two major risks

- Failure to make increased savings will create greater pressure on other service areas to generate cuts – Mitigation – A closely managed programme to deliver savings overseen through a fortnightly Gateway Board which will report to the More for York Programme Board
- Failure to procure and requisition all goods and services in line with our financial regulations and OJEU legislation and operate effective processes for the raising of purchase orders presents risks of challenge from OJEU or suppliers. Mitigation – Implementation of improved processes and controls with an accompanying communication and training plan for staff to ensure compliance

Recommendations

21. Members are asked to

- Agree the proposal to establish a Commercial Hub
- Agree the appointment of V4 to undertake procurement work between September 2010 and March 2011

- To fund this through a variation to the investment fund already set aside for More for York

Reason

To improve the long term effectiveness of the Procurement function and generate savings of £1.25m in 2010/11.

Contact Details

| | | | |
|--|--|--|--------------------------------|
| Author: | Chief Officer Responsible for the report: | | |
| Author's name: Tracey Carter Title: Assistant Director – Office of the Chief Executive Dept Name: Office of the Chief Executive Tel No: 553419. | Chief Officer's name Kersten England Title Chief Executive | | |
| Co-Author's Name: Zara Carter Title: Corporate Procurement Manager Dept: Office of the Chief Executive Tel No: 552930 | Report Approved | √ | Date 24 th Aug 2010 |
| Specialist Implications Officer(s) | | | |
| <i>Implication Financial</i> Name Ross Brown Title MFY Accountancy lead Tel No. 551207 | <i>Implication HR</i> Name Claire Waind Title MFY HR lead Tel No.554519 | <i>Legal –</i> Glen McCusker Deputy Monitoring Officer Tel 551048 | |
| Wards Affected: | All | √ | |
| For further information please contact the author of the report | | | |

Background Papers:

Procurement Blueprint October 2009
Procurement Blueprint Update – July 2010

Annex A – Savings made to date 2010/11

More for York Procurement Update - Annex 1 Savings made to date 2010/11

| Procurement activity | Part Year GF Savings 2010/11 | Part Year DSG savings | All funds savings 2010/11 | All funds Full Year savings | Recurring/ Non Recurring |
|-----------------------------------|---------------------------------|--------------------------|------------------------------|--------------------------------|-----------------------------|
| Electricity Supply utilities * | 83,333 | 333,333 | 416,666 | £810,000 | NR ** |
| Gas Supply utilities * | 148,500 | 594,000 | 742,500 | £990,000 | NR ** |
| Escrow agreements | 1,750 | | 1,750 | £3,500 | R |
| Post | 40,000 | | 40,000 | £40,000 | R |
| Telephone Billing Rationalisation | 11,600 | | 11,600 | £11,600 | R |
| Forensic Audit of Creditors | 30,000 | | 30,000 | | NR |
| Road Surfacing | 214,000 | | 214,000 | £214,000 | NR ** |
| Street Lighting Maintenance | 30,000 | | 30,000 | £30,000 | R |
| ICT Hardware | 100,000 | | 100,000 | £100,000 | R |
| | 659,183 | 927,333 | 1,586,516 | £2,199,100 | |

* The exact split of savings between General Fund and Direct Schools Grant is still being finalised. This is split 80% DSG and 20% GF based upon energy utilisation patterns

** Non recurring savings will have to be retendered in the following year when further savings may be made.

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Executive

7th September 2010

Report of the Director of Customer & Business Support Services

Quarter 1 Finance & Performance Monitor for 2010-11

Purpose

1. This report provides details of the headline performance issues from the Q1 performance monitor of 2010-11. This covers the period 1st April to 30th June 2010. However, more up-to-date data has been provided where it was available. The report covers:
 1. *Performance* – how well the council is performing across a wide range of performance indicators, at both corporate and directorate level, including progress on priority actions and projects.
 2. *Finance* – service and corporate budget management.

Background

2. On 27th May the Government announced its plans to abolish CAA and that all related CAA work would cease with immediate effect. Further changes have also been announced in terms of the National Indicator set, with the removal of the Place Survey (18 NPIs) and 23 other NPIs. Around 150 NPIs in the set still remain, but these are now being reviewed by the government, along with indicator frameworks aligned to other public sector organisations.
3. The council has decided to take a proactive approach on this and has already started to review the remaining NPIs to assess which are useful and add value in terms of driving improvement and providing useful context for performance locally. In addition the council's performance management framework is being reviewed to ensure new arrangements are put in place which support more effective improvement & efficiency and remove unnecessary collection/reporting. A report on this will be brought to Executive on the 5th October. As part of this transition, the follow report only includes:
 - NPIs which provide useful context for local performance or demonstrate progress in terms of existing priority improvement.
 - other local data, which demonstrate progress in key service areas (e.g. Library visits, swimming sessions, bus patronage, council tax collection, volume costs etc).

Summary

- Good improvements have been made in relation to waste recycling; street cleanliness standards; violent crime incidents; the number of people who are helped to live independently through Adult Social Care; the number of affordable homes built in York; the number of people killed and seriously injured on York's roads; and educational attainment in literacy & numeracy at key stage 2.
- Further improvement is needed to reduce cycle theft incidents in York and to continue the previous improvement trends on staff sickness experienced over the past 3 years.

- The council is currently identifying early financial pressures of £4,042k in 2010-11.
- This position is inclusive of £2,290k of in-year grant funding cuts from Central Government.

Performance - overview

4. Overall 57 of the national indicators have data available at this point in the year mainly due to most being collected annually or through periodical surveys. Many are also published via government bodies at the end of the year. Of those available, 56% are improving compared to last year and 49% are on track to achieve their 2010-11 target.

| | Total reported this month | Improving | Declining | Stable |
|-----------------------|---------------------------|-----------------|-----------------|----------------|
| All Indicators | 57 | 32 (56%) | 19 (33%) | 6 (11%) |
| ACE | 26 | 13 | 9 | 4 |
| CANS | 18 | 10 | 7 | 1 |
| City Strategy | 10 | 6 | 3 | 1 |
| CBSS | 3 | 3 | 0 | 0 |
| LAA Indicators | 9 | 8 (89%) | 1 (11%) | 0 (0%) |

5. Although only 9 out of 49 LAA indicators have 2010-11 data available at this stage in the year, 8 of those are showing improvement and are forecasting to achieve their 2010-11 target (final year of the 3 year LAA period).

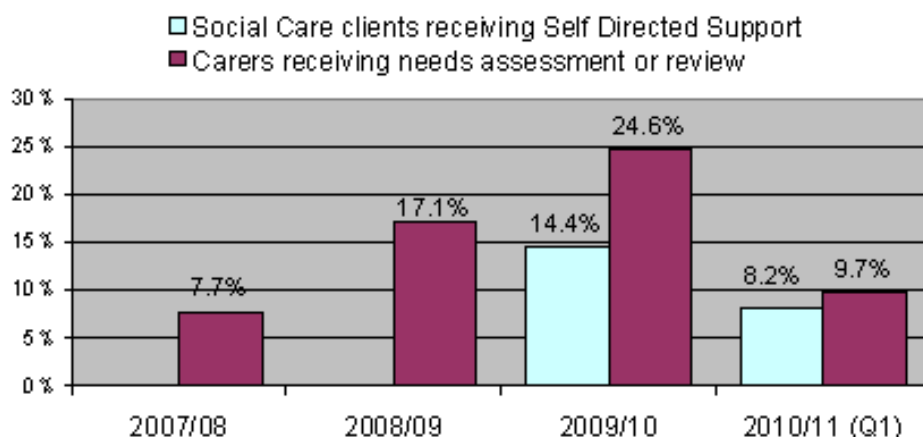
Adults, Children & Education

Adult Social Care

6. Q1 data is available for 5 of the 7 adult social care indicators and performance is mixed, with 3 improving and achieving 2010-11 targets and 2 showing a decline in performance.

| Indicator | 2008-09 | 2009-10 | 2010-11 Q1 | 2010-11 target | Improving ? | Priority ? |
|---|---------|---------|------------|----------------|-------------|------------|
| NPI 130: Social Care clients receiving Self Directed Support | N/A | 14.4% | 8.2% | 30.50% | Yes | LAA |
| NPI 132: Timeliness of social care assessment | 67.1% | 80.5% | 73.8% | 81.50% | No | Local |
| NPI 133: Timeliness of social care packages | 90.3% | 86.9% | 80.6% | 90% | No | Local |
| NPI 135: Carers receiving needs assessment or review | 17.1% | 24.6% | 9.7% | 25% | Yes | LAA |
| NPI 136: People supported to live independently through social services | 3834 | 3980 | 3994 | 4,056 | Yes | NPI Only |

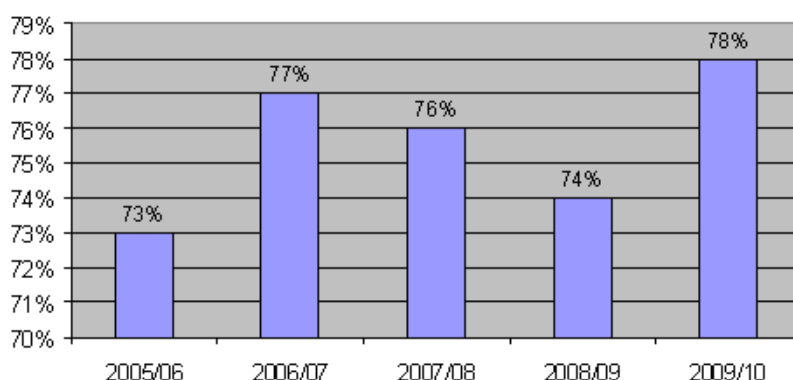
7. *NPIs 130 & 135: Independent living (LAA indicators).* Performance continues to improve for the number of people the council is helping to live independently and is already close to the 2010-11 target (see graph overleaf). The % of social care clients receiving self directed support has already reached 8.2% after Q1 and is on track to exceed its 2010-11 LAA target and improve significantly on 2009-10 performance. Similarly, the number of Carers receiving needs assessment or review is also showing good improvement, standing at 9.7% for Q1. Performance for both these indicators is cumulative.

Adult Social Care - LAA indicators

8. *NPIs 132 & 133 – timeliness of social care assessments and packages (Local LAA indicators).* Current performance levels are below target due to an increased number of referrals being received in the first 3 months of the year. This has increased the time taken to work through a number of assessments using the same resources. If this performance continues, York would remain in the third quartile for both these indicators. Work is currently being undertaken to look at referral trends, as these appear to be higher than the predicted demographic growth.

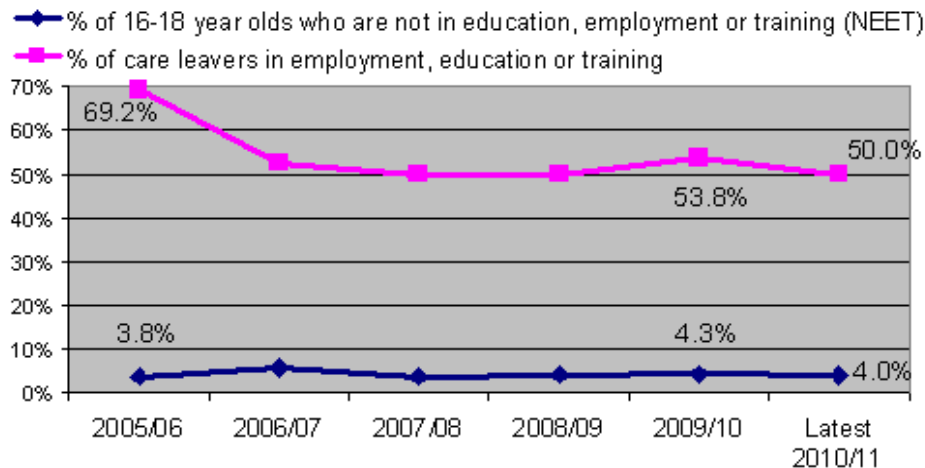
Education

9. *NPI 73 & 76: Literacy & numeracy (KS2).* The % of pupils achieving Level 4 or above in both English and Maths at KS2 has increased by 4 percentage points since the previous academic year. This is 4 percentage points higher than the national average, is the highest result in the region and places York 14th out of 132 local authorities. This increase has meant that York has no schools who have not achieved the floor target of 55% for Level 4+ in both English and Maths at KS2.

% of pupils achieving level 4 in both English & Maths at KS2

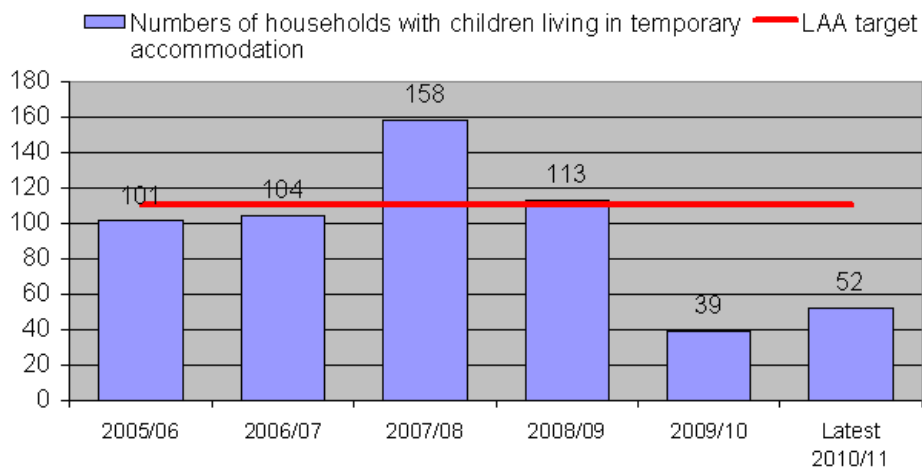
10. *NPI 117: % of 16-18 year old not in education, employment or training (LAA indicator).* Progress on reducing the number of NEETs in York continues, despite the current economic climate. First quarter results show a drop to 4% from 4.3% at the end of 2009-10 (lower is better). Ongoing work on entry into employment provision and data for Year 11 leavers points to continued high levels of participation and a continued reduction throughout the year to achieve the challenging 2010-11 LAA target of 3.3%. However, the % of care leavers in employment, education or training in York has reduced to 50%, a 3.8% drop on last year (higher is better).

Young people and the economy



11. *NI 156: Homelessness & children (linked to LAA indicator).* The number of households with children living in temporary accommodation in York has increased to 52 in Q1, from 39 achieved in 2009-10. However, this is still well below levels from 2 years ago and is still on track to exceed the 2010-11 LAA target.

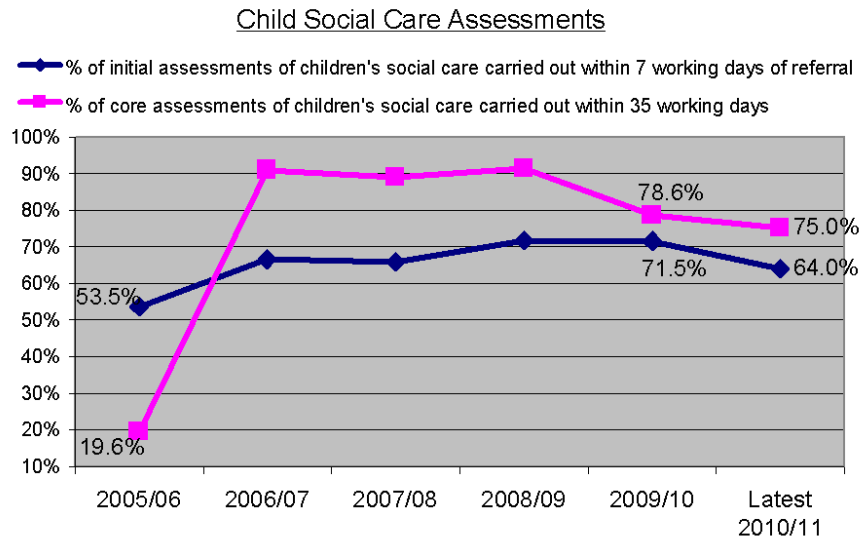
Homelessness & children in York



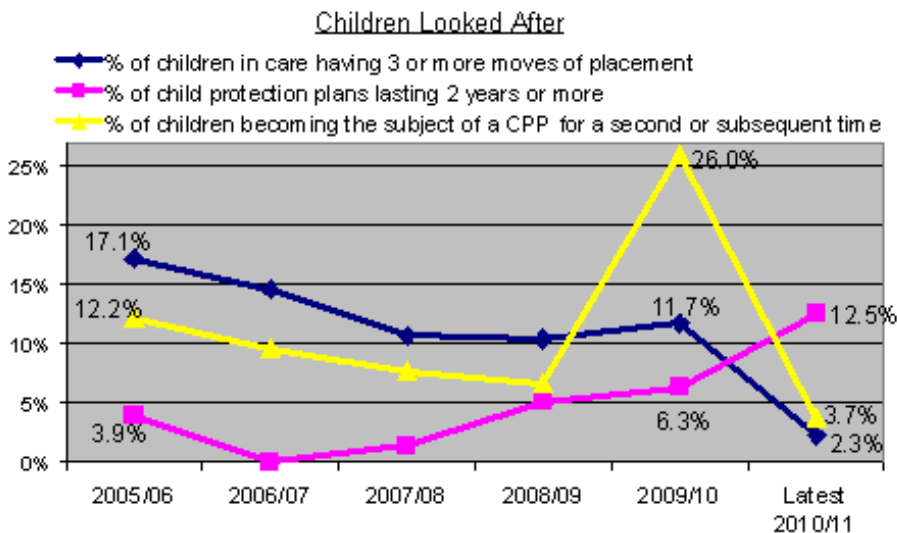
Child Social Care (Note: small cohorts for some child social care indicators can distort results.)

12. At Q1 6 of the 9 child social care indicators are showing good improvement. In particular:
- NPI 62: Children in care having 3 or more moves of placement - currently 2.3% compared to 11.7% last year (lower is better)
 - NPI 65: Children becoming the subject of a Child Protection Plan for a second or subsequent time – currently 3.7% compared to 26% last year (lower is better).
 - NPI 66: Looked after children cases reviewed within required timescales – currently 96.6% compared to 84% last year (higher is better).
 - NPI 67: Child protection cases reviewed within required timescales – currently 100% compared to 90.3% last year (higher is better).
13. Three indicators are not improving and are unlikely to achieve their 2010-11 target unless improvements are made over the next 8 months. These cover assessment times and the length of time children are in care or subject to Child Protection Plans (CPPs).

14. *NPI 59 & 60: % of initial and core assessment of children in care carried out within the designated timescales.* Q1 performance shows a decline in the % of assessments carried out on time (7.5% for initial assessments and a 3.6% decline for core assessment and - see graph below). However, further investigation suggests that the recording of these referrals within the child social care IT system does not accurately reflect practice and this is now being reviewed. Further work, via the implementation of Common Assessment Framework, lead practitioner activity, and integrated 'Front Door' arrangements are expected to improve performance in the future. If successful, this will also improve redirection of the volume of all 'contacts' to the Referral and Assessment Service, which continues to increase year on year.



15. *NPI 64: % of children becoming the subject of a Child Protection Plan for a second or subsequent time.* As is the case with many of the child social care indicators, small cohorts can distort results. This is especially evident for NPI 64 (currently at 12.5% Q1 against a 2010-11 target of 2.5%), which actually represents 3 children (2 being in one sibling group) out of a cohort of 24. As mentioned above, other indicators relating to children in care having 3 or more placements and children becoming subject of a child protection plan for 2 or more times, improved significantly in Q1 (see graph below).



16. The 33% increase in CLAs since 2007-08 affected performance last year for some areas of child social care provision. However, latest figures show that CLA numbers have

reduced slightly by 2%, but costs are forecast to increase by 10%, bringing the average cost per child to over £22K by the end of 2010-11. If York is to maintain the good value for money it has traditionally provided for CLAs in comparison to other local authorities, this may need to be reviewed (see table below).

Numbers and average cost looked after children in York

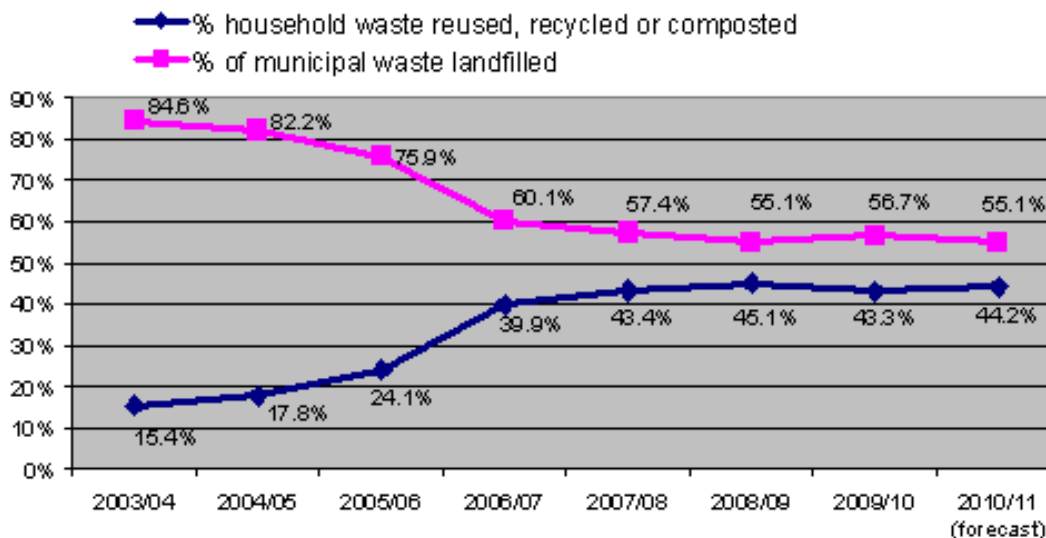
| Year | No. of LAC | % change | Budget | Actual | Cost per Child | % change |
|------------------|------------|----------|------------|------------|----------------|----------|
| 2006-07 | 157 | +12% | £1,972,780 | £2,998,715 | £19,100 | N/A |
| 2007-08 | 168 | +7% | £3,083,130 | £3,345,742 | £19,915 | +4.2% |
| 2008-09 | 199 | +18% | £3,468,020 | £3,833,682 | £19,265 | -3.2% |
| 2009-10 | 223 | +12% | £3,578,760 | £4,501,280 | £20,185 | +4.5% |
| 2010-11 forecast | 219 | -2% | £4,775,450 | £4,867,707 | £22,227 | +10% |

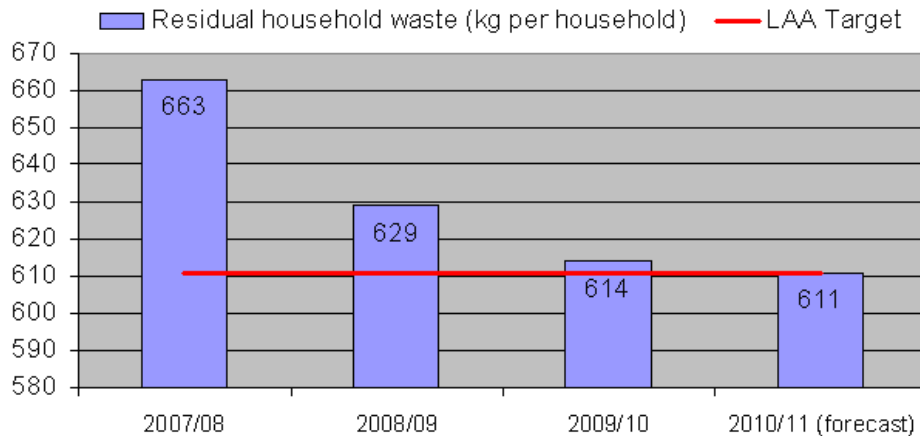
Communities and Neighborhood Services

Environment & Cleanliness

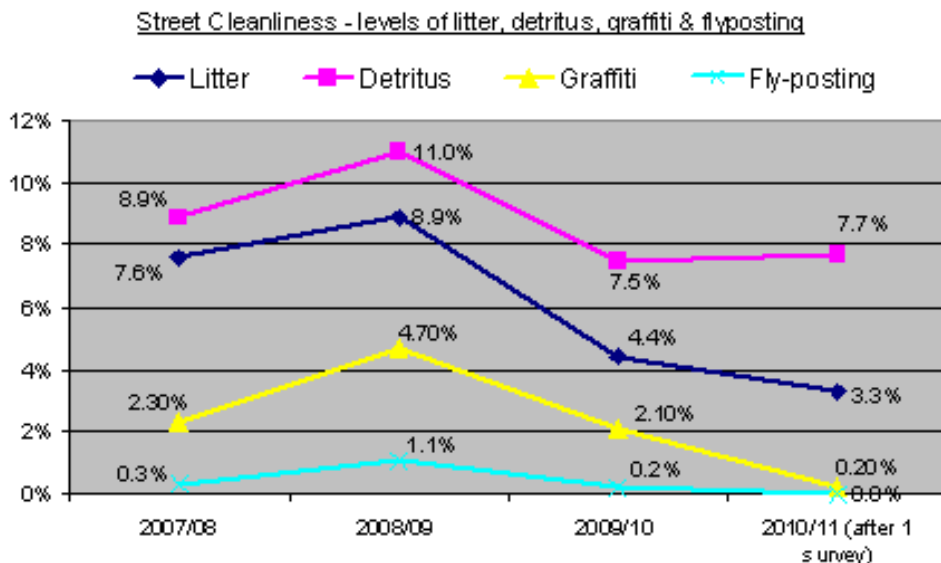
17. *NPI 191-193. Waste collection and management (NPI 191 is LAA indicator).* Although current forecasts based on Q1 indicate that recycling and landfill levels are starting to improve, this year's targets of 48% for recycling and 52% for landfill are unlikely to be achieved. The amount of waste collected per household continues to reduce for the 4th consecutive year and will achieve the very challenging 2010-11 LAA target of 611kg, set 3 years ago (see graphs below & overleaf).
18. Extensive work on improving recycling will continue throughout this year, including:
- the rollout of kerbside recycling to 98% of properties in York
 - expanding full recycling and fortnightly residual waste collection to an additional 16,600 properties by December 2010.
 - providing improved kerbside recycling containers to approximately 60,000 households. The first stage of delivery will be completed by end July. An unprecedented amount of positive feedback has been received from customers relating to this new scheme.

Waste Management in York



Household waste levels

19. *NPI 195a-d: Street environment and cleanliness.* Four NPIs measure the proportion of areas around York that have unacceptable levels of litter, detritus, graffiti and fly-posting. This is assessed through a street cleanliness survey, carried out three times a year. The graph below shows that levels of litter, graffiti and fly-posting have continued to decline significantly in the first survey, with a small rise in levels of detritus (7.7% compared to 7.5% last year). This is however, well below the 11% recorded in 2008-09 and is expected to reduce in the 2nd survey.



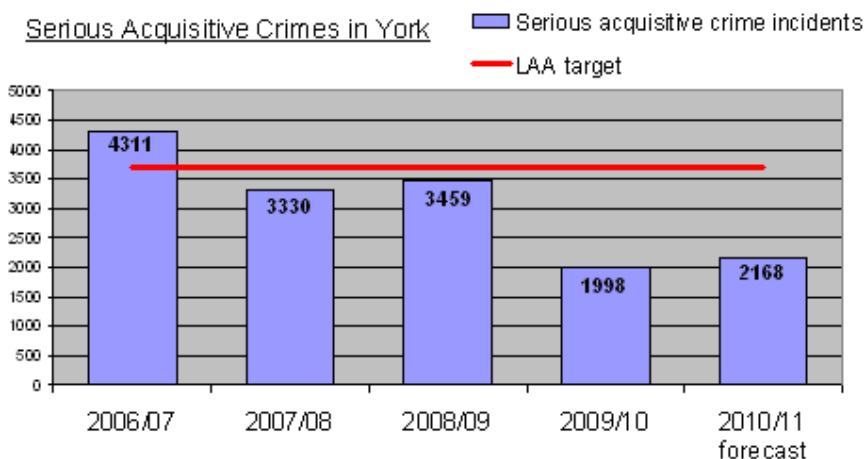
| | Litter | Detritus | Graffiti | Fly-posting |
|--|--------|----------|----------|-------------|
| 2009-10 | 4.40% | 7.50% | 2.10% | 0.20% |
| 2010-11 (1st survey in June) | 3.30% | 7.70% | 0.20% | 0.00% |

Community Safety

20. *Total recorded crime incidents:* Figures for the first of this year are slightly higher than the same period last year and it is forecast that there may be around 500 more crimes committed in York in 2010-11 if this trend continues (7% increase). However, this should be viewed in the context of major reductions in crime over the past 4 years, and a 24% in 2009-10. The table overleaf provides an update on the key crime indicators and further detailed analysis of 2 of those not showing improvement is set out below.

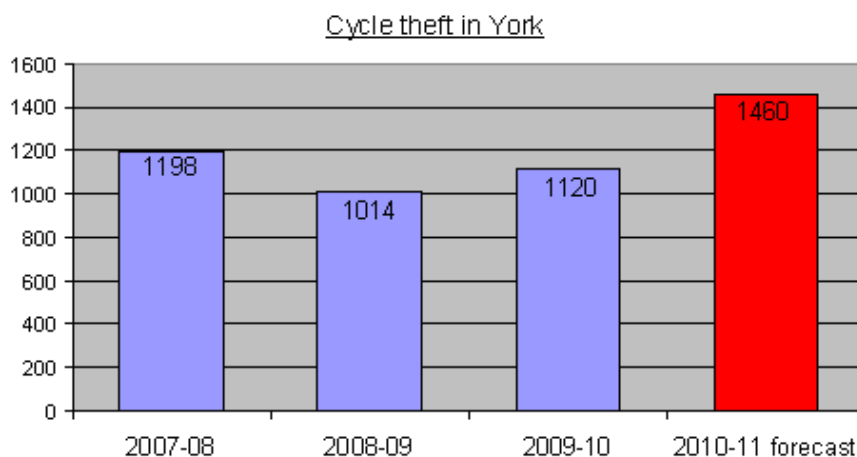
| Indicator | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 10-11 Q1 (Forecast) | 2010-11 target | Improving? |
|---|---------|---------|---------|---------|---------------------|----------------|------------|
| Total crimes recorded in York | 11876 | 10010 | 9906 | 7547 | 2021 (8084) | 10354 | No |
| NI 15: Number of serious violent crimes | No data | No data | 151 | 123 | 29 (116) | 136 | Yes |
| NI 16: Number of serious acquisitive crimes | 4311 | 3330 | 3459 | 1998 | 542 (2168) | 3696 | No |
| NI 20: Assault with injury crime rate | No data | 1024 | 1239 | 1140 | 308 (1232) | 956 | No |
| Numbers of cycles stolen in York | 1414 | 1198 | 1014 | 1120 | 365 (1460) | 1152 | No |

21. *NPI 16: Serious acquisitive crimes.* This indicator represents a number of different crime incidents, including burglary and theft from a vehicle. Last year there were 1500 fewer crimes than in 2008-09 (a 42% reduction). The first quarter of 2010-11 recorded lower than targeted incidents, although the May figure was higher than expected, which has led to a slightly increased forecast of incidents for 2010-11. Currently, York is expecting to exceed the 2010-11 LAA target and York is now placed at 8th in its family group compared to 12th at this stage last year.



| |
|-----------------------------|
| April 2010 incidents |
| 159 |
| May 2010 incidents |
| 217 |
| June 2010 incidents |
| 166 |

22. *Cycle theft:* As a cycling city, York experiences a high number of cycle thefts, largely because of the high number of cycle users. However, Q1 has seen a significant increase in cycle theft compared to the same period last year, which follows on from an increased trend since 2008-09. A recent Talkabout survey indicates that there is an increased number of residents who are choosing not to cycle into the city, for fear of their bike being stolen or vandalised. (see graph below).



| |
|---|
| Residents who choose not to cycle into York for fear of their bike being stolen or vandalised |
| 2008 cycling city survey |
| 10.3% |
| 2010 Talkabout panel survey |
| 16.3% |

23. Cycle theft incidents at 49 locations across the city is monitored regularly and shows that around two thirds of all thefts occur in city centre locations in the Guildhall and Micklegate wards. Similarly, when examining cycle thefts on the 27 school or University locations across York, 75% occur in 3 locations:

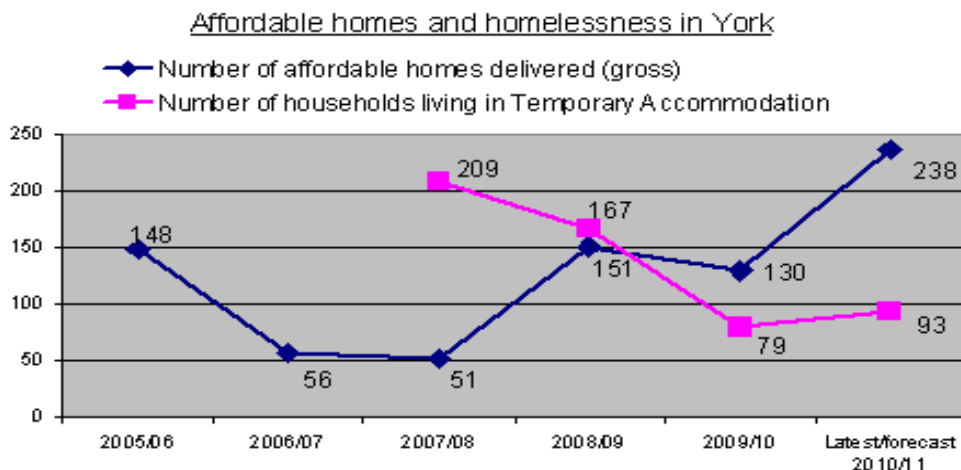
- University of York (48%)
- York College (22%)
- York High (5%)

24. Cycle theft is now the poorest performing area in York’s comparator family group (ranked 15th out of 15) and this is now preventing the council improving on its overall ranked position. A scheme called Operational Spoke, which began in January 2010, UV marks bikes in York to deter and catch cycle thieves, and then help return bikes to their rightful owner. Nearly 5000 bikes are now registered on the online database and related actions include producing stickers for Operation Spoke-marked bikes and on new signs on city centre cycle racks advertising ‘police tracker bikes’ are in operation. York University are also upgrading a number of cycle racks, deploying cycle strips and producing comprehensive packages for new students.

Housing

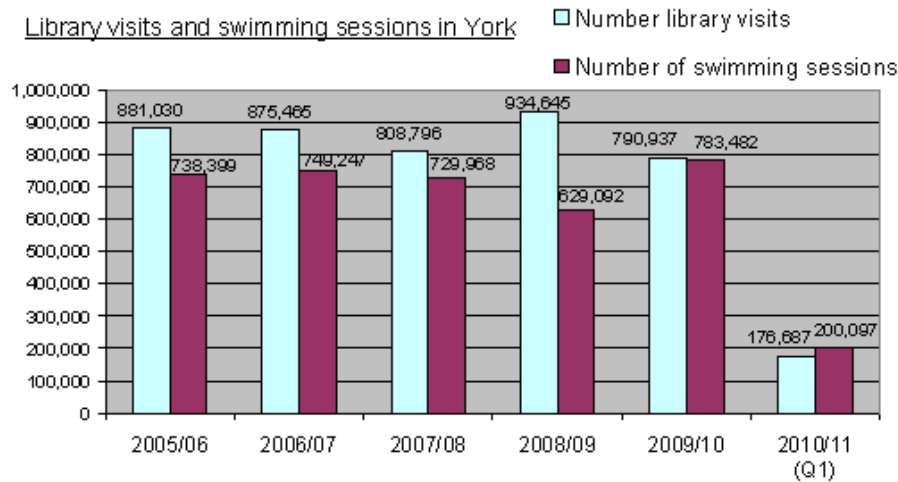
25. *NPI 155: Affordable homes (LAA indicator).* In quarter one 52 new affordable homes have been delivered. 22 of these homes have been delivered on two private developments through planning gain agreements. The remainder have been through various grant-funded routes. The current forecast for the year is 238 against an LAA target of 252 but this will be subject to review in the current housing market and economic climate. If funding from the Homes and Communities Agency is still available, it will allow the council to build up to 21 new family homes for rent in Clifton. Work on this development will start in early in 2011 with the homes completed approximately one year later. Funding for the YorHome scheme expires October 2010 and a report reviewing the future viability of the scheme was considered in August. A funding bid for Ordnance Lane has been submitted to the Homes and Communities Agency and a decision as to whether funding will be granted is still awaited.

26. *NPI 156: Homelessness (LAA indicator).* The number of York households living in temporary accommodation fell by 52% in 2009-10, despite a rise in repossessions and homelessness across the UK. As a result, the improvement target of 75 households set for this year was particularly challenging as the recession starts to deepen. Current performance shows a rise in households living in temporary accommodation (now up to 93). However, the first half of the year is generally busier and a caseworker vacancy has significantly affected staff capacity for this service. Performance is expected to improve throughout the year.



Culture

27. *Swimming sessions and library visits:* Over 200,000 swimming sessions were taken by York residents in the first quarter of this year. This is an increase on the same period last year and CANS are forecasting over 800,000 for the end of year (see graph below). This would be a 2% increase on 2009-10, which reported an unprecedented 24% increase on the year before. The number of people (residents and visitors) using York libraries in 2009-10 and 2010-11 was distorted by the closure of York library from November 2009 to end May 2010 and Q1 comparisons between the this year and last is not reliable using the survey method. However, using actual visitor footfall data shows that visitor numbers in July 2010 visitors are up by 6.3% compared to July 2009 and book issues are up by 7.3%, bucking the current national trend.



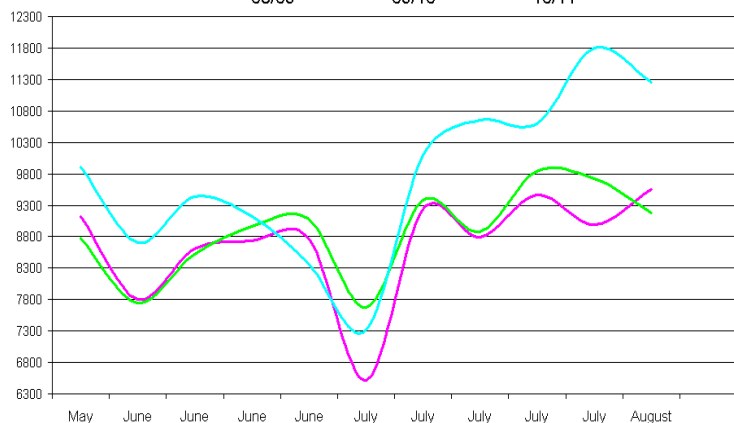
Visits to Central Library / York Explore only

Q1 2009-10
 June = 35460 visits
 July = 38517 visits

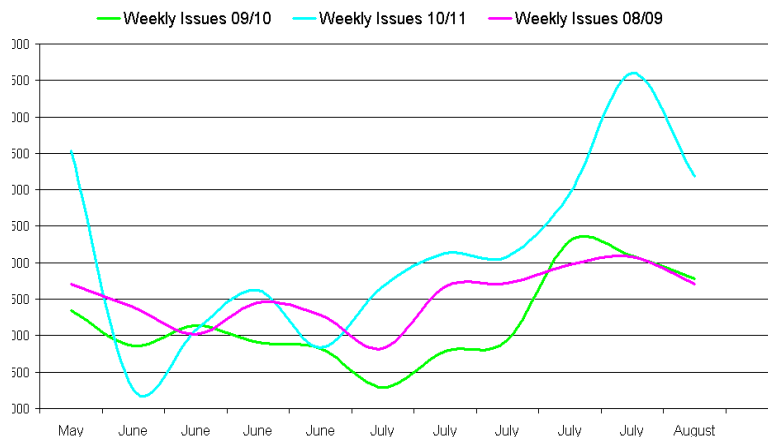
Q1 2010-11
 June = 40171 visits
 July = 46874 visits

28. The graph below shows the number of items issued and the number of visits made to York Explore since the week the library opened at the end of May 2010. This is compared to issues and visits from the previous 2 years. Visits to York Explore are growing and we expect to report further increases as the year progresses.

Weekly visits to Central Library/York Explore 08/09, 09/10 and 10/11



Weekly issues at Central Library/York Explore 08/09, 09/10 and 10/11



City Strategy

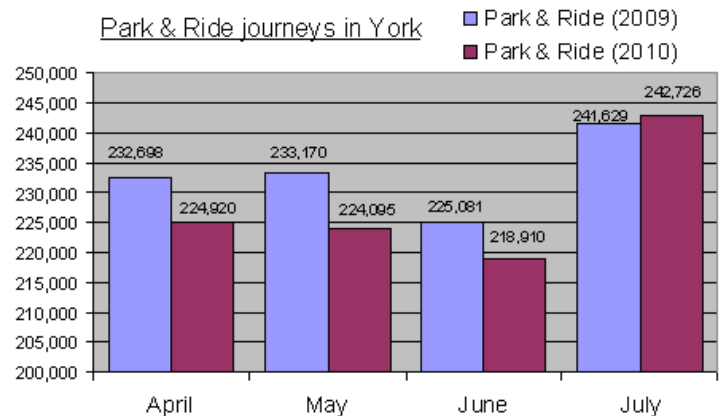
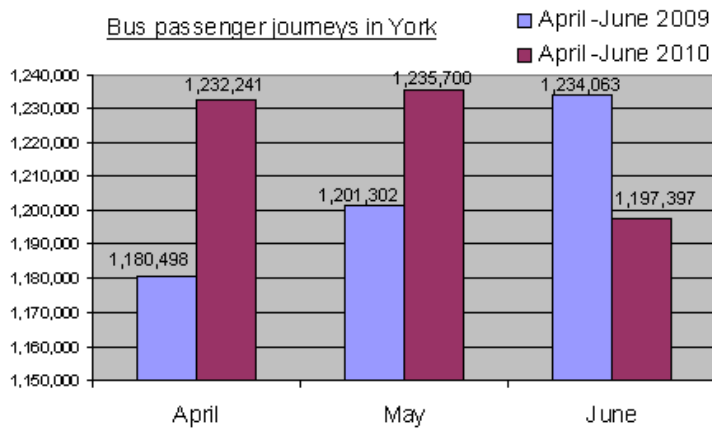
Transport

29. *Bus and Park & Ride Passengers:* The overall number of passenger journeys in York improved slightly on the same period last year (currently 3.67m for April - June compared to 3.61m in the same period in 2009). Park & Ride data is now available up to July and shows a 2.3% decrease (910,651 compared to 932,578 in the same period last year).

Although passengers for the first 3 months show slight reductions on last year, July figures show a 4.5% increase and it is hoped that this trend will continue over the next 8 months of 2010-11. The reasons for the downturn for 2 of the P&R sites between April and June are as follows:

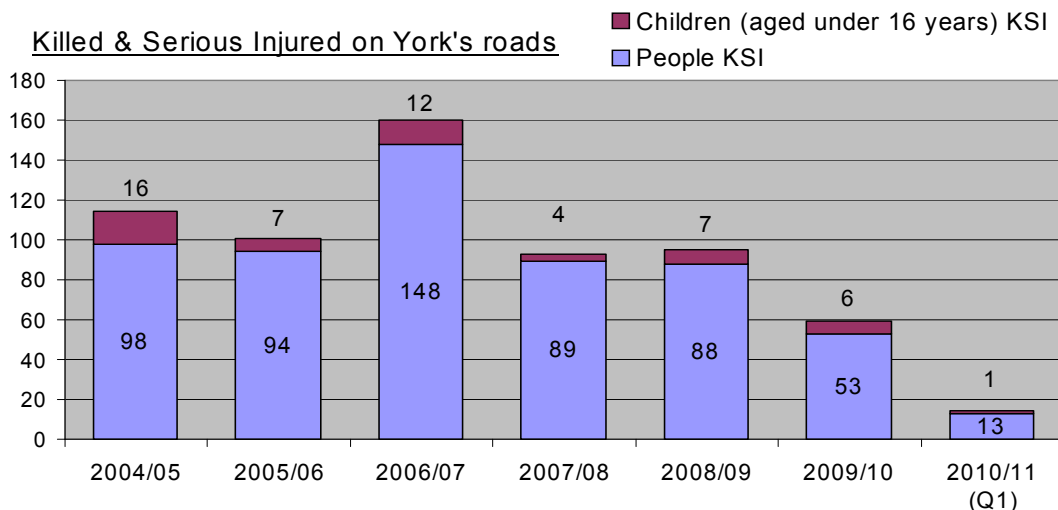
- Grimston Bar: Numbers have fallen due the Hopgrove Junction improvements allowing motorist easier access to Monks Cross Park and Ride travelling from the East. There are also quicker journey times from these sites.
- Rawcliffe Bar: Numbers have fallen due to Aviva closing offices on Shipton Road (this accounts for about 6,000 journeys per month).

Residents and visitors to York continue to be encouraged to use the bus through a variety of means, including more 'Car Free Days'. The council is also gradually rolling the 'Your next bus' initiative, providing SMS text real time bus information to mobile phone users.



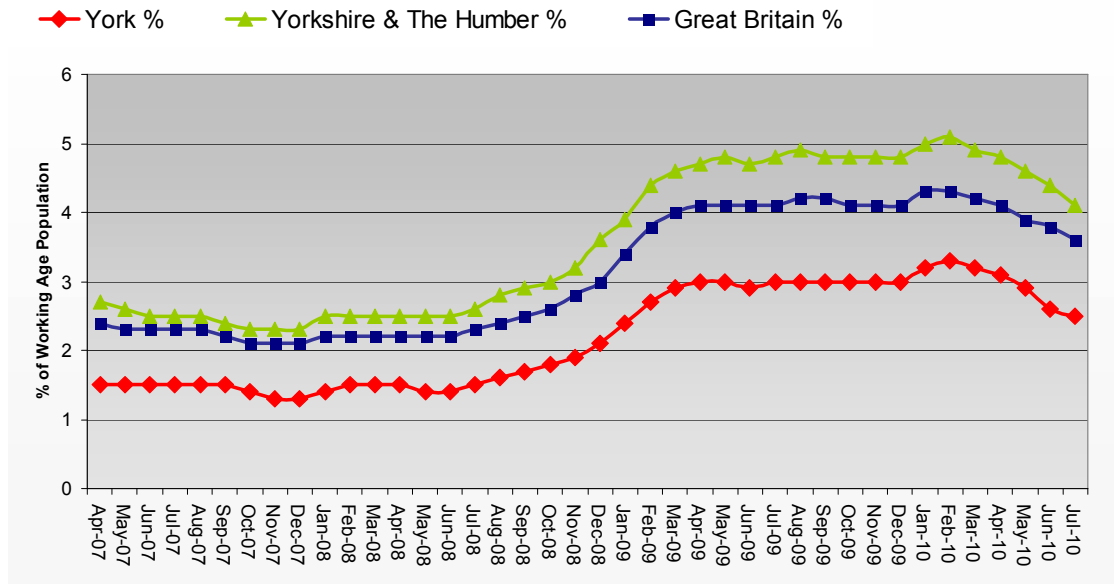
| | Apr – Jul 2009 | Apr-Jul 2010 | % change |
|-----------------|----------------|--------------|----------|
| Askham Bar | 173,898 | 181,510 | +4.4% |
| Grimston Bar | 155,723 | 145,510 | -6.6% |
| Rawcliffe Bar | 243,061 | 215,303 | -11.4% |
| Designer Outlet | 193,163 | 196,659 | +1.8% |
| Monks Cross | 166,733 | 171,669 | +3.0% |

30. *NPI 47: People killed or seriously injured in road traffic accidents (LAA indicator).* A range of successful initiatives introduced in the last year, such as the 'Made you Look' campaign and the 'Safer Business Driving Conference has resulted in a significant improvement in the number of people killed and seriously injured on York's roads over the past 18 months and this trend has continued in Q1 (see graph below). A safer driving campaign for event for older drivers is planned for October.



31. *VJ15a&b: York's unemployment rate (12 month rolling average).* Unemployment in York is currently 2.2% below the regional and 1.4% below the national average. A key indicator of unemployment is the number of York residents claiming job seekers allowance, which was 3443 in July 2010, a decrease of 21 from the previous month. This equates to 2.5% of the working age population and is well below the claimant count for Yorkshire and the Humber, which stands at 4.1% and the UK, which stands at 3.6% (see graph overleaf). However, York usually experiences seasonal variations due to School/College/University leavers who may find it difficult to find employment in the current economic climate.

Job Seekers Allowance Claimants



| Date | York (No) | York % | Yorkshire & Humber % | Great Britain % |
|----------|-----------|--------|----------------------|-----------------|
| Apr-2010 | 3,957 | 3.1% | 4.8 | 4.1 |
| May-2010 | 3738 | 2.9% | 4.6 | 3.9 |
| Jun-2010 | 3464 | 2.6% | 4.4 | 3.8 |
| Jul-2010 | 3443 | 2.5% | 4.1 | 3.6 |

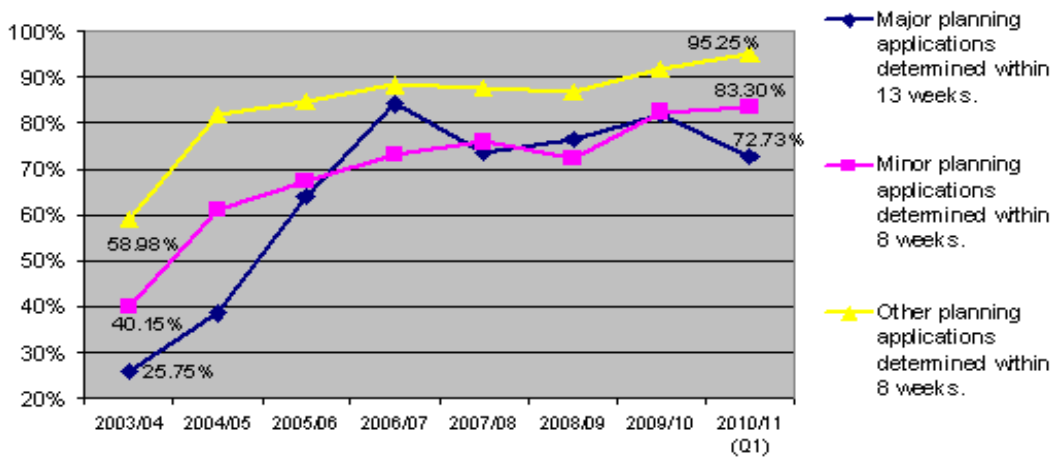
32. A number of factors and initiatives have influenced York's encouraging rates, and further work is underway to ensure this continues. One City is an initiative, which sees City of York Council taking measures to help residents and businesses through the recession. The main aim is to help individuals limit debt, and to support business growth and minimise job losses. Work currently taking place includes:

- advice and information to sign-post businesses to sources of support.
- an external strategic assessment of the city's economic outlook and its ability to recover from the recession.
- an enterprise fund/allowance scheme is offered on a match-funding basis. To date 10 businesses have been supported through the fund. The businesses supported so far range from mobile catering to computing companies.
- the Business Forum working with 126 businesses to ensure that their needs are centrally involved in shaping the city's economic development policy; fostering opportunities for continuing commercial success and future growth opportunities.

33. *NPI 157a-c: Processing planning applications.* The number of 'minor' planning applications determined within 8 weeks stands at 83.3% for Q1 (a 1% increase on last year). The number of 'major' applications determined within 13 weeks declined in Q1

(currently 73% compared to 82% in 2009-10). This was due to 4 of 11 applications in April and May failing to make the 13-week timescale (see graph overleaf). Despite this decline, all 3 indicators are currently performing in the top quartile for unitary authorities.

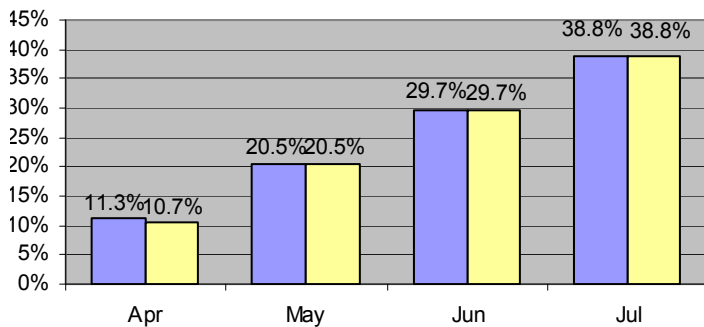
Processing planning applications



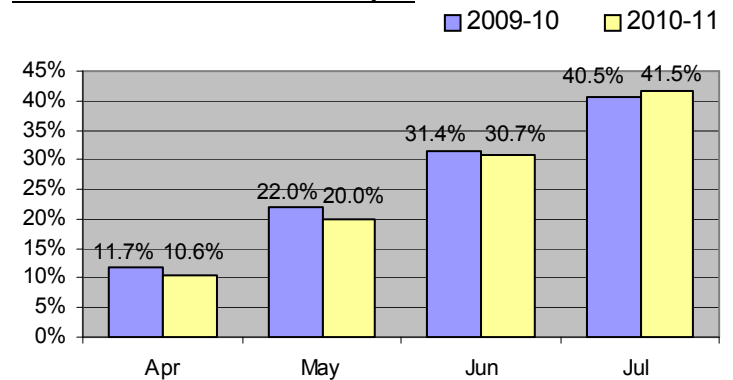
Customer & Business Support Services

34. *BVPI 9 & 10: Council tax and NNDR collected in year:* The Council Tax in-year collection rate is currently 38.8% for the end of July and the same as Q1 last year. The non-domestic collection rate of 41.5% has increased 1% on last years rate for the same period and is 1.2% ahead of target, partly due to early Court action taken this year. The NNDR team are also currently up to date on account updates, which supports income collection.

% of council tax collected in year



% of non-domestic rates collected in year



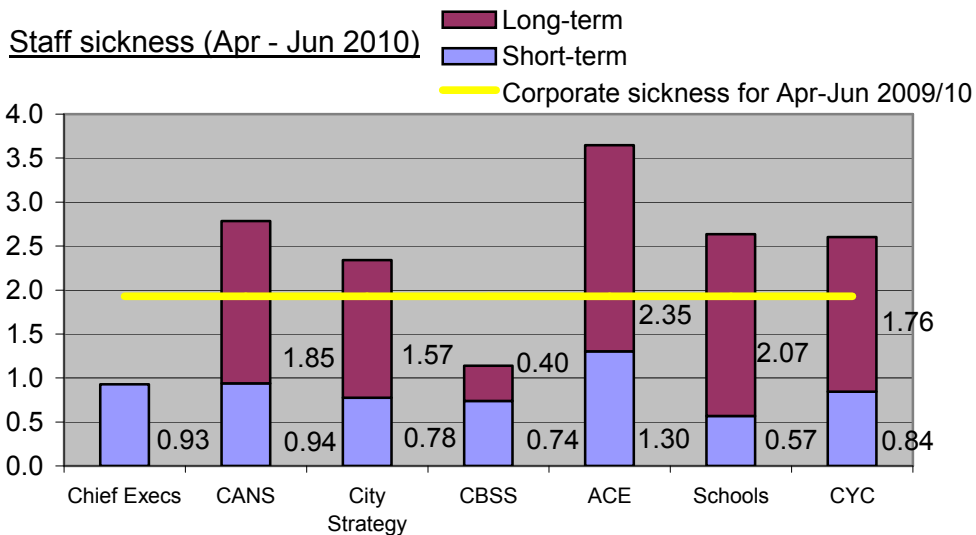
35. *NPI 181: Speed of processing benefits claims.* The average time for processing benefits currently stands at 13 days and continues to show steady improvement due to proactive management of the claim lifecycle at key points through monitoring and reporting. More assessments are now being made at first point of contact, which is also lowering processing times. A year to date figure of 19 days for new claims and 10 days for changes now gives an improved overall combined figure of 13 days.

Corporate Health

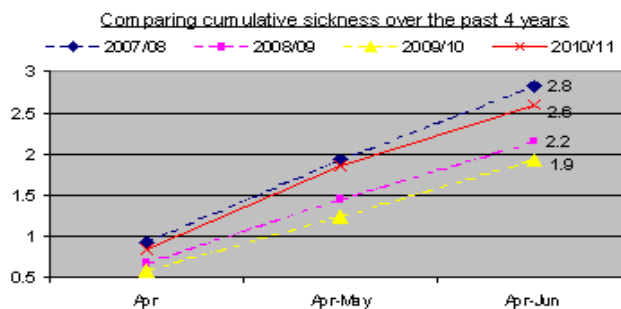
36. Overall performance for Corporate Health has improved in some areas, continuing a positive trend from 2009-10 (see table overleaf). In particular, H&S incidents continue to reduce for the 3rd year running and staff turnover is down significantly. Sickness absence levels however have started to increase.

| Corporate Health Performance | Apr – Jun 2010 | Change from 2009-10 |
|----------------------------------|-------------------|--|
| Number of days lost per FTE | 2.6 days per FTE | 37% increase on same period (0.7 days per FTE higher) Long-term sickness is much higher |
| Long term lost per FTE | 1.92 days per FTE | |
| Short term lost per FTE | 0.84 days per FTE | |
| Staff Turnover | 0.56% | Decrease (1.46% this time last year) |
| H&S: Major injuries to employees | 2 | No change (2 this time last year) |
| H&S: Minor injuries to employees | 7 | Decrease (10 this time last year) |
| H&S: Injuries to non-employees | 5 | Decrease (10 this time last year) |

37. *Absence & turnover:* Staff sickness stands at 2.6 days for the period April – June and is higher than that experienced for the same period over the past 2 years (1.9 days in 2009-10 and 2.2 days in 2008-09). Nearly 70% of all absence was recorded as long-term sickness, with the majority of these occurring in ACE and schools. Corporate HR is working proactively with schools in particular, so that absence issues can be identified early and addressed quickly. Part of that work involves ensuring that all absence is recorded as evidence suggests there has been some under reporting of sickness absence previously, which may explain the sharp increase in sickness levels for Q1. Staff turnover across the council decreased to 0.56% (45 employees) compared to 1.46% (122 employees) for the same period last year.



| | | | | | | |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 0.91 | 2.74 | 2.34 | 1.05 | 3.27 | 2.49 | 2.60 |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|



38. *Health & safety:* ‘Minor’ & ‘Public’ H&S incidents continue to decline compared to last year (-30% and -50% respectively). All 5 public incidents occurred in ACE. There were 2 major incidents between April and June, which is the same as the same period last year. (again, both occurred in ACE). Approximately 70% of all H&S incidents reported between April - June occurred in ACE.

Progress on priority actions

39. Encouraging progress has been made during the first quarter in delivering the 72 actions set out in the corporate strategy and five have already being completed. Key headlines include:
- Holding a youth festival and a busy programme of cultural events for young people over the summer holidays, as part of the “City of Culture” theme.
 - The opening of the new Explore Centre at the central library site, which has been shortlisted for a national award.
 - Progress on the procurement exercise to seek an operator for the Barbican. Detailed solutions were received from bidders in June and the next stages of the procurement will be presented to the Executive on 21 September. This will identify a preferred bidder and include details of a development agreement and lease by 31 October.
 - The Council has offered to contribute £3m towards the provision of a competition standard pool on the University’s Heslington East campus, as part of the York Sports Village. The university has already had stage 1 approval from Sport England for a £1m grant towards the construction of the pool and a synthetic football pitch. A stage 2 application has now been submitted and the university is currently waiting for the final grant offer. Negotiations are being finalised to ensure public access to the pool during 90% of its opening hours. Construction is expected to commence in 2011.
 - Monks Cross has been agreed as the preferred site for the new Community Stadium, with a new athletics facilities provided at the City of York Sports Village on Hull Road. £198k of LABGI (*Local Authority Business Grant initiative*) funding has been secured to move the project forward.
 - Excellent take-up of the ‘Step Up to Progress’ courses, which encourage young people not currently in education, employment or training to improve their skills and attend a work placement.
 - A free insulation scheme is being extended across the Hull Road ward, and will be rolled out to the Guildhall ward by the end of the financial year.
 - Recycling facilities are currently being rolled out to an additional 16,600 properties, and more energy-efficient streetlights are being put in place to reduce the council’s overall energy consumption

Progress at Q1 on the council’s corporate strategy actions

| Theme | On Target | Not on target | Completed |
|------------------------|-----------|---------------|-----------|
| Thriving City | 7 | 3 | 0 |
| Sustainable City | 10 | 2 | 0 |
| Safer City | 5 | 0 | 0 |
| Learning City | 6 | 1 | 0 |
| Inclusive city | 9 | 2 | 0 |
| City of Culture | 4 | 0 | 3 |
| Healthy City | 6 | 0 | 2 |
| Effective Organisation | 12 | 0 | 0 |
| Total | 59 | 8 | 5 |

40. The new coalition government will be reviewing local government spending in October as part of the annual CSR (Comprehensive Spending Review), and while current progress on the corporate strategy has been good, future progress may depend on the outcome of this review.

Finance - Overview

41. The General Fund budget for 2010-11 is currently £117,882k, with utilisation of balances and reserves reducing the call on Council Tax to £117,338k. Current projections indicate that financial pressures facing the council amount to £4,042k. Work is ongoing to identify actions to deal with the position, and Directors whose areas are subject to financial pressures have been asked to prepare mitigation plans to ensure that the council operates within its approved budget.
42. Although significant investment was made in this year's budget, many of the drivers for the pressures that the council faced in 2009-10 remain in 2010-11, namely rapidly increasing demand for adult social care and the impact of the economic climate on income generating services. This has been compounded by in year grant cuts from Central Government to date of £2,290k, details of which can be found in paragraph 44.
43. An overview of the current position is summarised on a directorate-by-directorate basis in the table below. It assumes that the contingency request outlined in paragraph 54 is approved and that the remaining £565k is used to offset pressures identified at this stage. It also assumes the pay award provision is held corporately until national negotiations are concluded for 2010-11 and that the final tranche of VAT refunds received from the Fleming and Conde-Nast cases, totalling £509k, offsets unmitigated in-year government grant funding cuts.

| Directorate | Gross Expenditure Budget | Gross Income Budget | 2010/11 Net Budget | Current Variance |
|--------------------------------------|--------------------------|---------------------|--------------------|------------------|
| | £'000 | £'000 | £'000 | £'000 |
| Adults, Children & Education | 150,359 | -65,921 | 84,438 | +1,800 |
| City Strategy | 38,063 | -29,958 | 8,105 | +937 |
| Communities & Neighbourhoods | 88,437 | -47,451 | 40,986 | +803 |
| Customer & Business Support Services | 75,435 | -71,367 | 4,068 | -92 |
| Office of the Chief Executive | 10,457 | -5,769 | 4,688 | +13 |
| DIRECTORATE BUDGETS | 362,751 | -220,466 | 142,285 | +3,461 |
| Asset Rental Adjustments | - | -21,166 | -21,166 | - |
| Other Central Budgets | 5,044 | -15,709 | -10,665 | +221 |
| General Contingency | 585 | - | 585 | -565 |
| More for York | 1,251 | -6,176 | -4,925 | +1,075 |
| Treasury Management | 13,561 | -1,793 | 11,768 | -150 |
| GROSS BUDGET | 383,192 | -265,310 | 117,882 | +4,042 |

44. On 10 June 2010, the new coalition government announced details of £1.166bn in cuts to Local Government funding for 2010-11. The main proportion of this was a reduction to the Area Based Grant (ABG), though other schemes such as the Housing & Planning Delivery Grant (H&PDG) were also abolished. As a result, the council received a £1.182m reduction in ABG and the removal of the H&PDG created a budget pressure of £365k. There have been subsequent cuts to government grants to schemes provided by Adults, Children & Education of £743k which means the total amount of grant cuts made by the government to date stands at £2,290k. Of this, £1,560k of mitigating actions have already been identified which leaves £730k that is being reported as a pressure against Other Central Budgets. Work will continue to identify mitigating actions for these items.

45. These cuts are just the start of what will be a prolonged period of uncertainty in terms of the funding the council receives. A spending review by central government is currently underway with the aim of reducing departmental expenditure by between 25% and 40%. The results of the review will be published on 20 October 2010 and this will inevitably have a significant impact on the council, in particular on the funding it receives from 2011-12 onwards. This uncertainty will require the council to fundamentally assess the services it delivers, and how it delivers them, work on which is already underway through the More for York programme.
46. In year, and as stated in paragraph 41, work will be ongoing to help ensure expenditure is brought in line with the budget by the year-end, including a continuation of the strict cost control measures that were introduced in 2009-10. It is hoped progress against these measures will yield a reduction in the reported forecasted pressures by the time Monitor 2 comes before Executive on 16 November 2010.

General Fund

47. The following sections provide further information on the current pressures each directorate is facing, as outlined in the main budget table in paragraph 43.

Adults, Children & Education

48. Adults, Children & Education are reporting early financial pressures of £1,800k. Of this, £1,349k in pressures are being projected in Adult Social Services where the increasing demand, above the approved budget, continues to be an issue in 2010-11. The main contributory factors are:
- i) More people have opted to take direct payments than anticipated and the numbers are likely to increase as personalisation of services is rolled out further resulting in an increased take up in Direct Payments (£921k).
 - ii) A higher number of referrals than anticipated for Independent Residential & Nursing Care (£549k), due to greater throughput of cases from the Hospital Discharge Team and an increase in the speed referrals are dealt with resulting in the subsequent placement of customers. The total number of customers in residential and nursing care is, however, still reducing as a percentage of the total customer base as the ambition to see more people assisted in the community is realised.
 - iii) The cost of using agency staff to cover staff sickness in Elderly Persons Homes (£246k).
49. There are a further £451k of pressures in Children & Young People's budgets, the causes of which include:
- i) Maintaining current staffing levels for children's social care (£216k), in particular the continued use of agency staff whilst the service completes its major staffing restructure.
 - ii) Pressure on home to school transport budgets (£149k), where the additional savings target allocated to the service during the 2010-11 budget process is unlikely to be achieved.
50. These pressures are offset by vacancy management measures across the service and work is ongoing to identify further actions to reduce the reported position.
51. To date, the directorate has received in-year government grant cuts totalling £1,832k, of which savings have been identified of £1,467k. Difficult decisions have had to be taken in

order to reduce expenditure on a wide range of community based schemes within the Early Intervention Fund as well as the Youth Volunteering Project. Full details are being reported to the meeting of the Executive Member on 14 September 2010. The remaining £365k, related to ABG, has been reported as a corporate pressure.

City Strategy

52. City Strategy are reporting early financial pressures of £937k, with many of the issues stemming from the economic downturn that were present in 2009-10 still remaining. Parking income is down approximately 5.6% on forecasted amounts (£306k) and shortfalls in building control income (£188k), income from the Commercial Property portfolio (£188k) and planning applications (£150k) all contribute to the reported position. There is also a forecasted reduced Yorwaste dividend (£230k) as a result of a downturn in waste volumes and lower recycle prices.
53. These pressures are offset by vacancy management measures (£174k). A complete service review is ongoing and an analysis of every service has been completed with a view to bringing forward further options to reduce current pressures in September.

Contingency Request

54. A contingency request has been made for £20k to fund an existing post in Economic Development that supports inward investment for the city, that was previously funded by Yorkshire Forward.

Communities & Neighbourhoods

55. Communities & Neighbourhoods are predicting early financial pressures of £803k. The directorate's income generating services are the main contributory factor with shortfalls in income projected for Commercial Waste (£248k), the Library Service (£173k) and the Performing Arts service (£134k). A further pressure related to increased utilities and repairs costs at travellers sites underpins the reported position.
56. Work is being carried out to address the income shortfalls with alternative options that would reduce the position being assessed. The directorate will also address its current position via vacancy management measures and a freeze on non essential spend in order to spend within budget by the end of the financial year.

Customer & Business Support

57. Customer & Business Support are currently projecting an underspend of £92k. This is mainly due to a reduction in audit fees following the cessation of the Comprehensive Area Assessment regime (£66k) and the re-alignment of IT support and maintenance contracts which will realise a projected in year saving (£70k). This is offset by a number of small variations elsewhere in the directorate.

Office of the Chief Executive

58. The Office of the Chief Executive is currently projecting a minor pressure of £13k. There is a £59k pressure within Marketing and Communications due to a shortfall of income for boundary sign advertisements and from the Print Unit, however this is offset by vacancy management measures elsewhere in the directorate.

Central Budgets

59. Treasury Management activity is currently forecasting an underspend of £150k. This is primarily due to reduced interest paid on borrowing and increased interest earned due to higher than anticipated cash balances. A technical review of the council's capital financing requirement and minimum revenue provision is currently underway and more detail on the financial impact of this will be provided in a future report.
60. A pressure of £221k is being reported against Other Central Budgets which is comprised of the £730k of unmitigated in-year government grant cuts and offset by the £509k VAT refund receipt for claims related to the Fleming and Conde-Nast cases.

More for York

61. Work being carried out on the originally approved £3,725k More for York programme is progressing well, with all workstreams such as Customer Services, ICT and Procurement broadly on track to meet their savings targets. In addition, the 2010-11 budget contained two savings items of £600k each in Adults, Children & Education related to the adult's and children's social care. These have subsequently been brought into the programme and current projections show that of the £1,200k target, £1,075k is currently at risk of being achieved. However, extensive work is being carried out to identify options to create a detailed action plan to mitigate this risk and the Monitor 2 report will provide details of this and show improvement on the position reported here.

General Contingency

62. The approved contingency for 2010-11 was £585k and the request for a release from the fund, outlined in paragraph 54, will reduce the available balance to £565k. No further allocations are proposed in this report, however the position will be reviewed with regard to the pressures on income generating services at Monitor 2.

Non General Fund

Dedicated Schools Grant

63. In the Dedicated School Grant (DSG) area there is a projected underspend of £309k against a budget of £92,754k. Due to the nature of the DSG, any underspend must be carried forward and added to the following year's funding with overspends either being funded from the general fund or reducing the following year's funding allocation.

Housing Revenue Account

64. The budgeted balance on the HRA is estimated to be £8,777k and the latest forecast identifies a surplus of £383k, leaving a projected working balance of £9,160k, the main reason for which is a number of vacancy management measures across the service.

Reserves

65. The council's general revenue reserve currently stands at £6.4m, after reductions for carry forwards from 2009-10 and items committed as part of the 2010-11 budget. The minimum required level to cover significant unforeseen one-off cost pressures is approximately £6.0m. Should the current pressures still be evident at the end of the financial year, they would have to be funded from the reserve and would result in a significant breach of this minimum level. This prospect reinforces the need to identify mitigating actions to ensure that the council's expenditure is contained within budget. If

the position cannot be recovered, the Director of Customer & Business Support Services will have to recommend to Council that the reserve is reinstated to at least its minimum required level which will have implications on the 2011-12 budget and beyond.

Analysis

66. The analysis of service performance, progress on key actions and the financial position of the council is included in the body of the report.

Consultation

67. A number of performance and financial management meetings and forums have taken place at DMTs and CMT to review performance and delivery, which have helped to inform this report.

Corporate priorities

68. The information and issues included in this report are designed to demonstrate progress on achieving the priorities set out in the council's corporate strategy (2009-12). It also provides evidence of CMT and the Executive working together to drive forward prioritised improvement and address performance, delivery or financial issues of corporate concern.

Implications

69. The implications are:
- *Financial* - the financial implications are dealt with in the body of the report.
 - *Human Resources* - there are no specific human resource implications to this report, but it does contain important information on staff management and welfare.
 - *Equalities* - there are no equality implications to this report.
 - *Legal* - there are no legal implications to this report.
 - *Crime and Disorder* - there are no specific crime and disorder implications to this report, but it does provide the Executive with crucial performance information to inform future resource allocation.
 - *Information Technology* - there are no information technology implications to this report.
 - *Property* - there are no property implications to this report.
 - *Other* - there are no other implications to this report.

Risk Management

70. The council's risk management culture continues to mature and form part of regular business process. The Key Corporate Risks (KCRs) are reported to both Audit & Governance Committee (A&G) and CMT on a quarterly basis as part of the council's overall governance arrangements. The KCRs are regularly reviewed at Corporate Leadership Group and on an ongoing basis as part of the quarterly monitoring sessions at A&G and CMT. As part of this process there are three new KCR's that A&G are recommending Executive approve:
- Government Spending Policy
 - Corporate Performance Management Framework
 - Climate change

Recommendations

71. Members are asked to:

a. Note the performance issues identified in this report.

Reason: So that corrective action on these performance issues can be taken by members and directorates.

b. Note the finance issues identified in this report, in particular, the current forecasted pressures and acknowledge that work is ongoing to reduce these in time for the Monitor 2 report, due before Executive on 16 November 2010.

Reason: So that the council's expenditure can be contained within budget, where possible, by the end of the financial year.

c. In accordance with Financial Regulations, and referencing paragraph 54, approval is requested for a release from Contingency of £20k to fund the inward investment post.

Reason: To enable the continuation of the council's role in promoting inward investment in the city.

d. Approve the three new Key Corporate Risks set out at Paragraph 70 of this report

Reason: So that monitoring of these risks is presented to Members on a regular basis.

| | | | | |
|--|--|---|-------------------------------------|------------------|
| Authors: | | Chief Officer Responsible for the report: | | |
| Peter Lowe Performance & Improvement Team | | Ian Floyd, Director of Customer & Business Support Services | | |
| Andrew Crookham Corporate Finance | | Report Approved | <input checked="" type="checkbox"/> | Date |
| | | | | 6 September 2010 |
| Specialist Implications Officer(s) - None | | | | |
| Wards Affected: None | | | | All |
| For further information please contact the author of the report | | | | |

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Executive**7 September 2010**

Report of the Director of Customer and Business Support Services

Treasury Management Monitor 1 and Prudential Indicators 2010/11**Summary**

1. This report updates the Executive on the Treasury Management performance for the period 1 April 10 to 31 July 2010 compared against the budget presented to Council on 25 February 2010.
2. The report highlights the economic environment for the first four months of the 2010/11 financial year and in relation to this reviews the council's treasury management performance covering:
 - Short-term investments,
 - Long-term borrowing,
 - Venture fund,
 - Treasury management budget.

Background

3. The Council's treasury management function is responsible for the effective management of the Council's cash flows, its banking, money market and capital transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
4. The Council approved the Treasury Management Strategy, budget and Prudential Indicators on 25 February 2010. This report monitors the Treasury Management activity for the first four months of 2010/11 and shows the change in the Treasury Management budget to 31 July 2010 and the forecast outturn position for the year.

Economic Background and Analysis

5. The Council's short term investment and long term borrowing decisions have been affected by the following economic conditions:
 - a. The first quarter of 2010/11 saw:
 - i. the new coalition government enact a fiscal squeeze set to be the most severe since the end of the 1930's, through its Emergency Budget on the 22nd June;

- ii. activity indicators suggest that the recovery picked up a little pace in the first quarter;
 - iii. high street spending recovered after a weak start to the year;
 - iv. the labour market showed some tentative signs of improvement;
 - v. the UK's trade position deteriorated, despite the weak pound;
 - vi. CPI inflation remained above target, however the measure of underlying inflation fell;
 - vii. the Monetary Policy Committee maintained Quantitative Easing and kept Bank Rate on hold at 0.5%;
 - viii. the equity rally went into reverse over concerns about the shape of the global recovery;
 - ix. the recovery in the US remains fairly strong, but remains weak in the euro-zone.
- b. The key development of the first quarter was the Emergency Budget delivered on the 22nd June, which unveiled plans by the new Chancellor to severely tighten fiscal policy. The Budget directed the bulk of the fiscal tightening at households and the public sector instead of private companies. Key measures within the Budget included a rise in the standard rate of VAT from 17.5% to 20%, to take effect in January 2011. Plans for social security payments were scaled back however, the burden on lower income households was partly offset by an increase in the personal income tax allowance by £1,000 to £7,475 from April 2011. (High earners will not benefit.)
- c. During the first quarter of 2010/11, activity surveys suggested that the recovery has gathered pace after the economy's 0.3% expansion. Encouragingly, the labour market has shown some tentative signs of improvement. The number of people claiming unemployment benefit fell by 32,000 in April and 31,000 in May, leaving the total at 1.48m. Employment also rose by 5,000 in the three months to April. However, the workforce increased at a faster rate, so that the total number of unemployed still rose by 23,000 in the three months to April.
- d. The UK's trade position continued to deteriorate, despite the support provided by the lower pound.
- e. Inflationary pressures have finally begun to ease. CPI inflation rose from 3.4% to a recent peak of 3.7% in April before falling back to 3.4% in May and 3.1% in August. Temporary factors, such as the rise in the rate of VAT to 17.5% in January and the rise in oil prices last year, continued to support above-target inflation. However, the forthcoming increase in the standard rate of VAT to 20% will also add to inflation throughout 2011.
- f. According to the August inflation report, the economy will only be growing 3% in the second half of 2011 compared to the May inflation report at 3.5%. Mervyn King, the Bank's governor of the Bank of England, said Britain was facing a "choppy recovery". The overall outlook is weaker than that presented in the May Report, reflecting the

softening in confidence, the persistence of tight credit conditions and the faster fiscal consolidation.

- g. The Monetary Policy Committee (MPC) continued to keep Bank Rate on hold at 0.5% and to maintain its stock of asset purchases. The Bank of England’s quarterly Inflation Report in August also projected inflation to be below the 2% target at the two year horizon, suggesting that rates will remain on hold (0.5%) for a considerable period; throughout the rest of this year into 2011.
- h. Figure 1 shows the actual and projection of the base rate, which remains at historically low levels through much of 2010. The Council’s treasury management advisers – Sector – forecast the position of the base rate in February 2010 and this is compared to their forecast along with other economists in July 2010. The base rate will slowly start to rise at the beginning of 2011/12 and continue gradually out to 2013. UBS forecast a rise in the base rate earlier than Sector, where as Capital Economics remain pessimistic about economic recovery to the end of 2011 and they forecast the base rate to remain at 0.5% for the near future.

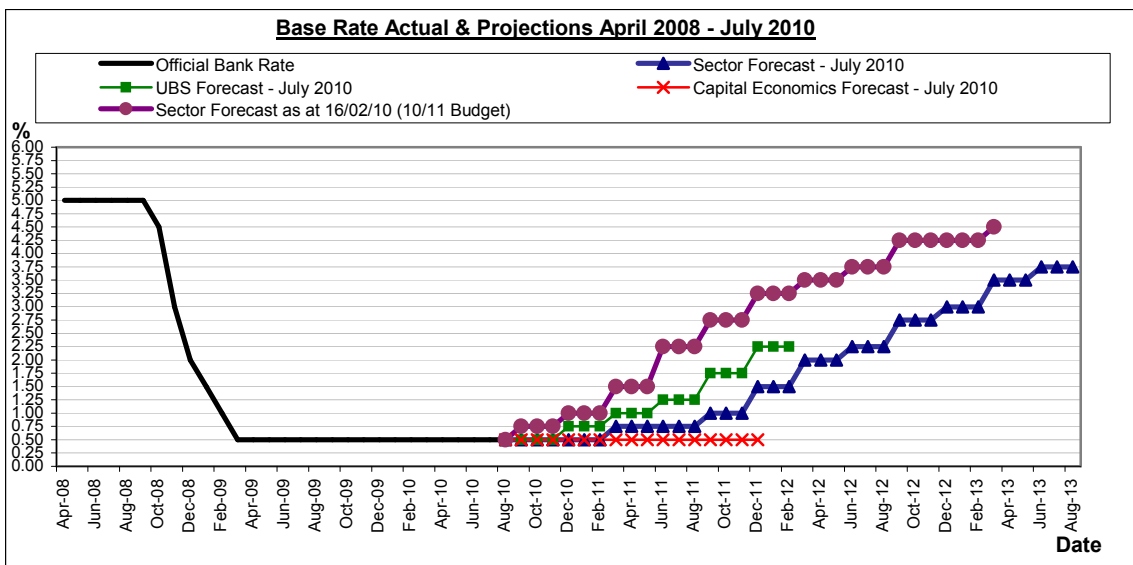


Figure 1: Base Rate 2008 to 2013 - latest forecast July 2010

- i. Table 1 provides the Council’s Treasury Advisers, Sector, forecast of the base rate and Public Works Loan Board (PWLB) rates as at 15 July 2010:

| | Now | Sep-10 | Dec-10 | Mar-11 | Jun-11 | Sep-11 | Dec-11 | Mar-12 | Jun-12 | Sep-12 | Dec-12 | Mar-13 |
|-----------------------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Bank rate | 0.50% | 0.50% | 0.50% | 0.75% | 0.75% | 1.00% | 1.50% | 2.00% | 2.25% | 2.75% | 3.00% | 3.50% |
| 5yr PWLB rate | 2.29% | 2.50% | 2.60% | 2.80% | 2.95% | 3.20% | 3.45% | 3.80% | 4.15% | 4.40% | 4.50% | 4.65% |
| 10yr PWLB rate | 3.58% | 3.80% | 3.85% | 4.00% | 4.20% | 4.40% | 4.50% | 4.70% | 4.75% | 4.90% | 4.90% | 5.05% |
| 25yr PWLB rate | 4.31% | 4.45% | 4.50% | 4.55% | 4.70% | 4.80% | 4.90% | 5.05% | 5.15% | 5.20% | 5.25% | 5.25% |
| 50yr PWLB rate | 4.29% | 4.45% | 4.55% | 4.60% | 4.75% | 4.85% | 4.95% | 5.05% | 5.25% | 5.25% | 5.30% | 5.30% |

Table 1 – Sector’s forecast interest rates as at 15 July 2010

- j. With regard to long term borrowing, the Public Works Loan Board (PWLB) rates across all ranges are forecast to steadily increase, as seen in table 1. This is due to high gilt issuance, reversal of QE and investor concerns over inflation.
- k. It should be noted that Sector have confirmed that there is a high level of uncertainties in all the above forecasts and markets are currently volatile. This is due to the difficulties of forecasting the timing and amounts of QE reversal, fiscal contraction following the general election in May 2010, speed of recovery of banks’ profitability and balance sheet positions, changes in the consumer saving ratio and rebalancing of the UK economy towards exports.
- l. The 1 year investment rate started the financial year at 1.19% and on 31 July 2010 had risen to 1.35%. Figure 2 shows the positions of market interest rates available for investments, which have all marginally risen in the first four months of 2010/11.
- m. Due to the low rates available on the market for invest, a number of large UK banks keen to accept Local Authority investments continue to offer competitive rates on call accounts paying 0.25% to 0.3% above the Bank of England base rate as a minimum. In the first four months of 2010/11 call accounts still offer good value but higher rates can also now be achieved on fixed term market investments and also through Money Market Funds.

Investment Policy

6. The Treasury Management Strategy Statement for 2010/11 was approved by Council on 25 February 2010. The Council’s Annual Investment Strategy, which is incorporated in the Strategy, outlines the Council’s investment priorities as follows:
 - Security of Capital
 - Liquidity
7. The Council will also aim to achieve the optimum return on investments commensurate with the proper levels of security and liquidity. In the current economic climate it is considered appropriate to keep investments short term, and only invest with highly credit rated financial institutions using the Sector suggested creditworthiness matrices, including Credit Default Swap (CDS) overlay information provided by Sector, the Council’s Treasury Management advisors.
8. Investments held at 31 July 2010 in accordance with Sector’s Creditworthiness matrices, and changes to Fitch and Moody’s credit ratings remained within the Council’s approved credit criteria limits contained in the Annual Investment Strategy.

Short Term Investments

9. Investment rates available in the market remain at an historical low point. The average level of funds available for investment purposes in the first four months of 2010/11 was £42.946m. The level of funds available is largely dependent on the timing of the Council's cash flow as a result of precept payments, receipt of grants and progress on the Capital Programme. These funds are therefore available on a temporary basis dependant on cash flow movement. The authority holds some core cash balances for investment purposes, i.e. funds available for a year or more, however to date in 10/11 no funds have been invested for periods greater than one year due to the limited institutions available for investment in accordance with the credit criteria policy. This is a continuation of similar market conditions which prevailed through the majority of 2008/09 and through the whole of 2009/10.
10. Treasury Management investment activity during the first four months earned interest £221k, equivalent to a 1.24% rate of return. This is 0.82% better than the average 7 day London Inter-Bank Deposit rate (LIBID) of 0.42% and 0.74% higher than the average base rate for the period of 0.50%.
11. The high rate of return on investment activity compared to the average LIBID rate and base rate for the period is due to the treasury team continuing to monitor the market and taking advantage of longer term rates when they become available, using short term call deposit accounts where interest rates are higher and using Money Market Funds as a slightly alternate investment deposit.
12. The rate of return is approximately half of that seen in 2009/10 due to (a) interest rates remaining historically low on the market throughout 09/10 and into 10/11 and (b) no core balances having been invested for more than 1 year back in 2008/09 when rates were higher. The interest earned for the first four months of the year is in line with the treasury management budget but can be seen to be substantially lower than in previous years, thereby increases the requirement of the treasury management budget due to a less of an effect the investment earned netting off interest paid out on borrowing.
13. The Council has made 8 fixed term investments during the first four months of 2010/11, 2 directly with the Bank of Scotland and 6 via the money market brokers. This is the same as in 2009/10. Five of these investments have been made for periods of 6 months where value was shown and this allows the flexibility of funds becoming liquid if interest rates start to rise. This is shown in Figure 2 below. In accordance with the Treasury Management Strategy investments have been kept short due to the low levels of interest rates available and the limited number of institutions available in the market which the council can invest in complying with its credit rating policy.
14. A proportion of investments have been placed in call accounts where funds are secure and are able to be liquidated if more advantageous rates become available. The council operates 4 call accounts – Bank of Scotland

(0.75%), Alliance & Leicester (0.80%), Yorkshire bank 15 day (0.80%) and Yorkshire Bank call (0.50%) – but has found during the first four months of 2010/11 that better rates have been available on the market as described above in paragraph 13. Two money market funds are also being utilised – Prime rate MMF offering rates around 0.85% and Ignis offering rates around 0.60%. The MMF are needed to diversify the investment portfolio as the banks offering the most favourable fixed deposit rates are also the banks which offer the call accounts which the council uses.

15. Therefore in order to remain within the Councils lending limits, diversification of the council's portfolio is key. This ensures continued security of the council's funds, whilst operating within the bounds of the council's cash flow (liquidity) and giving consideration to the most favourable interest rates available.

16. Figure 2 shows the interest rates available on the market between 7 days and 1 year and the rate of return that the Council has achieved to 31 July 2010. It shows that favourable / competitive interest rates have been obtained for investment in line with the interest rates which are available when security of funds are of prime importance.

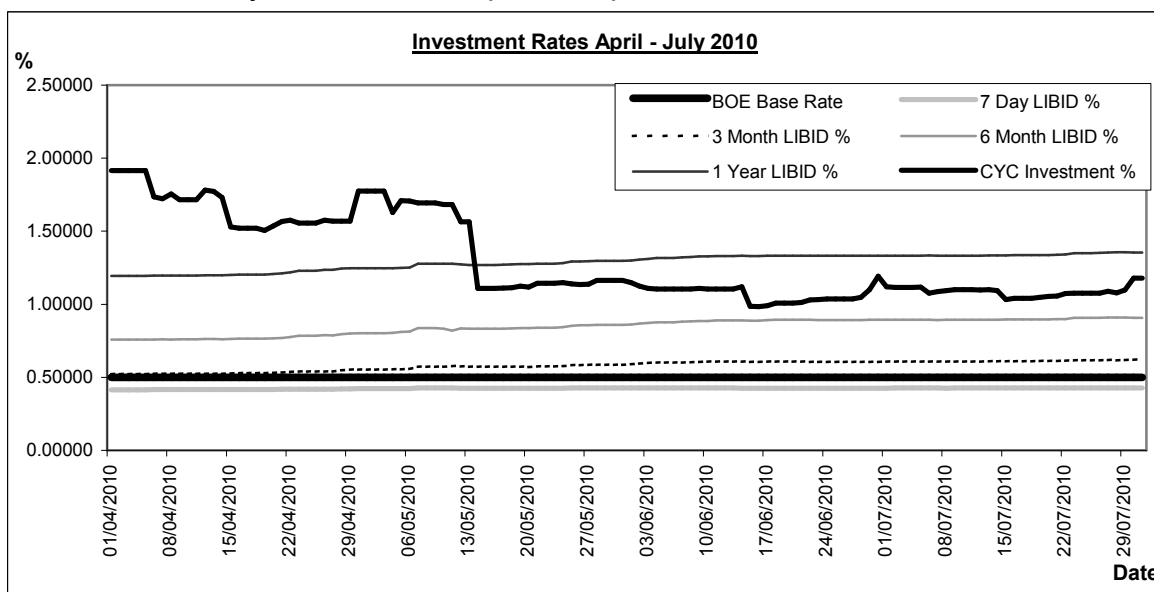


Figure 2 CYC Investments vs Money Market Rates

Long Term Borrowing

17. The Council undertakes long term borrowing in accordance with the investment requirements of the capital programme, and all borrowing is therefore secured against its asset base. The council's borrowing is funded by the Government through the Revenue Support Grant (RSG), which provides the Council with revenue funding to allow it to meet the interest and repayment costs of borrowing, this is known as supported borrowing. The introduction of the Prudential Code in April 2004 has also given the Council the flexibility to borrow without Government support. Under the Code Councils are free to borrow up to a level that is deemed prudent,

affordable and sustainable and within their prudential indicator limits. This is known as prudential borrowing.

18. The level of borrowing taken by the Council is determined by the Capital Finance Requirement, (the Councils underlying need to borrow for capital expenditure purposes). The Capital Financing Requirement for 2010/11 is £147.9m, which gives a total borrowing requirement during 2010/11 of £31.8m. This takes into account supported borrowing for capital schemes supported by RSG as explained in paragraph 18, also prudential borrowing for schemes under the prudential code that are funded from department budgets and corporate budgets– so are affordable, sustainable and prudent. In addition, due to the current economic and market environment capital receipts may not be realised when originally expected and therefore, in the short term borrowing is taken to cover this funding shortfall position of the capital programme.
19. In addition, the Council can borrow in advance of need in line with its future borrowing requirements in accordance with the Capital Financing Requirement. The Administrative Accommodation project is substantially increasing the Council's need to borrow over the next 3 years and therefore the markets will be closely monitored to ensure that advantage is taken of favourable rates in 10/11 and the increased borrowing requirement is not as dependant on interest rates in any one year over the 3 year period.
20. The Councils long-term borrowing started the year at a level of £116.1m. One loan of £4m was duly repaid in May 2010 in line with its maturity date. New Borrowing totalling £21m has been taken to mid August 10, as follows:
 - £5m market LOBO loan at 3.60% 50 years with options every 5 years on 12 May 10
 - £5m PWLB loan at 3.70% 10 years on 25 May 10
 - £5m market loan at 0.70% 1 year on 28 May 10
 - £3m PWLB loan at 2.95% 7 years on 12 August 10
 - £3m PWLB loan at 4.01% 14 years on 12 August 10
21. The loans taken in 2010/11 have been below the target of 4.5% set in the 2010/11 strategy. The loans are of fixed term duration, have targeted periods that offer the best rates available and also take into consideration the debt maturity portfolio. In the first four months, 45-50 year PWLB rates started 2010/11 at 4.65%, had a high of 4.75% and a minimum of 4.19% to July 2010. 9.5-10 year PWLB started at 4.14% and at the end of July 2010 fell to 3.52%. Long term interest rates are showing good value and borrowing has occurred to take advantage of these favourable rates.
22. During the first quarter there has been a lot of volatility in the financial markets and this has had an impact on the PWLB rates. Also the concern over the Euro zone debt crisis has led to an influx of investments into the UK as they are seen as a "safe haven". This in turn has had an impact on borrowing rates with rates coming down. This is seen in figure 3 below, where rates have continued to fall during August 2010.

23. The Council's borrowing strategy is to borrow at a target rate of 4.5% from the PWLB or the money market when rates are low and hold off from taking new borrowing when rates are high - following advice taken from the Councils contracted treasury management advisors (Sector Treasury Services) subject to cash flow constraints. Figure 3 shows the PWLB rates since April 2009 and details when new borrowing has taken place, taking into account the borrowing maturity profile.

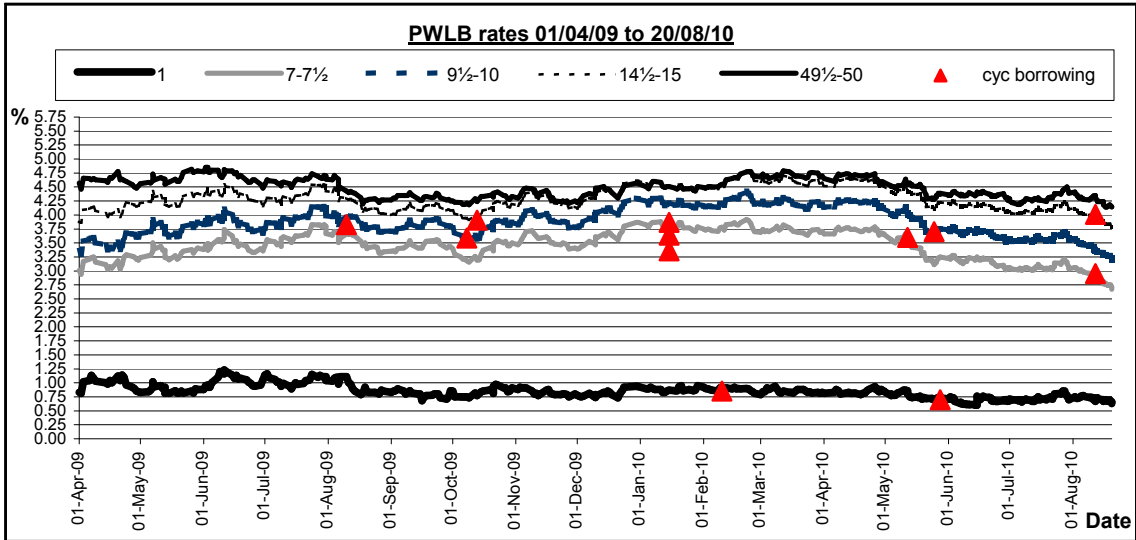


Figure 3 – PWLB rates vs CYC Borrowing Levels

24. Figure 4 illustrates the 2010/11 maturity profile of the Council's debt portfolio updated to reflect the borrowing this year. The borrowing portfolio totals £133.1m and the maturity profile shows that there is no large concentration of loan maturity, thereby spreading the interest rate risk dependency in any one year.

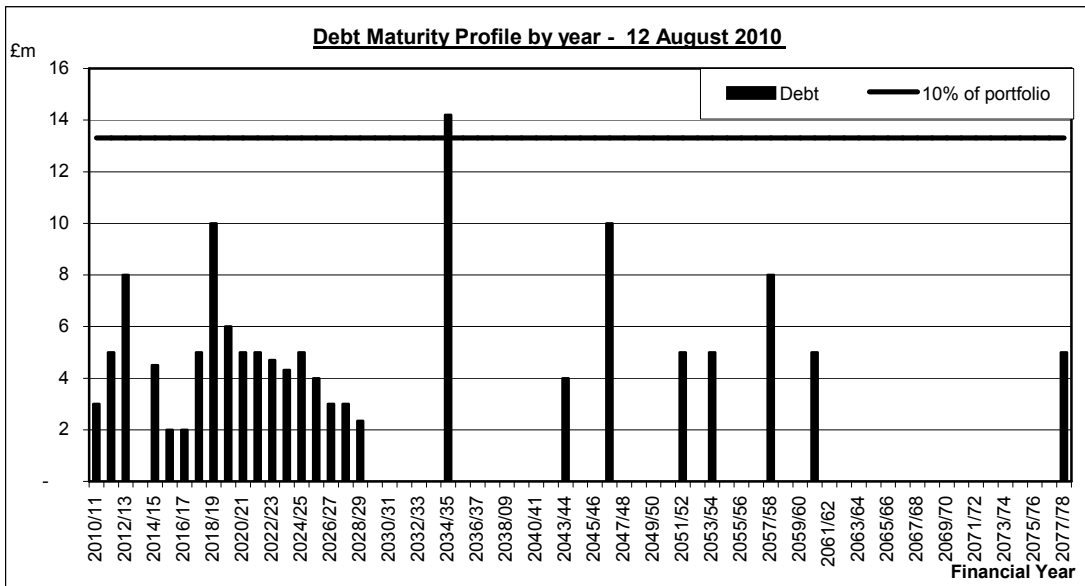


Figure 4 – Debt Maturity Profile 10/11

25. The Venture Fund is used to provide short to medium term investment for internal projects which provide new revenue streams or generate budget savings and contribute to operational benefits of policy objectives. The projected movements on the Venture Fund for the year 2010/11 are shown in table 2 below.

| | £'000 |
|--|--------------|
| Balance at 1st April 2009 | 2,219 |
| New Loan Advances | (1,551) |
| Loan Repayments | 48 |
| Net Interest Received | 18 |
| Balance at 31st March 2010 | 734 |

Table 2 – Projected Venture Fund Movement 2010/11

26. Table 2 indicates there are approvals for new loan advances in 2010/11 of £1,551k. This is for 4 schemes, for the easy programme £650k which reflects funding required for internal resources associated with the transformation programme – More for York – work, £200k for the street lighting capital scheme approved by Council on 21 February 2009, £500k contribution for the economic downturn approved by Council on 25 February 2010 and £201k for the early years deficit cost for the administrative accommodation project approved by Council on 15 July 2010. The easy programme loan is a prudent estimate of the amount which will potentially be required by year-end. 3 schemes contribute to loan repayments.

Treasury Management Budget

27. Treasury Management activity had a Corporate Budget approved at Council on 25 February 2010 of £11,131k. In August 2010, the current approved budget stands at £11,768k. The increase of £637k is transfer of budget from departments to cover the finance costs of approved capital programme schemes funded by prudential borrowing. This is explained further in paragraph 19 above. The projected outturn for 2010/11 is £11,618k, an estimated underspend of £150k. Table 3 details the individual components that make up this overspend.

| | (Under)/Over Spend £000 |
|---|--|
| Decrease in financing expenditure (interest paid) | (102) |
| Increase in interest receivable | (48) |
| Total Underspend | (150) |

Table 3 – Treasury Management Budget 2010/11

28. The expected Treasury Management budget underspend is driven by the 2 factors in table 3 above. The reduction in finance expenditure is due to the reduced amount of interest to be paid on borrowing during 2010/11. The borrowing interest rates currently available on the market are more favourable than was expected when the budget was set. This change in

market conditions is explained in the economic background and analysis section at the beginning of the report.

29. The increase in interest receivable is due to slightly better interest rates received on investments and slightly higher cash balances. This is seen in figure 2 above where the market rates available for investment in the first four months of the year rise marginally. As reported during 2009/10, it is expected that growth will continue to be slow in 2010/11, resulting in continued lower market interest rates being available for investments.

Prudential Indicators Update

30. It is a statutory duty for the Council to determine and keep under review the "Affordable Borrowing Limits". Council's approved Prudential Indicators (affordability limits) are outlined in the approved Treasury Management Strategy. Prudential Indicators are attached at Annex A. Prudential Indicators were not breached during the first 4 months of 2010/11.

Consultation

31. This report is for information and reporting on the performance of the treasury management function. The budget was set in light of the prevailing expenditure plans and economic conditions, based on advice from the Council's Treasury Management advisors.

Corporate Priorities

32. The Council has a priority to ensure value for money and efficiency of its services. Treasury Management aims to achieve the optimum return on investments commensurate with the proper levels of security, and endeavours to minimise the interest payable by the Council on its debt structure.

Human Resources Implications

33. There are no HR implications as a result of this report.

Equalities

34. There are no equalities implications as a result of this report.

Legal Implications

35. Treasury Management activities have to conform to the Local Government Act 2003 (SI 2003/3146), which specifies that the Council is required to adopt the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice and also the *Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008* (SI 2008/414), which clarifies the requirements of the Minimum Revenue Provision guidance.

Crime and Disorder Implications

36. There are no crime and disorder implications as a result of this report.

Information Technology Implications

37. There are no IT implications as a result of this report.

Property Implications

38. There are no property implications as a result of this report.

Risk Management

39. The treasury management function is a high-risk area because of the level of large money transactions that take place. As a result of this there are procedures as set out in the Treasury Management Practices statement that aim to reduce the risk associated with high volume high value transactions.

Recommendations

40. Members are requested to:

- Note the performance of the treasury management activity;
- Note the projected underspend of the treasury management budget of £150k.

Reason – to ensure the continued performance of the Council’s Treasury Management function.

Contact Details

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Assistant Director of CBSS (Finance)

Report Date 07/09/10
Approved

Wards Affected:

All
None

Specialist Implication Officers:

None

For further information please contact the author of the report

Background Papers

Cash-flow Model 09/10, Investment Register 09/10, PWLB Debt Register,
Capital Financing Requirement 09/10, Venture Fund 09/10, Statistics 09/10.

Annexes

Annex A – Prudential Indicators

Annex A

ANNEX A

| PRUDENTIAL INDICATORS – Monitor 1 2010/11 | | 2010/11 Budget | 2010/11 Monitor 1 |
|---|--|-------------------|----------------------|
| 1) Capital Expenditure To allow the authority to plan for capital financing as a result of the capital programme. To enable the monitoring of capital budgets to ensure they remain within budget | Non - HRA | £'000 66,116 | £'000 73,374 |
| | HRA | 6,908 | 8,158 |
| | TOTAL | 63,990 | 67,034 |
| 2) Ratio of financing costs to net revenue stream This indicator estimates the cost of borrowing in relation to the net cost of Council services to be met from government grant and council taxpayers. In the case of the HRA the net revenue stream is the income from Rents and Subsidy | Non - HRA | 9.30% | 9.33% |
| | HRA | 3.11% | 1.97% |
| 3) Incremental impact of capital investment decisions - Council Tax Shows the actual impact of capital investment decisions on council tax. The impact on council tax is a fundamental indicator of affordability for the Council to consider when setting forward plans. The figure relates to how much of the increase in council tax is used in financing the capital programme and any related revenue implications that flow from it. | | £ p | £ p |
| | Increase in Council Tax (band D) per annum | 19.49 | 14.86 |
| 4) Incremental impact of capital investment decisions - Hsg Rents Shows the actual impact of capital investment decisions on HRA rent. For CYC, the HRA planned capital spend is based on the government's approved borrowing limit so there is no impact on HRA rents. | | £ p | £ p |
| | Increase in average housing rent per week | 0.00 | 0.00 |
| 5) Capital Financing Requirement as at 31 March Indicates the Council's underlying need to borrow money for capital purposes. The majority of the capital programme is funded through government support, government grant or the use of capital receipts. The use of borrowing increases the CFR. | Non - HRA | 128,483 | 134,454 |
| | HRA | 12,610 | 13,235 |
| | TOTAL | 141,093 | 147,688 |
| 6a) Authorised Limit for external debt - The authorised limit is a level set above the operational boundary in acceptance that the operational boundary may well be breached because of cash flows. It represents an absolute maximum level of debt that could be sustained for only a short period of time. The council sets an operational boundary for its total external debt, gross of investments, separately identifying borrowing from other long term liabilities for 3 financial years. | borrowing | 187 | 187 |
| | other long term liabilities | 0 | 0 |
| | TOTAL | 187 | 187 |
| 6b) Operational Boundary for external debt - The operational boundary is a measure of the most likely, prudent, level of debt. It takes account of risk management and analysis to arrive at the maximum level of debt projected as part of this prudent assessment. It is a means by which the authority manages its external debt to ensure that it remains within the self imposed authority limit. It is a direct link between the Council's plans for capital expenditure; our estimates of the capital financing requirement; and estimated operational cash flow for the year. | borrowing | 167 | 167 |
| | other long term liabilities | 0 | 0 |
| | TOTAL | 167 | 167 |
| 7) Adoption of the CIPFA Code of Practice for Treasury Management in Public Services Ensuring Treasury Management Practices remain in line with the SORP. | TM Policy Statement 12 TM Practices Policy Placed Before Council Annual Review Undertaken | | |
| 8a) Upper limit for fixed interest rate exposure The Council sets limits to its exposures to the effects of changes in interest rates for 3 years. The Council should not be overly exposed to fluctuations in interest rates which can have an adverse impact on the revenue budget if it is overly exposed to variable rate investments or debts | Net interest re fixed rate borrowing / investments | 108% | 108% |
| | Actual Net interest re fixed rate borrowing / investments | 122% | 122% |

| 8b) | <p>Upper limit for variable rate exposure</p> <p>The Council sets limits to its exposures to the effects of changes in interest rates for 3 years. The Council should not be overly exposed to fluctuations in interest rates which can have an adverse impact on the revenue budget if it is overly exposed to variable rate investments or debts</p> | <p>Net interest re variable rate borrowing / investments -8% -8%</p> <p>Actual Net interest re variable rate borrowing / investments -22% -22%</p> | | | | | | | | | | | | | | | | | | | |
|-------------|--|---|--|-------------|-------------|-------|-----|----|----|-----|----|----|-----|----|----|-----|----|-----|-----|-----|-----|
| 9) | <p>Upper limit for total principal sums invested for over 364 days</p> <p>To minimise the impact of debt maturity on the cash flow of the Council. Over exposure to debt maturity in any one year could mean that the Council has insufficient liquidity to meet its repayment liabilities, and as a result could be exposed to risk of interest rate fluctuations in the future where loans are maturing. The Council therefore sets limits whereby long term loans mature in different periods thus spreading the risk.</p> | | <p>£10,000 £10,000</p> | | | | | | | | | | | | | | | | | | |
| 10) | <p>Maturity structure of new fixed rate borrowing during 2010/11</p> <p>The Council sets an upper limit for each forward financial year period for the level of investments that mature in over 364 days. These limits reduce the liquidity and interest rate risk associated with investing for more than one year. The limits are set as a percentage of the average balances of the investment portfolio.</p> | <p>under 12 months 10%</p> <p>12 months and within 24 months 10%</p> <p>24 months and within 5 years 25%</p> <p>5 years and within 10 years 40%</p> <p>10 years and above 90%</p> | <table border="1"> <thead> <tr> <th>Upper Limit</th> <th>Lower Limit</th> <th>Mon 1</th> </tr> </thead> <tbody> <tr> <td>10%</td> <td>0%</td> <td>4%</td> </tr> <tr> <td>10%</td> <td>0%</td> <td>2%</td> </tr> <tr> <td>25%</td> <td>0%</td> <td>7%</td> </tr> <tr> <td>40%</td> <td>0%</td> <td>24%</td> </tr> <tr> <td>90%</td> <td>30%</td> <td>63%</td> </tr> </tbody> </table> | Upper Limit | Lower Limit | Mon 1 | 10% | 0% | 4% | 10% | 0% | 2% | 25% | 0% | 7% | 40% | 0% | 24% | 90% | 30% | 63% |
| Upper Limit | Lower Limit | Mon 1 | | | | | | | | | | | | | | | | | | | |
| 10% | 0% | 4% | | | | | | | | | | | | | | | | | | | |
| 10% | 0% | 2% | | | | | | | | | | | | | | | | | | | |
| 25% | 0% | 7% | | | | | | | | | | | | | | | | | | | |
| 40% | 0% | 24% | | | | | | | | | | | | | | | | | | | |
| 90% | 30% | 63% | | | | | | | | | | | | | | | | | | | |

Glossary Of Abbreviations

HRA Housing Revenue Account

CYC City of York Council

SORP Statement of Recommended Practice for Local Authorities

CFR Capital Financing Requirement

- In accordance with the Prudential Code, the Prudential Indicators set by full Council on 25th February 2010 for the financial year 2010/11 must be monitored and reported through the financial year. The Prudential Indicators are detailed above and some of the key points are explained below:
- Size of the **Capital Programme (Indicator 1)** - The capital programme expenditure at monitor 1 was estimated to be £81.532m and in the original budget was £73.024m. The increase is detailed further in the Capital Programme Monitor 1.
- Net revenue Stream (indicator 2)** - This indicator represents how much borrowing for the capital programme will cost as a percentage of the net revenue stream. The General Fund indicator at Monitor 1 is 9.33% compared to a budgeted level of 9.30%. This indicator is an increase from 2009/10 of 2.35% due to the increased borrowing undertaken in 2009/10 in replace of capital receipts, which affects the provision to repay debt in 2010/11 and also the interest paid on increased borrowing in 2010/11 mainly due to the Administrative Accommodation project. The Housing Revenue Account (HRA) version of the indicator at monitor 1 is 1.97% compared to the budgeted level of 3.11%, the difference is due to lower amount of interest to be paid on debt in relation to the HRA than originally anticipated.
- Incremental Impact on the Level of Council Tax (Indicator 3)** – This indicator shows the impact of capital investment decision on the bottom line level of Council Tax. The Council can fund its discretionary capital programme from two main sources, from unsupported borrowing or using capital receipts from the sale of surplus assets. The Council's policy is to use capital receipts to fund the Capital programme, however in the current economic environment with reduced capital receipts there is the requirement to use unsupported borrowing to support the capital programme, which has an impact on Council Tax. The unsupported borrowing is not taken unless it is affordable, sustainable and prudent and can be supported by an existing budget.

At monitor 1 the impact on council tax is estimated at £14.86 per Band D charge. This has decreased from the estimate of £19.49 due to the interest paid on new borrowing during 2010/11 being lower than expected in the budget. Borrowing rates have fallen due to the sentiment on the market that the economy is weak and a risk of a double dip recession.

5. **Capital Financing Requirement (CFR) (Indicator 5)** - The CFR at Monitor 1 is estimated at £147.688m, which is the Council's underlying need to borrow for all capital investment over time. The CFR will fluctuate as new schemes are introduced into the capital programme and the funding position changes (as a result of external contributions, reductions in grants, changes to capital receipts etc) to support the Capital investment of the Council. The budget announcement on 22 June 2010 reduced £1.5m external grant funding in relation to the Local Transport Plan, however the capital expenditure has also been cut so as not to impact the borrowing requirement.
6. **Authorised Limit / Operational Boundary (Indicator 6)** – The Council debt position at 1 April 2009 was £116.064m and currently stands at £133.064m. The Council's Operational Boundary (maximum prudent level of debt) was approved at Council as part of the budget set at £167m, along with the Authorised Limit (maximum allowed debt) at £187.m. The headroom available within these limits allows the Council the ability to borrow in advance of need in accordance with its 3 year forecast Capital programme. If these limits were breached the LG Act 2003 requires full Council approval. Debt levels have remained within the limits set.
7. **Adoption of the CIPFA Code of Practice in Treasury Management (Indicator 7)** – In accordance with the Prudential Code the Council has adopted the revised Treasury Management Code of Practice on 25 February 2010 and as detailed in the table has adhered to the requirements.
8. **Upper Limit for Fixed and Variable Interest rate Exposure (Indicator 8)** – Interest rate exposure on debt is positive due to it being in relation to interest paid on borrowing and on investments is negative as it is interest being received. When the variable and fixed interest rates are totalled, it will always be 100%. If the majority of the interest received by the Council is fixed and the interest paid on debt is fixed then the closer the actual fixed interest rate exposure will be to 100% and the variable rate exposure to zero. The limits set in the budget were not breached and at Monitor 1 fixed rate exposure was at 122% and variable rate exposure –22%.
9. **Upper Limit for total principal sums invested for over 364 days (Indicator 9)** – This has been set at £10m and is approximately 25% of the total portfolio. To date in 2010/11, no funds have been invested for longer than 364 days due to the uncertainty in the current economic environment and no value to be obtained from longer rates.
10. **Maturity structure of fixed rate borrowing in 2010/11 (Indicator 10)** – The borrowing portfolio is spread across different time periods to ensure that the Council is not exposed to the requirement to take new borrowing in any one year and be exposed to interest rates in any one year. Currently in 2010/11 the borrowing portfolio maturity profile is within the limits set.

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Executive**7 September 2010****Report of the Director of Customer & Business Support Services****CAPITAL PROGRAMME – MONITOR ONE****Report Summary**

1. The purpose of this report is to:
 - Inform Members of the likely outturn position of 2010/11 Capital Programme based on the spend profile and information to June 2010;
 - Inform the Executive of any under or overspends and seek approval for any resulting changes to the programme;
 - Inform the Executive of any slippage and seek approval for the associated funding to be slipped to or from the financial years to reflect this;
 - To inform Members of the funding position of the capital programme, taking account of the current capital receipts forecasts for the capital programme.

2. The 2010/11 – 2014/15 capital programme was approved by Council on 25th February 2010. Since then a number of amendments have taken place as reported to the Executive in the 2009/10 Capital Programme Monitor 3 report and the 2009/10 Capital Programme Outturn report. The changes made as result of the above papers have resulted in a current approved capital programme for 2010/11 of £81.979m, financed by £43.642m of external funding, and internal funding of £38.337m. Table 1 illustrates the movements from the start budget to the current approved position at monitor 1.

| | Gross Budget £m | External Funding £m | Internal Funding £m |
|--|----------------------------|--------------------------------|--------------------------------|
| Original Budget Approved by Council at 25 Feb 2010 | 73.298 | 38.880 | 34.418 |
| Amendments from 2009/10 Monitor 3 report | 5.324 | 3.390 | 1.934 |
| Amendments from 2009/10 outturn report | 3.357 | 1.372 | 1.985 |
| Current Approved Capital Programme | 81.979 | 43.642 | 38.337 |

Table 1 Current Approved Capital Programme

Consultation

3. The capital programme was developed under the Capital Resource Allocation Model (CRAM) framework and agreed by Council on 25 February 2010. Whilst the capital programme as a whole is not consulted on, the individual scheme proposals and associated capital receipt sales do follow a consultation process with local Councillors and residents in the locality of the individual schemes.

Summary of Key Issues

4. A minor decrease of £447k is detailed in this monitor that results in a revised capital programme budget of £81.532m; £23.052m higher than the 2009/10 capital outturn of £58.480.
5. Against the current approved budget post 2009/10 outturn of £81.979m, there is a predicted outturn of £81.532m, a net decrease of £447k made up of:
- Adjustments to schemes decreasing budgeted expenditure by £447k.

This includes reductions in schemes in the ACE capital programme following the withdrawal of government grant funding of over £1m in 2010/11, as detailed in paragraphs 10-13 below.

Table 2 outlines the variances reported against each portfolio area.

| Directorate | Department | Current Approved Budget £m | Projected Outturn £m | Variance £m | Paragraphs |
|--------------------|---------------------|---------------------------------------|---------------------------------|------------------------|-------------------|
| ACE | Children's Services | 28.759 | 27.675 | (1.084) | 9 - 13 |

| | | | | | |
|---------------|--------------------------------------|---------------|---------------|----------------|---------|
| ACE | Adult Social Services | 0.876 | 0.941 | 0.065 | 14 - 15 |
| CANS | Leisure and Culture | 4.402 | 4.478 | 0.076 | 16 - 19 |
| CANS | Neighbourhood Services | 6.376 | 7.376 | 1.000 | 20 - 21 |
| CANS | Housing | 10.055 | 10.329 | 0.274 | 22 - 29 |
| City Strategy | City Strategy (P&T) | 14.101 | 13.323 | (0.778) | 30 - 32 |
| City Strategy | City Strategy (Admin Accom) | 12.807 | 12.807 | 0.000 | 33 |
| City Strategy | City Strategy (Economic Development) | 0.093 | 0.093 | 0.000 | 33 |
| City Strategy | Property Services | 2.046 | 2.046 | 0.000 | 33 |
| CBSS | Resources | 1.894 | 1.894 | 0.000 | 33 |
| CBSS | Miscellaneous (Contingency etc) | 0.570 | 0.570 | 0.000 | 33 |
| | Total | 81.979 | 81.532 | (0.447) | |

Table 2 Capital Programme Forecast Outturn 2010/11

6. To the mid point in August of June there was £12.334m of capital spend representing 15% of the approved monitor 1 budget.
7. The 2010/11 capital programme will contribute toward the Corporate Strategy, some of the existing schemes are:
 - a. Works totalling £2.8m on New Deals for Schools (NDS) modernisation programmes has allowed schools to invest in buildings, grounds and ICT equipment enabling schools to improve their pupils' educational standards.
 - b. Projected spend of £1.3m on the New Deals for Schools (NDS) devolved capital programmes provided schools with direct funding for the priority capital needs of their buildings (capital repair, remodelling or new build) and investment in ICT equipment. Many schools use their allocations to contribute to larger projects at their school within the Children's Services capital programme.
 - c. Budgeted spend of £4.9m on Targeted Capital Fund (TCF) schemes. TCF supports projects which provide good evidence of educational improvement as a result of the investment, and which might not otherwise be supported through formulaic allocations to Local Education Authorities and schools.

- d. Projected spend of £7.8m to transform the physical appearance of primary schools and equip schools for the 21st century through the widespread use of information technology (IT) to improve the teaching and learning experience through personalised learning and thereby raising student attainment levels.

Planning permission was granted for the replacement of Clifton without Junior and Rawcliffe Primary on 29 April 2010 and work started on site in July in preparation for the construction of the new school. It is expected that it will be complete by September 2011, when pupils will move into their new school and the old buildings will be vacated. The Rawcliffe building will then be demolished and the site landscaped. The Clifton Without building is due to be handed over to Canon Lee School and its partners.

The development of the new Primary School to replace our Lady's and English Martyrs is currently being managed by the RC Diocese. Planning permission was submitted in July and is expected to be determined in September. There is no date to start on site as yet, and the costs are currently being finalised for the construction element.

- e. The first phase of the refurbishment of the Yorkshire Museum (the biggest since it opened in 1830) has been completed. This phase totalled £2.01m with the Trust obtaining £1.26m in grants and other fundraising activities with the remaining £750k provided from the council's capital programme as matched funding. The Museum closed in November 2009 whilst the work was carried out and reopened on 1st August 2010.
- f. Works totalling £1.4m on capacity improvements to the A19/A1237 roundabout will be provided by the introduction of additional approach and exit lanes on the A1237 and A19 North. Substantial eastbound and southbound journey time improvements are predicted.
- g. Projected spend of £1.1m on the remaining three sections of the Orbital Cycle Route will be completed: Crichton Avenue to Clifton Green, Hob Moor to Poppleton Rd (Water End), James Street (Hazel Court) to Millennium Bridge. The elements of the scheme to be delivered in 2010/11 includes approximately 1km of off-road cycle track, remodelling of the Lawrence Street/James Street junction, signalised crossings of Water Lane and Acomb Road and improvements to road crossings at other locations. Signs and on road cycle lanes will be provided where necessary around the entire route.
- h. Schemes in housing will see over 1500 individual works completed on the Council houses.

Analysis

- 8. A summary of the key exceptions and implications on the capital programme are highlighted below.

ACE - Education and Children's Services

9. The current approved capital programme for Education and Children's services for 2010/11 is £28.759m following the adjustments made as a result of the 2009/10 outturn report. As a result of changes made at the second monitor, the 2010/11 capital programme will decrease by £1.084m to £27.675m. Table 3 gives a summary of the changes on a scheme by scheme basis.

| Gross Children's Services Capital Programme | 2010/11 £m | 2011/12 £m | 2012/13 £m | 2013/14 £m | 2014/15 £m | Total £m |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|---------------------|
| Current Approved Capital Programme | 28.759 | 10.715 | 10.715 | 10.715 | 10.715 | 71.619 |
| <u>Adjustments:</u> | | | | | | |
| Harnessing Technology | (0.264) | (0.317) | (0.317) | (0.317) | (0.317) | (1.532) |
| Targeted Capital Fund 14-19 Diploma | (0.658) | | | | | (0.658) |
| Sure Start Quality and Access | (0.038) | | | | | (0.038) |
| Youth Capital Fund | (0.035) | (0.042) | (0.042) | (0.042) | (0.042) | (0.203) |
| Children's Centre Phase 3 | (0.089) | | | | | (0.089) |
| Revised Capital Programme | 27.675 | 10.356 | 10.356 | 10.356 | 10.356 | 69.099 |

Table 3 Education and Children's Services Capital Programme 2010-2015

10. The Harnessing Technology grant has been reduced by £50% in 2010/11, to provide funding for capital investment required for Free schools. Of the 2010/11 allocation, only £94k was uncommitted at the time of the announcement, with £200k having been allocated out to schools and the remainder being used to fund the capital investment in the new broadband contract across the city. Options to deal with this shortfall are being investigated. Based on the governments position that ICT is now embedded in schools and further capital investment is not necessary , estimated future funding has been removed from the programme beyond 2010/11.

11. The Targeted Capital Fund 14-19 Diploma funding has been reduced by £658k from the 2010/11 allocation of £6m to all 76 local authorities who had not been in the early waves of BSF, and were allocated this grant. Plans for the utilisation of this funding have therefore been revised. A report detailing the plans for the use of the remaining funding will be taken to the September Decision Session of Children's Services.
12. A 50% reduction in the Youth Capital Fund 2010/11 allocation in early July has been announced. As York had just notified successful bidders of funding awards this has created a potential overspend on this scheme. Options are currently being explored to control this pressure. Based on the tone of the new government's announcement on the Youth capital fund it is not likely that this funding will continue beyond 2010/11 and therefore the estimated values has been removed from the future programme.
13. Knavesmire Children's Centre has been completed, within the allocated budget of £630k. Further work is proposed at Derwent, to set up a satellite centre to The Avenues, at Hurst Hall, Strensall, as a satellite to New Earswick, and small extensions to Westfield and St Lawrence's Children's Centres. Following a review instigated by the new government of spending commitments under this grant, the Councils allocation has been reduced by £89k in 2010/11.

ACE – Adult Social Services

14. The approved capital programme for Adult Social Services is £876k following the adjustments made as a result of the 2009/10 outturn report. As a result of this monitor, the capital programme will increase by £65k to £941k. Table 4 gives a summary of the changes on a scheme by scheme basis.

| Gross Social Services Capital Programme | 2010/11 | 2011/12 | 2012/13 | 2013/14 | 2014/15 | Total |
|---|----------------|----------------|----------------|----------------|----------------|--------------|
| | £m | £m | £m | £m | £m | £m |
| Current Approved Capital Programme | 0.876 | 0.235 | 0.245 | 0.255 | 0.255 | 1.866 |
| <u>Adjustments:</u> | | | | | | |
| Health and Safety Works at Social Services Establishments | 0.065 | | | | | 0.065 |
| Revised Capital Programme | 0.941 | 0.235 | 0.245 | 0.255 | 0.255 | 1.931 |

Table 4 Social Services Capital Programme 2010 – 2015

15. The additional £65k for the Health and Safety Works at Social Services Establishments scheme is funded from previously unallocated government

grant funding and will be used to ensure health and safety compliance in the Councils services establishments.

CANS - Leisure and Culture

16. The approved capital programme for Leisure and Culture services is £4.402m following the adjustments made as part of the 2009/10 outturn report. As a result changes made in this monitor, the capital programme will increase by £76k to £4.478m. Table 5 gives a summary of the changes on a scheme by scheme basis.

| Gross Leisure and Culture Capital Programme | 2010/11 £m | 2011/12 £m | 2012/13 £m | 2013/14 £m | 2014/15 £m | Total £m |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|---------------------|
| Current Approved Capital Programme | 4.402 | 0.490 | 0.510 | 0.000 | 0.000 | 5.402 |
| <u>Adjustments:</u> | | | | | | |
| York Explore Centre | 0.032 | | | | | 0.032 |
| Parks and Open Spaces Development | 0.044 | | | | | 0.045 |
| York Pools Strategy | | 1.000 | | | | 1.000 |
| Revised Capital Programme | 4.478 | 1.490 | 0.510 | 0.000 | 0.000 | 6.478 |

Table 5 Leisure and Culture Capital Programme 2010 - 15

17. The newly refurbished Explore York Library Learning Centre opened on 24th May 2010, with positive coverage and good feedback from early visitors. The final valuation is currently being negotiated with the contractor, but an overspend of approximately £10k on the main build work is predicted. In addition, some of the furniture and equipment costs have exceeded budget, with a total predicted overspend on the whole project of approximately £30k now expected. The £30k will need to be funded from Council resources.

18. In relation to Parks and Open Spaces Development scheme, refurbishment of the toilets at West Bank Park, together with the installation of a disabled toilet, and a new bike store, funded from Section 106 monies, have been carried out so far this year. In addition, payments totalling £30k have been made to various parish councils towards sporting facility provision.

19. The £1m addition is in relation to the additional prudential borrowing of £1m approved at Executive on 6th July 2010 and ratified at full council on 15th July 2010 to increase contribution to University Sports Village Pool to £3m. It is expected that the contribution will be required in the next financial year and has therefore been profiled into 2011/12.

CANS - Neighbourhood Services

20. The approved capital programme for Neighbourhood services is £6.376m following the adjustments made as a result of the 2009/10 outturn report. As a result of this monitor, the capital programme will increase by £1.000m to £7.376m. Table 6 gives a summary of the changes on a scheme by scheme basis.

| Gross Neighbourhood Services Capital Programme | 2010/11 £m | 2011/12 £m | 2012/13 £m | 2013/14 £m | 2014/15 £m | Total £m |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|---------------------|
| Current Approved Capital Programme | 6.376 | 5.635 | 3.220 | 3.308 | 3.401 | 21.940 |
| <u>Adjustments:</u> | | | | | | |
| Highways Improvements transfer from City Strategy | 1.000 | | | | | 1.000 |
| Revised Capital Programme | 7.376 | 5.635 | 3.220 | 3.308 | 3.401 | 22.940 |

Table 6 Neighbourhood Services 2010 – 2015

21. The transfer from City Strategy of £1.000m is in relation to Highways Improvements transfer from City Strategy. The corresponding adjustment is shown under the City Strategy heading.

CANS - Housing

22. The approved capital programme for Housing services is £10.055 following the adjustments made as part of the 2009/10 outturn report. As a result of this monitor, the capital programme will increase by £274k to £10.329m Table 7 gives a summary of the currently approved budget across the programme years.

| Gross Housing Capital Programme | 2010/11 £m | 2011/12 £m | 2012/13 £m | 2013/14 £m | 2014/15 £m | Total £m |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|---------------------|
| Current Approved Capital | 10.055 | 9.425 | 9.028 | 10.923 | 8.722 | 48.153 |

| | | | | | | |
|---|---------------|--------------|--------------|---------------|--------------|----------------|
| Programme | | | | | | |
| Adjustments: | | | | | | |
| Modernisation of Local Authority Homes | 0.041 | | | | | 0.041 |
| Repairs to Local Authority Properties | 1.186 | | | | | 1.186 |
| MRA Schemes | (1.105) | | | | | (1.105) |
| Housing Grants & Associated Investment | (0.279) | | | | | (0.279) |
| Disabled Facilities Grant | 0.067 | | | | | 0.067 |
| Energy Conservation in Homes | 0.076 | | | | | 0.076 |
| Sub Regional Lettings Scheme | 0.168 | | | | | 0.168 |
| Travellers - James Street Wall | 0.030 | | | | | 0.030 |
| Current Approved Capital Programme | 10.329 | 9.425 | 9.028 | 10.923 | 8.722 | 48.427 |

Table 7 Housing Capital Programme 2010 - 2015

23. In relation to Modernisation of Local Authority Homes £20k additional expenditure required on digital TV aerials due to higher number of communal aerials than anticipated. £21k burglar alarm scheme moved from MRA. Both lots of work are being covered from departmental revenue contributions.
24. The increase in relation to Repairs to Local Authority Properties is for the movement of schemes moved from MRA to this header. This is funded from existing external funding.
25. The decrease in relation to Major Repairs Allowance (MRA) schemes is the corresponding side of the move to Repairs to Local Authority Properties as set out above.
26. The decrease of Housing Grants & Associated Investment is a direct result of a reduction in funding from government. Schemes will be scaled back as necessary to ensure spend remains within existing resources.

27. The Disabled Facilities Grant schemes have received a higher level of funding than anticipated allowing for a higher level of homes to be adapted.
28. The increase for energy conservation in homes increase is as a result of additional funding being secured from the energy partnership. This will allow more extensive work to be carried out to improve thermal efficiency of homes.
29. The Travellers – James Street Wall scheme is new and will require £15k of Council funding to match fund the £15k secured from Environment Agency for works to prevent flooding. This could be funded from the contingency budget that is currently available.

City Strategy (Planning & Transport)

30. The current approved capital programme for City Strategy is £14.101m following the adjustments made as part of the 2009/10 outturn report. As a result of changes contained in the Monitor 1 report the capital programme will decrease marginally by £778k to £13.323m. Table 8 gives a summary of the changes on a scheme by scheme basis.

| Gross City Strategy Capital Programme | 2010/11 | 2011/12 | 2012/13 | 2013/14 | 2014/15 | Total |
|--|----------------|----------------|----------------|----------------|----------------|----------------|
| | £m | £m | £m | £m | £m | £m |
| Current Approved Capital Programme | 14.101 | 19.738 | 4.833 | 3.617 | 0.090 | 42.379 |
| <u>Adjustments:</u> | | | | | | |
| Local Transport Plan (LTP) | 0.224 | | | | | 0.224 |
| Highways Improvements | (1.000) | | | | | (1.000) |
| Other | (0.002) | | | | | (0.002) |
| Revised Capital Programme | 13.323 | 19.738 | 4.833 | 3.617 | 0.090 | 41.601 |

Table 8 City Strategy Capital Programme 2010-15

31. The increase in relation to the LTP are as a result of increase in funding from external sources made up of £130k from S106 monies, £73k of grant funding for Dial And Ride buses and £20k S106 for James St link road phase 1 scheme.

32. The reduction of £1.000m for highways improvements is a straight switch to the Neighbourhoods Services and does not impact the overall level of the Councils investment.

Remaining Schemes

33. At this stage of the monitoring cycle, there are no variations expected against the currently approved budgets in relation to the Administrative Accommodation scheme, the Economic Development schemes, Property Services schemes and Resources Schemes. The detail of the projects that make up these schemes are shown in the annex.

Loan to Yorwaste

34. The council as minority shareholder of the company Yorwaste has received a request from Yorwaste and the majority shareholder North Yorkshire County Council (NYCC) to support its ongoing strategy to diversify its operation away from landfilling. Yorwaste has already become involved to a much greater extent with recycling, composting, energy production and is also looking to widen its geographical base area. In accordance with this strategy the company has recently acquired a company specialising in organic waste composting and wood waste recycling based in South Yorkshire. This diversification of business is essential if Yorwaste is to remain a profitable and valuable business to the council given continued reductions in core landfill business due to increases in landfill tax and impact of following EU landfill reductions.
35. As part of the discussions over financing the deal the company has asked the shareholders to provide loan funding to support the purchase. NYCC currently has loans totalling £3.7m to Yorwaste and if this council loans these funds it will confirm our commitment to Yorwaste as joint owner along with NYCC. This would result in loans outstanding to the councils in line with the shareholder ownership levels.

| Council | Loans Outstanding | % of loans | % of Shares |
|--------------------------------|-------------------|------------|-------------|
| North Yorkshire County Council | 3,700,000 | 78.7% | 77.8% |
| City of York Council | 1,000,000 | 21.3% | 22.2% |

36. The powers for the council to grant this loan are the “Well Being Powers” under Section 2 of the Local Government Act 2000. The loan is classed as Capital Expenditure under the Local Authorities (Capital Finance and Accounting) Regulations 2003. The loan will be included in the Capital Programme and be financed from prudential borrowing.
37. The cost of providing this loan to Yorwaste should have no impact on the treasury management budget. The finance costs of the loan interest will be repaid by Yorwaste and there will be no requirement to set aside the

repayment of the loan in the usual required form of “Minimum Revenue provision” as Yorwaste will return the funds to the Council in the future. This is as described in the *Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008*.

38. The terms of the loan would be in equal status to those with NYCC. It is repayable within 13 months of the date of any demand. The loan will be financed from CYC’s surplus cash balances and the interest rate would be set at base rate +1% at the time the loan was granted. Given the historically low levels of the base rate and therefore the concern with regards to state aid (borrowing below the interest rates available on the market), a base rate floor should be set at 1.5%. Currently this would be an interest rate of 1.5%+1%. This is comparable to borrowing from the Government Debt Management office on 25 August 2010 for 5 years at 2.2% or 7 years at 2.59%. The interest rate will vary as the base rate rises, thereby the return on the loan will remain in line with economic and market conditions.
39. The loan to Yorwaste would be secured through a floating charge over the company’s assets as security. The other long term creditors that are held by Yorwaste are £1.1m with banks and the £3.7m with NYCC. Given the councils are shareholders in the business they have significant control of the companies future and even in a worst case scenario and Yorwaste were to go out of business CYC would have a good chance of their funds being returned.
40. The financial analysis of Yorwaste compares 208/09 accounts with 2009/10. The ratio analysis shows that Yorwaste is a sound business; the numbers in 2008/09 were a little poorer but that was due to the impact on the economic downturn. The business has taken costs out of the business during 2009/10 and this is reflected in the 2009/10 year end accounts. Yorwaste reported pre tax profits of £2.3m in year 2009/10 compared to £0.25m in 2008/09 which shows that the business remains in a sound financial position. The financial ratios for 2010 are perfectly healthy.

Summary

41. As a result of the changes highlighted above the revised 5 year capital programme is summarised in Table 9.

| Gross Capital Programme | 2010/11 | 2011/12 | 2012/13 | 2013/14 | 2014/15 | Total |
|--------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | £m | £m | £m | £m | £m | £m |
| Current Programme | 81.979 | 64.872 | 43.008 | 29.818 | 24.183 | 238.860 |
| <u>Adjustments :</u> | | | | | | |
| Children’s Services | (1.084) | (0.359) | (0.359) | (0.359) | (0.359) | (2.520) |
| Adult Social | 0.065 | | | | | 0.065 |

| | | | | | | |
|--------------------------------------|---------------|---------------|---------------|---------------|---------------|----------------|
| Services | | | | | | |
| Leisure and Culture | 0.076 | 1.000 | | | | 1.076 |
| Neighbourhood Services | 1.000 | | | | | 1.000 |
| Housing | 0.274 | | | | | 0.274 |
| City Strategy (P&T) | (0.778) | | | | | (0.778) |
| City Strategy (Admin Accom) | 0.000 | | | | | 0.000 |
| City Strategy (Economic Development) | 0.000 | | | | | 0.000 |
| Property Services | 0.000 | | | | | 0.000 |
| Resources | 0.000 | | | | | 0.000 |
| Miscellaneous (Contingency etc) | 0.000 | | | | | 0.000 |
| Revised Programme | 81.532 | 65.513 | 42.649 | 29.459 | 23.824 | (0.883) |

Table 9 Revised 5 Year Capital Programme

Funding the 2010/11 – 2014/15 Capital Programme

42. The 2010/11 capital programme of £81.532m is currently being funded from £43.756m external funding and £37.776m of internal funding. The internal funding is comprised of revenue contributions, supported capital expenditure, venture fund, right to buy receipts, capital receipts and prudential borrowing.

43. Table 10 shows the projected call on Council resources going forward.

| | 2010/11 | 2011/12 | 2012/13 | 2013/14 | 2014/15 | Total |
|--------------------------------|---------------|---------------|---------------|---------------|---------------|----------------|
| | £m | £m | £m | £m | £m | £m |
| Gross Capital Programme | 81.532 | 65.513 | 42.649 | 29.459 | 23.824 | 242.977 |
| Funded by: | | | | | | |
| External Funding | 43.756 | 32.318 | 17.866 | 18.216 | 16.540 | 128.696 |
| Council Controlled Resources | 37.776 | 33.195 | 24.783 | 11.243 | 7.284 | 114.281 |
| Total Funding | 81.532 | 65.513 | 42.649 | 29.459 | 23.824 | 242.977 |

Table 10 – 2010/11 –2014/15 Capital Programme Financing

44. The current economic environment continues to place pressure on the funding of the programme over the 5 year cycle resulting in additional funding pressures based on current projections. The capital programme continues to place reliance on the achievement of a small number of high asset disposals which have been affected by the economic downturn.
45. As reported in the 2010/11 – 2014/15 Capital Budget report approved by Full Council on 25 February 2010, the Council had a capital receipts requirement of £28.477m to fund new capital schemes. It was reported that based on projections at the time that the value of the assets to be disposed of was £24.704m leaving a shortfall of £3.773m. The reduced asset value was reflective of property market conditions at that time and it was accepted that over the medium term the asset values would rise to match the required value of £28.477m. As a result the decision was taken to hold the sale of assets where it was not in the interest of the Council to dispose. This places pressure in terms of funding the new capital schemes which is currently using temporary prudential borrowing to fund the programme until such time when the receipts are realised and used to repay the borrowing.
46. The monitor 1 position (excluding 2009/10 outturn) is for a required level of receipts of £26.683m with an expected receipt value of £23.585m leaving a temporary shortfall of £3.098m. Table 12 shows the position at monitor 1 against the budget setting position.

| | Capital Budget Report 10/11 – 14/15 | Capital Monitor 1 Report 10/11 –14/15 | Movement |
|--------------------------------|--|--|-----------------|
| | £m | £m | £m |
| Receipts Required | 28.477 | 26.683 | (1.794) |
| Receipts Forecast | 24.704 | 23.585 | (1.119) |
| Temporary Shortfall | 3.773 | 3.098 | (0.675) |

Table 12 – Council Receipts Requirement 2010 - 15

47. The temporary shortfall continues to be managed using discretionary prudential borrowing with the associated revenue implications being reported through the treasury management budget. To date £12m of borrowing has been used to cover the shortfall of receipts.
48. The 09/10 and 10/11 budget process added a number of new schemes to the Councils capital programme to be funded from Council resources in the form of either revenue contributions or prudential borrowing. The total requirement for these discretionary schemes added in 09/10 and

10/11 totalled £23.890m. To date £2.014m of prudential borrowing has been used to fund these schemes.

Corporate Priorities

49. The capital programme is decided through a formal process, using a Capital Resource Allocation Model (CRAM). CRAM is a tool used for allocating the Council's scarce capital resources to schemes that contribute toward the achievement of the corporate strategy.

Implications

Financial Implications

50. The financial implications are considered in the main body of the report.

Human Resources Implications

51. There are no HR implications as a result of this report

Equalities Implications

52. There are no equalities implications as a result of this report

Legal Implications

53. There are no legal implications as a result of this report

Crime and Disorder

54. There are no crime and disorder implications as a result of this report

Information Technology

55. There are no information technology implications as a result of this report

Property

56. The property implications of this paper are included in the main body of the.

Risk Management

57. The capital programme is regularly monitored as part of the corporate monitoring process. In addition to this the Corporate Asset Management Group (CAMG) meets regularly to plan monitor and review major capital receipts to ensure that all capital risks to the Council are minimised.

Recommendations

58. The Executive is requested to:

- Recommend to Full Council the net adjustments of £447k in 2010/11 and £641k in 2011/12 which are set out on a scheme by scheme basis in the above paragraphs and contained in Annex A.
- Note the 2010/11 revised budget of £81.532m as set out in paragraph 5 and Table 2.
- Note the restated capital programme for 2010/11 – 2014/15 as set out in paragraph 36, Table 10 and as set out in detail in Annex A.
- Approve the use contingency to fund the £15k for Travellers site flood initiative and the £30k for Explore York Library Learning Centre.
- Recommend to Full Council an addition to the Capital Programme in 2010/11 of £1m in the form of a loan to Yorwaste, where the council owns a 22.7% stake.

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

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Ian Floyd
Director of Customer & Business Support
Services

**Report
Approved**

Ti
 ck

Date 19/08/10

Keith Best
Head of Finance

**Report
Approved**

√

Date 19/08/10

Specialist Implications Officer(s)

N/a

Wards Affected:

All *√*

For further information please contact the author of the report

Background Papers:

Budget Control 2010
Departmental Capital Pro-forma

Annexes

Annex A – Restated Capital Programme 2010/11 to 2014/15

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| Budget Process Category | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2012/13 | 2010/11 | 2010/11 | 2013/14 | 2010/11 | 2010/11 | 2014/15 | Gross Capital Programme To be Funded 10/11 - 14/15 £000 |
|--|-------------|------------------|----------------|-------------|------------------|----------------|-------------|------------------|----------------|-------------|------------------|----------------|-------------|------------------|----------------|---|
| | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | |
| | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | |
| ACE - Children's Services | | | | | | | | | | | | | | | | |
| NDS Devolved Capital | | | 1,266 | | | 1,503 | | | 1,503 | | | 1,503 | | | 1,503 | 7,278 |
| - External Funding | 0 | 0 | 1,266 | 0 | 0 | 1,503 | 0 | 0 | 1,503 | 0 | 0 | 1,503 | 0 | 0 | 1,503 | 7,278 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Harnessing Technology | | | 264 | | | 0 | | | 0 | | | 0 | | | 0 | 264 |
| - External Funding | -264 | 0 | 264 | -317 | 0 | 0 | -317 | 0 | 0 | -317 | 0 | 0 | -317 | 0 | 0 | 264 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Targeted Capital Fund 14-19 Diploma | | | 4,881 | | | 3,600 | | | 3,600 | | | 3,600 | | | 3,600 | 19,281 |
| - External Funding | -658 | 0 | 4,881 | 0 | 0 | 3,600 | 0 | 0 | 3,600 | 0 | 0 | 3,600 | 0 | 0 | 3,600 | 19,281 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Huntington School Improvements TCF | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NDS Modernisation | | | 2,818 | | | 1,136 | | | 1,136 | | | 1,136 | | | 1,136 | 7,362 |
| - External Funding | 0 | 0 | 125 | 0 | 0 | 227 | 0 | 0 | 227 | 0 | 0 | 227 | 0 | 0 | 227 | 1,033 |
| - Internal Funding | 0 | 0 | 2,693 | 0 | 0 | 909 | 0 | 0 | 909 | 0 | 0 | 909 | 0 | 0 | 909 | 6,329 |
| Schools Access Initiative | | | 625 | | | 173 | | | 173 | | | 173 | | | 173 | 1,317 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 625 | 0 | 0 | 173 | 0 | 0 | 173 | 0 | 0 | 173 | 0 | 0 | 173 | 1,317 |
| Sure Start | | | 1,077 | | | 635 | | | 635 | | | 635 | | | 635 | 3,617 |
| - External Funding | -38 | 0 | 1,077 | 0 | 0 | 635 | 0 | 0 | 635 | 0 | 0 | 635 | 0 | 0 | 635 | 3,617 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Extended Schools | | | 284 | | | 82 | | | 82 | | | 82 | | | 82 | 612 |
| - External Funding | 0 | 0 | 284 | 0 | 0 | 82 | 0 | 0 | 82 | 0 | 0 | 82 | 0 | 0 | 82 | 612 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Integrated Children's Centres | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Primary School Strategic Programme | | | 7,782 | | | 3,227 | | | 3,227 | | | 3,227 | | | 3,227 | 20,690 |
| - External Funding | 0 | 0 | 7,782 | 0 | 0 | 3,227 | 0 | 0 | 3,227 | 0 | 0 | 3,227 | 0 | 0 | 3,227 | 20,690 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Derwent MUGA | | | 28 | | | 0 | | | 0 | | | 0 | | | 0 | 28 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 28 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 28 |
| Fulford School Science Labs and Classrooms | | | 240 | | | 0 | | | 0 | | | 0 | | | 0 | 240 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 240 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 240 |
| Youth Capital Fund | | | 35 | | | 0 | | | 0 | | | 0 | | | 0 | 35 |
| - External Funding | -35 | 0 | 35 | -42 | 0 | 0 | -42 | 0 | 0 | -42 | 0 | 0 | -42 | 0 | 0 | 35 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Children's Centres Phase 3 | | | 936 | | | 0 | | | 0 | | | 0 | | | 0 | 936 |
| - External Funding | -89 | 0 | 936 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 936 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DCSF Wave 2 PlaybuilderFunding | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Westside Review - Oaklands / York High | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Westside Review - Manor | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Joseph Rowntree One School Pathfinder | | | 3,280 | | | 0 | | | 0 | | | 0 | | | 0 | 3,280 |
| - External Funding | 0 | 0 | 1,854 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,854 |
| - Internal Funding | 0 | 0 | 1,426 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,426 |
| Specialist Schools Status | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Home access for targeted groups | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aiming high for disabled children short breaks | | | 279 | | | 0 | | | 0 | | | 0 | | | 0 | 279 |
| - External Funding | 0 | 0 | 279 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 279 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| City-Wide Diploma Exemplar Facility at Manor School | | | 3,000 | | | 0 | | | 0 | | | 0 | | | 0 | 3,000 |
| - External Funding | 0 | 0 | 3,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3,000 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Applefields School - Co Location | | | 880 | | | 0 | | | 0 | | | 0 | | | 0 | 880 |
| - External Funding | 0 | 0 | 880 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 880 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Integrated Children's System | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CHILD TOTAL GROSS EXPENDITURE | -1,084 | 0 | 27,675 | -359 | 0 | 10,356 | -359 | 0 | 10,356 | -359 | 0 | 10,356 | -359 | 0 | 10,356 | 69,099 |
| TOTAL EXTERNAL FUNDING | -1,084 | 0 | 22,663 | -359 | 0 | 9,274 | -359 | 0 | 9,274 | -359 | 0 | 9,274 | -359 | 0 | 9,274 | 59,759 |
| TOTAL INTERNAL FUNDING | 0 | 0 | 5,012 | 0 | 0 | 1,082 | 0 | 0 | 1,082 | 0 | 0 | 1,082 | 0 | 0 | 1,082 | 9,340 |
| ACE - Social Services | | | | | | | | | | | | | | | | |
| Joint Equipment Store | | | 105 | | | 105 | | | 105 | | | 105 | | | 105 | 525 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 105 | 0 | 0 | 105 | 0 | 0 | 105 | 0 | 0 | 105 | 0 | 0 | 105 | 525 |
| Information Management Improvements | | | 45 | | | 0 | | | 0 | | | 0 | | | 0 | 45 |
| - External Funding | 0 | 0 | 45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 45 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disabled Support Grant | | | 120 | | | 130 | | | 140 | | | 150 | | | 150 | 690 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 120 | 0 | 0 | 130 | 0 | 0 | 140 | 0 | 0 | 150 | 0 | 0 | 150 | 690 |
| Telecare Equipment | | | 525 | | | 0 | | | 0 | | | 0 | | | 0 | 525 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 525 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 525 |
| Adults Social Care IT grant | | | 81 | | | 0 | | | 0 | | | 0 | | | 0 | 81 |
| - External Funding | 0 | 0 | 81 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 81 |

| Budget Process Category | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2012/13 | 2010/11 | 2010/11 | 2013/14 | 2010/11 | 2010/11 | 2014/15 | Gross Capital Programme To be Funded 10/11 - 14/15 £000 |
|---|-------------|------------------|----------------|-------------|------------------|----------------|-------------|------------------|----------------|-------------|------------------|----------------|-------------|------------------|----------------|---|
| | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | |
| | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | |
| Highway Resurfacing & Reconstruction (Struct Maint) | | | 4,949 | | | 2,935 | | | 3,020 | | | 3,108 | | | 3,201 | 17,213 |
| - External Funding | 0 | 0 | 1,770 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,770 |
| - Internal Funding | 0 | 0 | 3,179 | 0 | 0 | 2,935 | 0 | 0 | 3,020 | 0 | 0 | 3,108 | 0 | 0 | 3,201 | 15,443 |
| Special Bridge Maintenance (Struct maint) | | | 200 | | | 200 | | | 200 | | | 200 | | | 200 | 1,000 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 200 | 0 | 0 | 200 | 0 | 0 | 200 | 0 | 0 | 200 | 0 | 0 | 200 | 1,000 |
| Street Light Modernisation | | | 450 | | | 0 | | | 0 | | | 0 | | | 0 | 450 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 450 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 450 |
| Highways Improvements | | | 1,000 | | | 0 | | | 0 | | | 0 | | | 0 | 1,000 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 1,000 | 0 | 1,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,000 |
| NS TOTAL GROSS EXPENDITURE | 1,000 | 0 | 7,376 | 0 | 0 | 5,635 | 0 | 0 | 3,220 | 0 | 0 | 3,308 | 0 | 0 | 3,401 | 22,940 |
| TOTAL EXTERNAL FUNDING | 0 | 0 | 2,308 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2,308 |
| TOTAL INTERNAL FUNDING | 1,000 | 0 | 5,068 | 0 | 0 | 5,635 | 0 | 0 | 3,220 | 0 | 0 | 3,308 | 0 | 0 | 3,401 | 20,632 |
| CANS - Housing | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| Modernisation of Local Authority Homes | | | 103 | | | 1,378 | | | 1,458 | | | 1,499 | | | 83 | 4,521 |
| - External Funding | 41 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 41 | 0 | 103 | 0 | 0 | 1,378 | 0 | 0 | 1,458 | 0 | 0 | 1,499 | 0 | 0 | 83 | 4,521 |
| Repairs to Local Authority Properties | | | 2,501 | | | 1,090 | | | 1,117 | | | 1,244 | | | 898 | 6,850 |
| - External Funding | 1,186 | 0 | 1,186 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,186 |
| - Internal Funding | 0 | 0 | 1,315 | 0 | 0 | 1,090 | 0 | 0 | 1,117 | 0 | 0 | 1,244 | 0 | 0 | 898 | 5,664 |
| Assistance to Older & Disabled People | | | 300 | | | 300 | | | 300 | | | 300 | | | 0 | 1,200 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 300 | 0 | 0 | 300 | 0 | 0 | 300 | 0 | 0 | 300 | 0 | 0 | 0 | 1,200 |
| MRA Schemes | | | 4,216 | | | 4,807 | | | 4,253 | | | 5,930 | | | 5,791 | 24,997 |
| - External Funding | -1,015 | 0 | 4,216 | 0 | 0 | 4,807 | -1,015 | 0 | 4,253 | 0 | 0 | 5,930 | 0 | 0 | 5,791 | 24,997 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Housing Grants & Associated Investment (Gfund) | | | 671 | | | 1,000 | | | 1,050 | | | 1,100 | | | 1,100 | 4,921 |
| - External Funding | -279 | 0 | 671 | 0 | 0 | 1,000 | -279 | 0 | 1,050 | 0 | 0 | 1,100 | 0 | 0 | 1,100 | 4,921 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disabled Facilities Grant (Gfund) | | | 917 | | | 850 | | | 850 | | | 850 | | | 850 | 4,317 |
| - External Funding | 67 | 0 | 442 | 0 | 0 | 375 | 67 | 0 | 375 | 0 | 0 | 375 | 0 | 0 | 375 | 1,942 |
| - Internal Funding | 0 | 0 | 475 | 0 | 0 | 475 | 0 | 0 | 475 | 0 | 0 | 475 | 0 | 0 | 475 | 2,375 |
| Energy Conservation in Homes (Gfund) | | | 173 | | | 0 | | | 0 | | | 0 | | | 0 | 173 |
| - External Funding | 76 | 0 | 76 | 0 | 0 | 0 | 76 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 76 |
| - Internal Funding | 0 | 0 | 97 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 97 |
| Local Authority Homes | | | 1,250 | | | 0 | | | 0 | | | 0 | | | 0 | 1,250 |
| - External Funding | 0 | 0 | 625 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 625 |
| - Internal Funding | 0 | 0 | 625 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 625 |
| Sub Regional Lettings Scheme (Gfund) | | | 168 | | | 0 | | | 0 | | | 0 | | | 0 | 168 |
| - External Funding | 168 | 0 | 168 | 0 | 0 | 0 | 168 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 168 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Travellers - James Street Wall (Gfund) | | | 30 | | | 0 | | | 0 | | | 0 | | | 0 | 30 |
| - External Funding | 15 | 0 | 15 | 0 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 |
| - Internal Funding | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15 |
| HOUS TOTAL GROSS EXPENDITURE | 0 | 274 | 10,329 | 0 | 0 | 9,425 | 0 | 0 | 9,028 | 0 | 0 | 10,923 | 0 | 0 | 8,722 | 48,427 |
| TOTAL EXTERNAL FUNDING | 0 | 218 | 7,399 | 0 | 0 | 6,182 | 0 | 0 | 5,678 | 0 | 0 | 7,405 | 0 | 0 | 7,266 | 33,930 |
| TOTAL INTERNAL FUNDING | 0 | 56 | 2,930 | 0 | 0 | 3,243 | 0 | 0 | 3,350 | 0 | 0 | 3,518 | 0 | 0 | 1,456 | 14,497 |
| CANS TOTAL GROSS EXPENDITURE | 0 | 1,350 | 22,183 | 1,000 | 0 | 16,550 | 0 | 0 | 12,758 | 0 | 0 | 14,231 | 0 | 0 | 12,123 | 77,845 |
| TOTAL EXTERNAL FUNDING | 0 | 264 | 10,777 | 0 | 0 | 6,427 | 0 | 0 | 5,933 | 0 | 0 | 7,405 | 0 | 0 | 7,266 | 37,808 |
| TOTAL INTERNAL FUNDING | 0 | 1,086 | 11,406 | 2,000 | 0 | 11,123 | 0 | 0 | 6,825 | 0 | 0 | 6,826 | 0 | 0 | 4,857 | 41,037 |
| City Strategy (Planning & Transport) | | | | | | | | | | | | | | | | |
| Local Transport Plan (LTP) | | | 4,639 | | | 3,485 | | | 3,485 | | | 3,485 | | | 0 | 15,094 |
| - External Funding | 871 | 0 | 1,495 | 0 | 0 | 1,495 | 0 | 0 | 1,495 | 0 | 0 | 1,495 | 0 | 0 | 0 | 6,851 |
| - Internal Funding | -647 | 0 | 2,273 | 0 | 0 | 1,990 | 0 | 0 | 1,990 | 0 | 0 | 1,990 | 0 | 0 | 0 | 8,243 |
| York City Walls - Repairs & Renewals (City Walls) | | | 182 | | | 90 | | | 90 | | | 90 | | | 90 | 542 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 182 | 0 | 0 | 90 | 0 | 0 | 90 | 0 | 0 | 90 | 0 | 0 | 90 | 542 |
| York City Walls - Health & Safety (City Walls) | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Road Safety | | | 0 | | | 42 | | | 42 | | | 42 | | | 0 | 126 |
| - External Funding | -2 | 0 | 0 | 0 | 0 | 42 | -2 | 0 | 42 | 0 | 0 | 42 | 0 | 0 | 0 | 126 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Flood Pump - Elvington | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cycling City | | | 1,055 | | | 0 | | | 0 | | | 0 | | | 0 | 1,055 |
| - External Funding | 0 | 0 | 1,055 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,055 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Public Footpath, Rawcliffe No 1 - Riverbank slip | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Highway Resurfacing & Reconstruction (Struct Maint) | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Special Bridge Maintenance (Struct maint) | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Peckitt Street | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Access York | | | 7,447 | | | 16,121 | | | 1,216 | | | 0 | | | 0 | 24,784 |

| Budget Process | 2010/11 | | 2010/11 | 2010/11 | | 2011/12 | 2010/11 | | 2010/11 | 2012/13 | 2010/11 | | 2010/11 | 2013/14 | 2010/11 | | 2014/15 | Gross Capital Programme To be Funded |
|---|---------------|---------------|---------------|----------|---------------|---------------|----------|---------------|---------------|----------|---------------|--------------|----------|---------------|-------------|---------------|----------|--------------------------------------|
| | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | 10/11 - 14/15 | | |
| | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | £000 | | |
| - External Funding | 0 | 0 | 6,525 | 0 | 0 | 15,080 | 0 | 0 | 1,122 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 22,727 | |
| - Internal Funding | 0 | 0 | 922 | 0 | 0 | 1,041 | 0 | 0 | 94 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2,057 | |
| Highways Improvements | -1,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | -1,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| TOTAL GROSS EXPENDITURE | 0 | -778 | 13,323 | 0 | 0 | 19,738 | 0 | 0 | 4,833 | 0 | 0 | 3,617 | 0 | 0 | 90 | 41,601 | | |
| TOTAL EXTERNAL FUNDING | 869 | 0 | 9,946 | 0 | 0 | 16,617 | 0 | 0 | 2,659 | 0 | 0 | 1,537 | 0 | 0 | 0 | 30,759 | | |
| TOTAL INTERNAL FUNDING | -1,647 | 0 | 3,377 | 0 | 0 | 3,121 | 0 | 0 | 2,174 | 0 | 0 | 2,080 | 0 | 0 | 90 | 10,842 | | |
| City Strategy (Admin Accom) | | | | | | | | | | | | | | | | | | |
| Admin Accom | | | 12,807 | | | 12,304 | | | 13,377 | | | 0 | | | 0 | 38,488 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 12,807 | 0 | 0 | 12,304 | 0 | 0 | 13,377 | 0 | 0 | 0 | 0 | 0 | 0 | 38,488 | | |
| TOTAL GROSS EXPENDITURE | 0 | 0 | 12,807 | 0 | 0 | 12,304 | 0 | 0 | 13,377 | 0 | 0 | 0 | 0 | 0 | 0 | 38,488 | | |
| TOTAL EXTERNAL FUNDING | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| TOTAL INTERNAL FUNDING | 0 | 0 | 12,807 | 0 | 0 | 12,304 | 0 | 0 | 13,377 | 0 | 0 | 0 | 0 | 0 | 0 | 38,488 | | |
| City Strategy (Community stadium) | | | | | | | | | | | | | | | | | | |
| Community Stadium | | | 0 | | | 4,000 | | | 0 | | | 0 | | | 0 | 4,000 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 4,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4,000 | | |
| City Strategy (Economic Development) | | | | | | | | | | | | | | | | | | |
| Small Business Workshops | | | 58 | | | 0 | | | 0 | | | 0 | | | 0 | 58 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 58 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 58 | | |
| Visitor/Tourist Information Centre | | | 35 | | | 0 | | | 0 | | | 0 | | | 0 | 35 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 35 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 35 | | |
| TOTAL GROSS EXPENDITURE | 0 | 0 | 93 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 93 | | |
| TOTAL EXTERNAL FUNDING | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| TOTAL INTERNAL FUNDING | 0 | 0 | 93 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 93 | | |
| City Strategy - Property | | | | | | | | | | | | | | | | | | |
| Carbon Management | | | 33 | | | 0 | | | 0 | | | 0 | | | 0 | 33 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 33 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 33 | | |
| Dealing with Repairs Backlog | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| Property Key Components (H&S) | | | 247 | | | 0 | | | 0 | | | 0 | | | 0 | 247 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 247 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 247 | | |
| Health & Safety / DDA | | | 98 | | | 0 | | | 0 | | | 0 | | | 0 | 98 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 98 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 98 | | |
| 35 Hospital Fields Road | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| Fire Safety Regulations - Adaptations | | | 92 | | | 0 | | | 0 | | | 0 | | | 0 | 92 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 92 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 92 | | |
| Removal of Asbestos | | | 14 | | | 0 | | | 0 | | | 0 | | | 0 | 14 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | | |
| St Clements Hall Refurbishment | | | 245 | | | 0 | | | 0 | | | 0 | | | 0 | 245 | | |
| - External Funding | 0 | 0 | 179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 179 | | |
| - Internal Funding | 0 | 0 | 66 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 66 | | |
| Urgent River Bank Repairs | | | 148 | | | 0 | | | 0 | | | 0 | | | 0 | 148 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 148 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 148 | | |
| Acomb Office | | | 144 | | | 1,250 | | | 0 | | | 0 | | | 0 | 1,394 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 144 | 0 | 0 | 1,250 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,394 | | |
| Mansion House External Repairs | | | 29 | | | 0 | | | 0 | | | 0 | | | 0 | 29 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 29 | | |
| Hungate / Peasholme Relocation | | | 44 | | | 0 | | | 0 | | | 0 | | | 0 | 44 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 44 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 44 | | |
| Peasholme Improvements | | | 21 | | | 0 | | | 0 | | | 0 | | | 0 | 21 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 21 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 21 | | |
| Slipways | | | 134 | | | 0 | | | 0 | | | 0 | | | 0 | 134 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 134 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 134 | | |
| Riverbank repairs | | | 717 | | | 0 | | | 0 | | | 0 | | | 0 | 717 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 717 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 717 | | |
| Property Compliance (Asbestos and Fire regs) | | | 80 | | | 80 | | | 80 | | | 0 | | | 0 | 240 | | |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| - Internal Funding | 0 | 0 | 80 | 0 | 0 | 80 | 0 | 0 | 80 | 0 | 0 | 0 | 0 | 0 | 0 | 240 | | |
| TOTAL GROSS EXPENDITURE | 0 | 0 | 2,046 | 0 | 0 | 1,330 | 0 | 0 | 80 | 0 | 0 | 0 | 0 | 0 | 0 | 3,456 | | |
| TOTAL EXTERNAL FUNDING | 0 | 0 | 179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 179 | | |
| TOTAL INTERNAL FUNDING | 0 | 0 | 1,867 | 0 | 0 | 1,330 | 0 | 0 | | | | | | | | | | |

| Budget Process | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | 2010/11 | Gross Capital Programme To be Funded 10/11 - 14/15 £000 |
|---|----------|---------------|-------------|----------|---------------|-------------|----------|---------------|-------------|----------|---------------|-------------|----------|---------------|-------------|---|
| | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | Mon 1 | Mon 1 | Revised | |
| | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | Adj £000 | Slippage £000 | Budget £000 | |
| IT Equipment | | | 1,894 | | | 1,000 | | | 1,000 | | | 1,000 | | | 1,000 | 5,894 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 1,894 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 5,894 |
| TOTAL GROSS EXPENDITURE | 0 | 0 | 1,894 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 5,894 |
| TOTAL EXTERNAL FUNDING | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL INTERNAL FUNDING | 0 | 0 | 1,894 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 5,894 |
| Miscellaneous | | | - | | | - | | | - | | | - | | | - | - |
| More 4 York | | | 210 | | | 0 | | | 0 | | | 0 | | | 0 | 210 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 210 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 210 |
| Easy @ York | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Equal Pay Capitalisation | | | 0 | | | 0 | | | 0 | | | 0 | | | 0 | 0 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Hazel Court Depot | | | 60 | | | 0 | | | 0 | | | 0 | | | 0 | 60 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 60 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 60 |
| Contingency | | | 300 | | | 0 | | | 0 | | | 0 | | | 0 | 300 |
| - External Funding | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - Internal Funding | 0 | 0 | 300 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 300 |
| TOTAL GROSS EXPENDITURE | 0 | 0 | 570 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 570 |
| TOTAL EXTERNAL FUNDING | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL INTERNAL FUNDING | 0 | 0 | 570 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 570 |
| Gross Expenditure by Department | | | | | | | | | | | | | | | | |
| ACE - Children's Services | -1,084 | 0 | 27,675 | -359 | 0 | 10,356 | -359 | 0 | 10,356 | -359 | 0 | 10,356 | -359 | 0 | 10,356 | 69,099 |
| ACE - Social Services | 65 | 0 | 941 | 0 | 0 | 235 | 0 | 0 | 245 | 0 | 0 | 255 | 0 | 0 | 255 | 1,931 |
| CANS - Leisure and Culture | 76 | 0 | 4,478 | 1,000 | 0 | 1,490 | 0 | 0 | 510 | 0 | 0 | 0 | 0 | 0 | 0 | 6,478 |
| CANS - Neighbourhood Services | 1,000 | 0 | 7,376 | 0 | 0 | 5,635 | 0 | 0 | 3,220 | 0 | 0 | 3,308 | 0 | 0 | 3,401 | 22,940 |
| CANS - Housing | 274 | 0 | 10,329 | 0 | 0 | 9,425 | 0 | 0 | 9,028 | 0 | 0 | 10,923 | 0 | 0 | 8,722 | 48,427 |
| City Strategy (Planning & Transport) | -778 | 0 | 13,323 | 0 | 0 | 19,738 | 0 | 0 | 4,833 | 0 | 0 | 3,617 | 0 | 0 | 90 | 41,601 |
| City Strategy (Admin Accom) | 0 | 0 | 12,807 | 0 | 0 | 12,304 | 0 | 0 | 13,377 | 0 | 0 | 0 | 0 | 0 | 0 | 38,488 |
| City Strategy (Community stadium) | 0 | 0 | 0 | 0 | 0 | 4,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4,000 |
| City Strategy (Economic Development) | 0 | 0 | 93 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 93 |
| City Strategy - Property | 0 | 0 | 2,046 | 0 | 0 | 1,330 | 0 | 0 | 80 | 0 | 0 | 0 | 0 | 0 | 0 | 3,456 |
| CBSS - IT equipment | 0 | 0 | 1,894 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 5,894 |
| Miscellaneous | 0 | 0 | 570 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 570 |
| Total by Department | -447 | 0 | 81,532 | 641 | 0 | 65,513 | -359 | 0 | 42,649 | -359 | 0 | 29,459 | -359 | 0 | 23,824 | 242,977 |
| Total External Funds by Department | | | | | | | | | | | | | | | | |
| ACE - Children's Services | -1,084 | 0 | 22,663 | -359 | 0 | 9,274 | -359 | 0 | 9,274 | -359 | 0 | 9,274 | -359 | 0 | 9,274 | 59,759 |
| ACE - Social Services | 65 | 0 | 191 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 191 |
| CANS - Leisure and Culture | 46 | 0 | 1,070 | 0 | 0 | 245 | 0 | 0 | 255 | 0 | 0 | 0 | 0 | 0 | 0 | 1,570 |
| CANS - Neighbourhood Services | 0 | 0 | 2,308 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2,308 |
| CANS - Housing | 218 | 0 | 7,399 | 0 | 0 | 6,182 | 0 | 0 | 5,678 | 0 | 0 | 7,405 | 0 | 0 | 7,266 | 33,930 |
| City Strategy (Planning & Transport) | 869 | 0 | 9,946 | 0 | 0 | 16,617 | 0 | 0 | 2,659 | 0 | 0 | 1,537 | 0 | 0 | 0 | 30,759 |
| City Strategy (Admin Accom) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| City Strategy (Community stadium) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| City Strategy (Economic Development) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| City Strategy - Property | 0 | 0 | 179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 179 |
| CBSS - IT equipment | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Miscellaneous | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total External Funds by Department | 114 | 0 | 43,756 | -359 | 0 | 32,318 | -359 | 0 | 17,866 | -359 | 0 | 18,216 | -359 | 0 | 16,540 | 128,696 |
| Total CYC Funding required by Department | | | | | | | | | | | | | | | | |
| ACE - Children's Services | 0 | 0 | 5,012 | 0 | 0 | 1,082 | 0 | 0 | 1,082 | 0 | 0 | 1,082 | 0 | 0 | 1,082 | 9,340 |
| ACE - Social Services | 0 | 0 | 750 | 0 | 0 | 235 | 0 | 0 | 245 | 0 | 0 | 255 | 0 | 0 | 255 | 1,740 |
| CANS - Leisure and Culture | 30 | 0 | 3,408 | 1,000 | 0 | 1,245 | 0 | 0 | 255 | 0 | 0 | 0 | 0 | 0 | 0 | 4,908 |
| CANS - Neighbourhood Services | 1,000 | 0 | 5,068 | 0 | 0 | 5,635 | 0 | 0 | 3,220 | 0 | 0 | 3,308 | 0 | 0 | 3,401 | 20,632 |
| CANS - Housing | 56 | 0 | 2,930 | 0 | 0 | 3,243 | 0 | 0 | 3,350 | 0 | 0 | 3,518 | 0 | 0 | 1,456 | 14,497 |
| City Strategy (Planning & Transport) | -1,647 | 0 | 3,377 | 0 | 0 | 3,121 | 0 | 0 | 2,174 | 0 | 0 | 2,080 | 0 | 0 | 90 | 10,842 |
| City Strategy (Admin Accom) | 0 | 0 | 12,807 | 0 | 0 | 12,304 | 0 | 0 | 13,377 | 0 | 0 | 0 | 0 | 0 | 0 | 38,488 |
| City Strategy (Community stadium) | 0 | 0 | 0 | 0 | 0 | 4,000 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4,000 |
| City Strategy (Economic Development) | 0 | 0 | 93 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 93 |
| City Strategy - Property | 0 | 0 | 1,867 | 0 | 0 | 1,330 | 0 | 0 | 80 | 0 | 0 | 0 | 0 | 0 | 0 | 3,277 |
| CBSS - IT equipment | 0 | 0 | 1,894 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 0 | 0 | 1,000 | 5,894 |
| Miscellaneous | 0 | 0 | 570 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 570 |
| Total CYC Funding required | -561 | 0 | 37,776 | 1,000 | 0 | 33,195 | 0 | 0 | 24,783 | 0 | 0 | 11,243 | 0 | 0 | 7,284 | 114,281 |
| TOTAL GROSS EXPENDITURE | -447 | 0 | 81,532 | 641 | 0 | 65,513 | -359 | 0 | 42,649 | -359 | 0 | 29,459 | -359 | 0 | 23,824 | 242,977 |
| TOTAL EXTERNAL FUNDING | 114 | 0 | 43,756 | -359 | 0 | 32,318 | -359 | 0 | 17,866 | -359 | 0 | 18,216 | -359 | 0 | 16,540 | 128,696 |
| TOTAL INTERNAL FUNDING | -561 | 0 | 37,776 | 1,000 | 0 | 33,195 | 0 | 0 | 24,783 | 0 | 0 | 11,243 | 0 | 0 | 7,284 | 109,564 |

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Executive**7 September 2010**

Report of the Director of City Strategy and the Corporate Landlord

Sale of Parkside Commercial Centre, Terry Avenue**Summary**

1. The purpose of the report is to;
 - Ask members to consider the bids received for the freehold of the Parkside Commercial Centre following the recent marketing of the site.
 - Recommend that members sell the premises to HHB Investments Ltd for the reasons stated in this report.

Background

2. At a meeting of EMAP in March 2006 members gave approval, which was subsequently endorsed by the Executive, to dispose of the freehold in the former Parkside Commercial Centre site in Terry Avenue shown in **Annex 1**, subject to relocation of the tenants, and agreeing a land exchange with the adjoining Caravan Club.
3. The Parkside Centre has been in operation since 1984 as a Council initiative to provide low cost accommodation for small starter businesses to assist the local economy. However it is an old brick building with an asbestos cement roof and the fabric needs substantial refurbishment. Because the site is prone to flooding the floor level of the building has had to be raised which means access is up steps and consequently there is no vehicle access into the units. In view of these limitations members agreed that a more suitable building should be provided in an alternative location. This facility has now been provided by York Eco Business Centre at Clifton Moor, which was designed and built for the purpose by a private developer in partnership with the Council. The Council lease the building, it is managed by York Selby Malton Business Advice Centre who sublet individual units to small businesses. It opened in September 2008 and accommodates approximately 60 small businesses. In addition 7 small office units and 2 workshop/studio units have been created by the council from vacant accommodation at 35 Hospital Fields Road and trades as Fulford Business Centre. These new facilities are therefore located on both the north and south sides of the city.

4. The majority of the tenants at Parkside have now relocated to alternative premises with the exception of two. These are The Bike Rescue Project a community interest company who specialise in repairing and recycling bicycles, and Ian Clewes a craftsman jeweller. Bike Rescue will be managing the Council's secure Cycle Park which will be based in the former Lendal Bridge Sub Station. The building is currently being refurbished and converted to make it suitable for the cycle park and Bike Rescue's requirements, and is due to be completed by Christmas. Bike Rescue will move their main operation into the new building although they will still have a need for ancillary storage. We have permitted Bike Rescue and Mr. Clewes to remain in occupation at Parkside on temporary agreements until a buyer is secured for the premises. Mr Clewes will relocate his business, and is aware of the need to do so.
5. The Caravan Club Ltd lease the touring caravan site adjacent to the Parkside centre from the Council and we have agreed a renewal lease with them which includes an option for a land exchange between them and the Parkside centre, to create an improved site layout, more suitable for redevelopment as indicated on the plan in **Annex 2**. On the basis that the revised site might attract a higher figure, bids have been invited for the existing site or the revised site.
6. The location of the site with river frontage, being close to Rowntree Park, the Caravan site and housing would be an attractive area for residential development and we have investigated this. However the land is within the flood plain and planning policy guidance which has tightened in recent years would preclude such development. Both the Environment Agency and City of York Planning have stated that residential development which is classed as "more vulnerable" development would not be suitable here. The marketing particulars included this information for clarification to potential developers. In view of the limitations on the site for redevelopment its value is reduced.
7. Having consulted with our planning officers and the Environment Agency, offers were invited by informal tender for the existing use or other uses such as storage, office, boatyard, leisure, non residential institution, parking etc. Offers were to be subject to survey and planning consent if required. In total 5 bids were received, the 2 lowest were told they had not been successful and the 3 highest bidders were asked to provide additional information in support of their bid.
8. The three highest bids are based on the following uses;
 - Bike Rescue are current occupiers and their proposal is to retain the existing building as light industrial workshops and storage for small businesses and community organisations.
 - The Caravan Club are seeking to either extend their lease of the adjacent site to include the site of the Parkside Centre, or to purchase the freehold of both sites from the Council.
 - HHB Investments are seeking to purchase the site for redevelopment either for workshops or an office development.

Consultation

9. Consultation has been undertaken with the Director of Customer and Business Support, Head of Legal and Democratic Services and the Area Planning Officer. Their views on the bids are included in the report.

Options

10. Details of the three bids are given in confidential **Annex 3** together with a summary table, and full details of the analysis.
11. Under section 123 of the local Government Act 1972 the Council has to accept the highest feasible bid in accordance with planning guidance etc. However the government gave a General consent order 6/2003 enabling members to accept less than best consideration when they consider this will help to secure the promotion or improvement of the economic social or environmental wellbeing of its area. The maximum allowance is £2m per transaction. Members are asked to apply these criteria to the bids received.

Corporate Objectives

12. Redevelopment and re-use of the Parkside Commercial Centre contributes towards;
 - A thriving city and a safer city - bringing a now mainly unused property back into beneficial use and occupation.
 - Effective organisation – in the re-provision of this service in a more modern and cost effective way, and raising a capital receipt from the existing site.

Implications

Financial

13. The sale of Parkside Commercial Centre will realise a capital receipt. The capital receipt will be used to support the capital programme as has already been included in the 5 year forecast approved by Council as part of the Capital programme 20010/11 to 2014/15. If the sale is greater than the current capital receipt estimate, then a reduced amount of borrowing will be required.

Human Resources, Equalities, Crime and Disorder, Information Technology

14. No significant implications

Property

15. The property implications are contained within the body of the report

Legal

16. Legal documentation will be required to ensure that the successful party enters into a conditional development agreement within 2 months of the council's decision, and then completes the sale within a further 6 months subject to obtaining planning consent if necessary.

Planning

17. The planning implications are included in **annex 3**

Risk Management

18. There are some risks associated with the sale of the property which is subject to conditions, these are summarised as follows;
19. The site is located in the flood plain and on the edge of a conservation area and the bids from the Caravan Club and HHB Investments are subject to approval by the Environment Agency and Planning. There is no guarantee at this stage that planning consent will be granted, however following consultation the planning officer comments are contained in **annex 3**.
20. The highest bid depends on consent being obtained for a larger development scheme and if this has to be scaled down the offer figure will be reduced accordingly. In addition any abnormal construction costs peculiar to this site will be deducted from the offer figure (e.g. ground conditions).

Recommendations

21. Members are asked to consider;
 - Accepting the offer from HHB Investments Ltd (Bid C proposal 2) to purchase the property for the figure stated in **Annex 3** subject to planning consent, to proceeding with the design and planning application quickly, and to deduction for any abnormal construction costs associated with the site.
 - If the sale does not proceed due to refusal of planning permission or for any other reason, it is recommended that Members approve acceptance of the

bids in the following order; Bid C (proposal 1), Bid B and Bid A subject to any planning consent being obtained.

Reason: To maximise the receipt for the site to support the approved capital programme.

Contact Details

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Property Services
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Chief Officer Responsible for the report:

Neil Hindhaugh
Assistant Director of Property Services
Tel No. (01904) 553312
Report Approved **Date** *Insert Date*
Bill Woolley
Director of City Strategy
Tel No. (01904) 551330

Report Approved **Date** *Insert Date*

Specialist Implications Officer(s)

Gareth Arnold
Planning
Tel No. (01904) 551320
Louise Branford-White
Accountant, Strategic Finance
Tel No. (01904 551187)

Wards Affected: Micklegate and Guildhall specifically, all generally

All Y

For further information please contact the author of the report

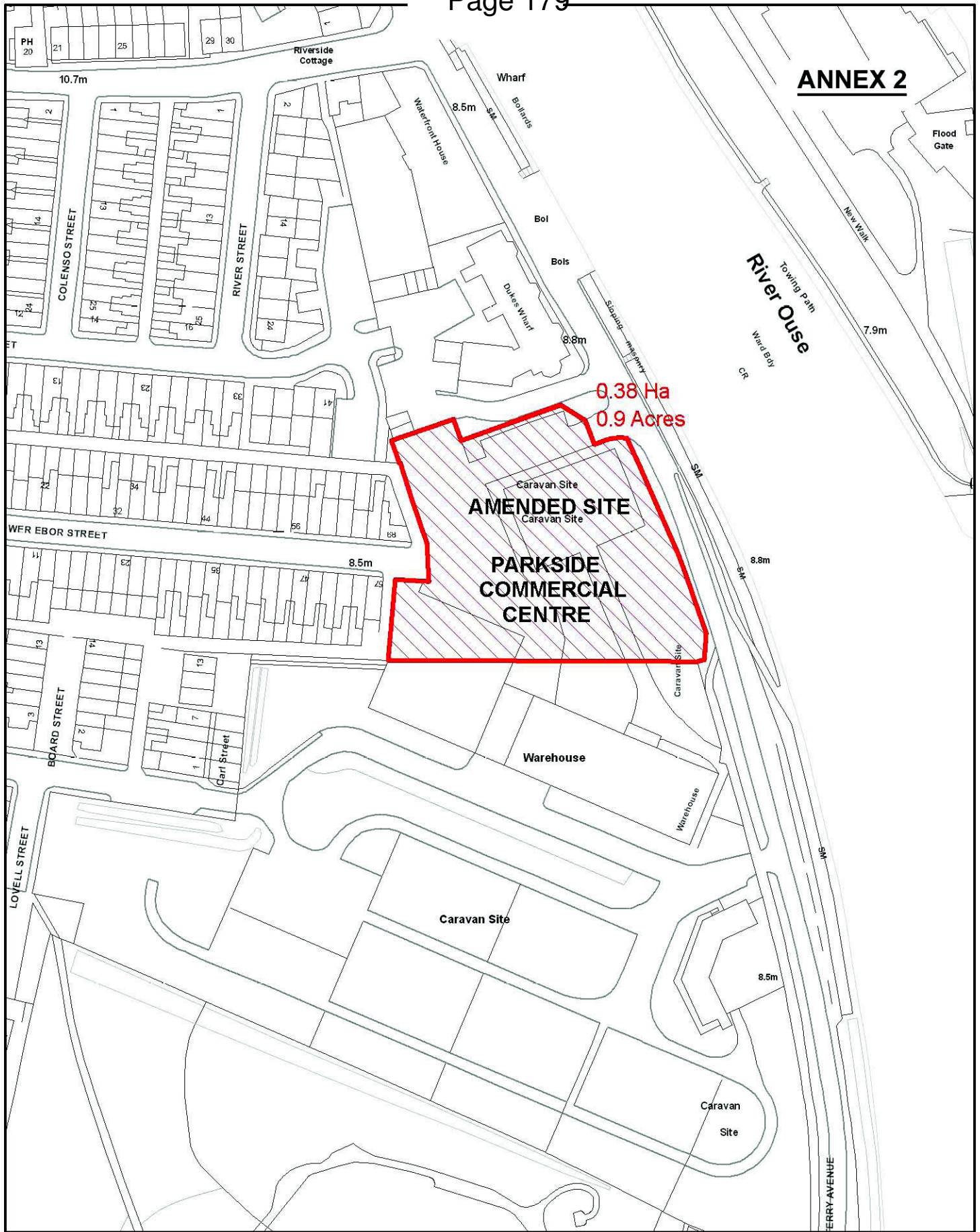
Background Papers:

- Annex 1 Location Plan of existing site
- Annex 2 Location plan of revised site
- Annex 3 **Confidential** – Summary of bids, analysis and plans.

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ANNEX 2



Resources
Property Services

**Amended Site,
Parkside Commercial Centre, Terry Avenue**



SCALE 1:1,250

DRAWN BY: GR

DATE: 16/04/2010

Originating Group:

Property Services

Drawing No.

ANNEX 2

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

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