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| MEETING       | CABINET                                                                                                                           |
| DATE          | 4 JUNE 2013                                                                                                                       |
| PRESENT       | COUNCILLORS ALEXANDER (CHAIR),<br>CRISP, CUNNINGHAM-CROSS, LEVENE,<br>LOOKER, MERRETT, SIMPSON-LAING<br>(VICE-CHAIR) AND WILLIAMS |
| IN ATTENDANCE | COUNCILLORS BROOKS, REID,<br>RUNCIMAN, STEWARD AND WARTERS                                                                        |

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### 1. **DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. No additional interests were declared.

### 2. **MINUTES**

RESOLVED: That the minutes of the meeting of Cabinet held on 30 April 2013 be approved and signed by the Chair as a correct record subject to the following amendment to Minute 125 - City of York Local Plan Preferred Options:

In the third bullet point, listing the replies to earlier speakers, the removal of the words "in the" in the first line.

### 3. **PUBLIC PARTICIPATION/OTHER SPEAKERS**

It was reported that there had been five registrations to speak at the meeting under the Council's Public Participation Scheme, and a number of Members of Council had requested to speak on a number of items as set out below:

#### General Remit – Cabinet Governance

Gwen Swinburn spoke to congratulate Cabinet on the web casting of the meeting which she fully supported. She asked

Members to consider extending this to cover Council and Task Group meetings to further engage residents. Reference was also made to the possibility of allowing residents to send in written questions in advance of Cabinet meetings to Cabinet Members. Suggesting that these could then be answered during the meeting to encourage increased attendance at meetings.

#### General Remit – Webcasting

Cllr Warters also expressed his support for the filming of the Cabinet meeting and the webcasting of all the authorities' public meetings.

#### 5. Council Plan Review and Forward Look

Cllr Steward spoke to refer to the list of positive comments and excellent progress made in delivering the Council Plan. He questioned if there were any instances when things could have been done better?

#### 6. Gypsy, Roma and Traveller Community in York

Cllr Warters also spoke to raise his concerns at the production of a Strategy and Action Plan for the Traveller Community and to the cost implications. He referred to recent public meetings held in respect of Local Plan allocations for new gypsy and traveller sites in the area and to increases in levels of petty crime and rubbish disposal adjacent to existing sites. Suggestions were made for robust policing of these sites.

Christine Shepherd spoke as Chief Officer of the York Travellers Trust, a small voluntary organisation working with the travelling community in York. She spoke of a need to alleviate the social exclusion of travellers and making better opportunities to bridge the gap between travellers and the settled community. Reference was made to the Trust's achievements in helping travellers to gain access to services, training and paid employment. Working closely with the local authority she welcomed the Trusts involvement and expressed support for the Strategy and action plan which it was hoped would have a real impact.

Stephen Pittam spoke as a Trustee of the York Travellers Trust reaffirming the earlier speaker's comments and supporting the adoption of the Strategy. He made reference to the problems of

prejudice and exclusion against gypsies and travellers and the need for a holistic approach to assist the community to enable them to gain a voice and independence. His only concern related to the reference, in the implications section of the report, to no cost in respect of the delivery of the strategy.

## 7. Community Engagement Scrutiny Review Final Report

Gwen Swinburn reported the views of The Groves Residents Association in relation to the community engagement final report. Confirming that the Association saw the resulting recommendations as a positive step in the right direction. However there was a void in inner city wards, affecting a small proportion of the population.

Cllr Steward referred to the radically different report which had resulted from this review from that originally proposed. Reference was made to the ethos of the work of the Parish Councils and Residents Associations as referred to in the report and to the subsequent lack of Officer attendance at Parish Council meetings to expand on the draft Local Plan proposals.

## 9. Rights and Responsibilities for Customer Contact

Cllr Steward spoke in relation to the Policy Statement at Annex B of this report, put forward for approval. In particular to the process for restricting contact and references to 'should' which he felt should be replaced by 'must' and other changes he felt were required. He pointed out that a number of views had not been taken on board when drafting these documents together with those of the Audit and Governance Committee.

## 10. Update on the Council's Elderly Persons' Homes Modernisation Programme

Denise Craghill, representing the Green Party, referred to last year's citywide public consultation during which 86% of consultees had indicated that they wished the Council to continue running its own elderly persons' homes, thereby retaining existing staff. Pointing out that this report now proposed going out to tender for these services. Reference was also made to the lower terms and conditions in the private sector which would affect the quality of care in the longer term.

Heather McKenzie, speaking on behalf of Unison, confirmed the earlier speaker's comments. Expressing disappointment that the elderly persons' programme did not include an in house provider nor had this been examined as an option. Members were asked to undertake further consultation together with an examination of an in house option for inclusion in the procurement process.

### 13. City of York Trading Ltd Business Development

Heather McKenzie, speaking on behalf of Unison, also spoke to express her serious concerns regarding the setting up of this company thereby developing a two tier workforce. Following previous good work with employees she asked that, if approved, employees were brought back to CYC terms and conditions at the earliest opportunity.

At this point the Chair clarified a number of the earlier speaker's comments in relation to the parishing of areas, webcasting of meetings and written questions.

## 4. **FORWARD PLAN**

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

## 5. **COUNCIL PLAN REVIEW AND FORWARD LOOK**

Consideration was given to a report which set out the progress made on delivering the Council Plan, at the mid point of the Council's current term of office. The report also outlined details of the proposed key emphasis and actions over the next two years, in the light of economic and policy circumstances, to ensure the Plan's objectives were met.

The highlights, progress and achievements to date and the future priorities in the following five Council Plan priority areas were set out at paragraphs 5 to 45, 60 to 99 and at Annexes A and B of the report:

- Create jobs and grow the economy
- Get York moving
- Build strong communities
- Protect the environment

- Protect vulnerable people

Further information in relation to the significant work undertaken on the following core capabilities and day to day work programme were set out at paragraphs 46 to 59 and for the next two years at paragraphs 100 to 107:

- A confident, collaborative organisation
- Completely in touch with our communities
- A relentless focus on our priorities

The report referred to the further work still be undertaken, which was critical to build capacity and capability amongst the Council's workforce, partners and residents.

The Chair confirmed Cabinets wish to honour their manifesto pledges, in spite of the significant financial challenges, and for the need to continue to prioritise jobs and growth. All Cabinet Members went on to outline the significant work undertaken in each of their areas, the issues and barriers facing them and their key priorities for the forthcoming year.

RESOLVED: That Cabinet agree to:

- i) Note the progress and work done over the last two years towards delivering the Council Plan.
- ii) The priority and emphasis for the next two years in delivering the Council Plan as set out in the report.
- iii) Mandate the Chief Executive and the Management Team to develop plans for the remaining delivery of the Council Plan through the priority boards, working closely with Portfolio Holders.<sup>1</sup>
- iv) Produce quarterly reports to Cabinet reflecting progress against delivery of the Council Plan.<sup>2</sup>
- iii) The Council developing proposals for both the Community Budgeting initiative and also the recently announced Transformation Fund.<sup>3</sup>

- iv) Developing the Scrutiny work programme for 2013/14 to take account of the Council Plan priorities and the scope for Scrutiny to support the delivery of these. <sup>4</sup>.

REASON: To provide an update on progress towards delivering the Council Plan and priorities for the next two years, in view of reduced funding to local authorities.

Action Required

- 1 &2. Develop plans for the remaining delivery of the Council Plan and produce quarterly reports to Cabinet . SH
- 3. Develop proposals for community budgeting and the transformation fund. SH
- 4. Take account of the Council Plan priorities when developing the current scrutiny work programme. DS

**6. GYPSY, ROMA AND TRAVELLER COMMUNITY IN YORK**

Members considered a report which highlighted the inequalities faced by the Gypsy, Roma and Traveller Community in York and work to be undertaken on six priority areas in order to help improve the outcomes for this community. This was set out in the form of a Strategy and Action Plan for 2013-18, provided at Annex A of the report.

Further details of the communities and partnership working undertaken, the focus groups and survey work which had informed the Strategy were also set out. It was confirmed that a partnership group would be established as a sub-group of the Fairness and Equalities Board to monitor delivery and progress which would be reported back to Cabinet.

Members thanked Officers and the voluntary sector for their work on the document. They highlighted the need for better dialogue and relationships with the community.

Consideration was then given to the following options:

Option 1- To approve this Strategy and action plan across the City.

Option 2- To amend the Strategy and action plan across the City.

RESOLVED: That Cabinet agree the Gypsy, Roma and Traveller Strategy and Action Plan for 2013 – 2018 as attached at Annex 1 of the report. <sup>1</sup>.

REASON: To improve outcomes for the Gypsy, Roma and Traveller Community.

Action Required

1. Proceed to implement Strategy and Action Plan. KG

**7. COMMUNITY ENGAGEMENT SCRUTINY REVIEW FINAL REPORT**

Consideration was given to the final report arising from the Community Engagement scrutiny review, set up in September 2012, to look at the issues affecting levels of community engagement across the city.

A copy of the final review and associated annexes were set out at Appendix 1 of the report.

Councillor Runciman, as Chair of the Scrutiny Task Group, presented the report. She confirmed the wealth of willing volunteers found in Parish Councils and Residents Associations to provide community liaison and disseminate information. It had also been found that, following their involvement, Parish Councils and Residents Associations required feedback from the Council. Reference was made to the use of new media in an effort to engage with all communities. The only concern being those areas without Parish Councils or Residents Associations.

The Cabinet Member thanked the Group for their work, expressing support for the under mentioned recommendations. Referring to the wider issues of community engagement and the recent mock Peer Review recommendations which had been very similar in relation to community engagement and improving relationships.

- i. Resident Association meeting dates to be included in the Council's Corporate Calendar, in the same way that Parish Council meeting dates are.

- ii. Corporate Calendar to include both formal and informal ward committee meeting dates
- iii. Introduce Resident Association and Parish Council Forum pages on the CYC website, for the Council to use to disseminate information quickly and regularly e.g. to highlight consultations etc
- iv. Adjoining Parish Councils to be informed of significant planning applications which are likely to affect their parish
- v. Training on the importance of the relationship with Parish Councils and Residents Associations should be included in the induction programme for new Councillors.
- vi. Ward Councillors to receive the minutes from Parish Council and Resident Association meetings, and it should be consider good practice to attend PC & RA meetings
- vii. In regard to council consultation, more time should be given to enable Parish Councils and Residents Associations to participate, as consultation needs to go to a meeting for discussion, not just to individuals.
- viii. The council to ensure that feedback is given to PCs and RAs on their consultation responses
- ix. Council to notify PCs & RAs of significant changes to services e.g. Christmas recycling arrangements, green bin charges etc
- x. All Council service providers to use Parish Council/Resident Association notice boards and newsletters more to communicate council information relevant to the area
- xi. Council documents should be checked for jargon i.e. continued use of Plain English
- xii. Report authors to include appendix of abbreviations in reports where appropriate - to aid ease of reading. The list can be tailored to each committee and duplicated for all reports relevant to that committee, with revisions/additions where needed
- xiii. Improve joint working at Ward Team Meetings through the adoption of the Statement of Intent shown at paragraph 41 of the final report at Appendix 1.
- xiv. Communities & Equalities Team to identify areas of the city where no Parish Council or Resident Association currently exists and identify a private resident



association or some other type of community group to disseminate council information through.

RESOLVED: That Cabinet approve the recommendations arising from the Community Engagement scrutiny review, as set out above and in paragraph 4 of the report. <sup>1</sup>.

REASON: To conclude the Scrutiny Review in line with CYC Scrutiny procedures and protocols

Action Required

1. Implement review recommendations in full. CC, MB

**8. LIBRARIES SCRUTINY REVIEW FINAL REPORT**

Consideration was given to the final report arising from the Libraries Scrutiny Review, set out at Appendix 1 of the report. A review set up by the Learning and Culture Overview and Scrutiny Committee in September 2012 to investigate library provision across the city and their use as community hubs providing other library services.

Councillor Reid, as Chair of the Task Group presented the final report. She referred to the omission of the words “Burnholme School site” prior to the words “best ways of developing the nearby..” in the first line of paragraph 18 of the report. The review had shown there was scope to open up libraries for additional uses and this would also assist community engagement in the city. On behalf of the Task Group she requested that the recommendations should be taken on board by those taking over the library service in the future.

The Cabinet Member welcomed the recommendations, a number of which she confirmed would be useful to feed in to the social enterprise report now in the course of preparation.

The following recommendations arising from the review were then considered:

i. The Library Service to:

- a) Adopt the following definition of a community hub modelled around a community library and commit to implementing community hubs throughout the city:

‘A Community Hub puts the local library at the heart of the community providing a flexible and welcoming space where local residents can come together for a wide range of community activities’

- b) Consider the customer base for each library to identify ways of encouraging more use
- c) Consider ways of increasing the number of volunteers and volunteering roles
- d) Improve marketing for libraries and their facilities through a variety of mediums to the community and organisations
- e) Identify the community hub elements currently available at each library and investigate how other elements may be introduced in the future to meet the aims of the agreed definition
- f) Investigate the introduction of a fair trade refreshments / cafe at all community libraries
- g) Look at the Big Survey responses in detail to try to understand the reasons behind the figure of 13% of respondents who had stated a lack of transport as the reason they did not use libraries, and investigate the use of Dial-a-ride to improve access
- h) Investigate the possibility of ring-fencing a proportion of the income raised by each library for re-investment into supporting the specific needs of its local community.

ii. Each Community Hub to:

- a) Clearly define its opening hours and the services it offers and when, and ensure these are appropriately advertised so that it is clear when the building is available for alternative use.

- b) Increase its opening hours to enable more opportunities for community use wherever possible.
- c) Provide flexible space so that it may be used for a variety of purposes e.g. moveable shelving
- d) Maintain self-service machines in its community library to enable a basic level of library service throughout its opening hours, without the need for library staff
- e) Provide display boards and/or leaflets on:
  - council services, public meetings and contact information
  - the council's partners and third sector organisations
  - community events and activities etc
  - volunteering and participating in responding to issues affecting the local community

Following further discussion it was

RESOLVED: That Cabinet approve the recommendations arising from the Libraries scrutiny review, as set out above and in paragraph 8 of the report.  
1.

REASON: To conclude the Scrutiny Review in line with CYC Scrutiny procedures and protocols.

Action Required

1. Implement review recommendations in full. CC, FW

**9. RIGHTS AND RESPONSIBILITIES FOR CUSTOMER CONTACT**

Members considered a report which asked Cabinet to approve a policy, set out at Annex A, and procedures for responding to those customers whose behaviour was persistent and potentially vexatious, at Annex B of the report.

Following the recent move to West Offices a new set of standards had been developed to provide a framework for interaction with customers and residents. On the few occasions

when customer contact was considered extreme and/or inappropriate the Council had a duty to respond to this behaviour for which the policy at Annex B had been developed.

The Cabinet Member confirmed the need to protect staff from abusive and violent behaviour and his support for the adoption of the proposed policies and procedures.

Officers with reference to earlier comments confirmed that the confidential central log of those with restricted contact would be reviewed every six months by the Assistant Director, Governance and ICT as delegated by the Director of Customer and Business Support Services.

RESOLVED: That Cabinet approve the adoption of the procedures set out in Annex B to this report. <sup>1</sup>.

REASON: To ensure that the Council has clear arrangements in place to deal with abusive or vexatious customers.

#### Action Required

1. Implement customer contact policies and procedures.

AD, PS

### **10. UPDATE ON THE COUNCIL'S ELDERLY PERSONS' HOMES (EPH) MODERNISATION PROGRAMME**

Members considered a report which provided an update on the Council's Elderly Persons' Homes (EPH) Modernisation Programme. Proposing to proceed to tender to secure two new care home facilities at Burnholme and at Lowfield in Acomb, as part of a community village for older people.

An earlier report, in May 2012, had outlined a modernisation programme proposing two new care homes to replace current homes at which time it had been noted that future consideration would also need to be given to whether or not a replacement for Haxby Hall was required based on future projections. Following completion of this work it was not considered that the third care home at Haxby Hall was now required. The earlier report had also proposed building at Fordlands, Fulford however the limits and constraints on this site, which had come to light in Autumn 2012, had precluded further consideration.

Further details of the work undertaken, financing and procurement proposals for the two specialist residential care homes at Burnholme and Lowfield were set out in the report at paragraphs 15 to 35. Timescales together with a table highlighting the new homes that existing residents were most likely to move to, were reported at paragraphs 36 to 38 and Annex B. Although it was noted that a choice of home would be offered to residents.

The Cabinet Member confirmed the aim of making the city dementia friendly. She detailed the lengthy work undertaken to get to the present stage in the programme, which had included consultation, the need to increase the supply of affordable housing and factoring in government cuts.

Officers referred to the helpful positive feedback and comments of the Wider Reference Group, in relation to the EPH modernisation programme, which had assisted their work.

The Chair made reference to the positive ambitious vision for elderly persons' care these proposals offered which would revolve around the individuals concerned.

Following further discussion it was

RESOLVED: i) That Cabinet agree to the approach outlined in the report, that is:

- To fund the building of care homes at Burnholme and Lowfield (plus a Community Hub) and seek a capital receipt for the land at Lowfield on which a range of other housing accommodation for older people will be built.
- The two care homes to feature a 'household model' of residential care focused on meeting the needs of residents with dementia and high dependency care needs.
- To proceed to tender (in a single procurement for both sites) to procure an external provider that will Design, Build, Operate and Maintain the Burnholme

care home and the Lowfield Community Village for Older People. <sup>1</sup>.

- ii) That Cabinet approve estimated project costs of up to £500k, as set out in paragraph 32 of the report, in order to complete the procurement process and
- iii) That Cabinet and Council receive a further report once the procurement process has been completed. <sup>2</sup>.

- REASON:
- i) To replace the council's existing care homes that are no longer fit-for-purpose with modern facilities designed to meet the needs of residents with specialist needs.
  - ii) So that the project can progress.
  - iii) To consider in full the financial implications of the project.

Action Required

- 1. Proceed to tender for building of two new care homes. GT
- 2. Add update report to Forward Plan following completion of procurement process. GT

**11. UPDATE ON FINANCIAL INCLUSION WORK**

Consideration was given to a report which highlighted progress made in establishing a Financial Inclusion Steering Group (FISG) to drive forward financial inclusion policy and actions, previously agreed by Cabinet in November 2012.

The Steering Group with membership from each of the Council's directorates, Citizen's Advice Bureau and South Yorkshire Credit Union were meeting on a regular basis to develop a tactical approach to investment and co-ordination of financial inclusion for the next 3 to 5 years.

Details of their current work, overview of the York Financial Assistance Scheme and the successful bid to the Big Lottery Advice Service Transition Fund were set out in paragraph 3, with their work programme at Annex A.

Members suggested a request for a years funding to the FISG for outreach work in libraries. Officers confirmed that consideration would be given to this funding, referring to recent discussions with the Credit Union around this work which would result in an increased package for these services.

**RESOLVED:** That Cabinet note the progress made in establishing a city-wide framework for improving the financial wellbeing of York's residents and the successful application to the Big Lottery Funded Advice Service Transition Project.

**REASON:** To update Cabinet on progress made in gaining financial inclusion for resident's across the city.

## **12. SUPER-CONNECTED CITIES PROGRAMME**

Members considered a report which confirmed the success of the City of York Council as one of twelve Super-Connected City (SCC) Programme Round 2 winners recently announced by the Department of Culture, Media and Sport. The bid had secured an initial £2.75m to enhance citywide digital connectivity across a range of innovative projects.

The importance and benefits of enhanced digital connections were reported together with the Council Plan target of 95% of all businesses having the opportunity to have minimum connection speeds of 25 megabits per second by the end of 2014/15. Details of the 8 projects which would complement existing private and public digital investment were set out at paragraphs 17 to 24 of the report.

It was reported that it had proved difficult to be precise as to the financial implications of the programme, pending confirmation and scoping of the projects. The funding to be committed from the Economic Infrastructure Fund set out at paragraphs 31 – 32 and 40 and at Annex A. Governance would take the form of a Digital York Board which would be appointed to guide the SCC programme and promote private and public investment opportunities.

Members spoke of the need to engage the hotel industry in ongoing work in order to attract business visitors to the city.

Following discussion it was

RESOLVED: That Cabinet agree to:

- i) The Council contributing £869, 000 towards the £4.849m Super-Connected Cities programme, and that this cost be allocated to the Economic Infrastructure Fund.
- ii) A Digital York Project Board being put in place with the Chief Executive delegated authority to agree its membership and terms of reference. The Digital York Board to oversee and guide the York Super-Connected Cities Programme.
- iii) A priority for the Board being to prepare a Digital York Strategy and Delivery Plan.<sup>1</sup>

REASON: York's Super-Connected City (SCC) proposals are designed to complement and build on existing digital initiatives underway or planned, to support the need of enhancing York's digital connectivity. This was recognised in the 2011 Council Plan target of helping to establish a digital infrastructure within the City to provide speeds of 25 megabits per second (Mbits) for the majority of York's business and residents by the end of 2015 and was in line with the national BDUK targets.

Action Required

1. Set up Project Board to oversee programme and prepare delivery plan.

RG

**13. CITY OF YORK TRADING LTD (CYT) BUSINESS DEVELOPMENT**

Consideration was given to a report which updated Cabinet on the establishment of City of York Trading Ltd (CYT) as a Local Authority Trading Company. The company had commenced trading as a schools supply agency in June 2012 under the



name WwY@CYT using the internal casual staffing team, WorkwithYork to deliver the service.

The company's outturn Performance Report and the Business Plan for further business development (WorkwithYork Phase II), set out at Annex A of the report, had been received by the Board of Directors and the Shareholder Committee and approved. Cabinet were now asked to consider the case for the extension of the supply agency activity and the transfer of all the remaining casual staff business from the Council to CYT by 1 September 2013.

A summary of the business case for the transfer of staff and the proposal to retain the internal HR team managing the WwY service within the employment of the Council were also outlined in the report. It was confirmed that discussions had been undertaken with the Trade Unions and that casual workers had been informed of the proposals.

The Cabinet Member confirmed support for the expansion which would provide a number of benefits outlined in the report with advantages to casual staff with the protection of jobs and a guaranteed living wage.

Officers referred to the governance arrangements and to the flexible approach the transfer would provide. Increased turnover would result from the expansion of the service ultimately providing significant returns and dividends to the Council.

Following further discussion Cabinet considered the following options:

- Option 1 Transfer all WwY casual work by September 2013.
- Option 2 Transfer all casual work in option 1 plus non WwY casual work, phased over time to December 2013.
- Option 3 No change.

RESOLVED: That Cabinet agree to

- i) Option 2, the transfer of all CYC casual work (WwY & non WwY) and related casual only staffing resources to CYT Ltd on a phased basis until December 2013, commencing with existing WwY services in September 2013.

- ii) Support in principle the transfer of interim and specialists work and authorise the Director of Customer and Business Support Services to proceed subject to a further report to the Shareholder Committee.
- iii) The WwY Team within CBSS Human Resources to remain within the Council with all costs recharged to CYT Ltd. <sup>1</sup>.

REASON: To achieve the benefits summarised in paragraph 14 of the report

Action Required

1. Proceed with phased staff transfer and further report to the Shareholder Committee.

PS

Cllr James Alexander, Chair

[The meeting started at 5.30 pm and finished at 7.50 pm].