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MEETING	EXECUTIVE
DATE	7 OCTOBER 2008
PRESENT	COUNCILLORS WALLER (CHAIR), STEVE GALLOWAY, SUE GALLOWAY, MOORE, REID, RUNCIMAN AND VASSIE

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **81. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. The following interests were declared:

- Cllr Vassie – a personal interest in agenda item 8 (Transformation of Community Transport Services), as a parent of two children who used home to school bus services and attended school music lessons.
- Cllr Reid – a personal interest in agenda item 11 (Capital Programme – Monitor One), as a member of an organisation that used one of the premises referred to in the exempt annex to this item.
- Cllr Waller – a personal interest in agenda item 11, as a governor of York High School.

### **82. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex B to agenda item 11 (Capital Programme – Monitor One), on the grounds that it contains information relating to the financial or business affairs of any particular person, which 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.)

### **83. MINUTES**

RESOLVED: That the minutes of the Executive meeting held on 23 September 2008 be approved and signed by the Chair as a correct record.

### **84. 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.

With the Chair's permission, Cllr Taylor addressed the meeting in respect of agenda item 6 (Attendance Management Update). He expressed concern that the reduction in sickness absence levels referred to in the report had been achieved in part by forcing sick members of staff out of work so that they were no longer included in the statistics. He cited an (unnamed) example where this had happened. He asked what safeguards would be put in place to ensure that the new Attendance at Work policy did represent a form of institutionalised bullying that would risk damaging the Council's reputation and financial interests.

## **85. EXECUTIVE FORWARD PLAN**

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

## **86. ATTENDANCE MANAGEMENT UPDATE**

Members considered a report which provided an update on the implementation of the new Attendance at Work policy, procedures and guidelines, together with progress on strategic approaches being taken to maximise attendance and reduce sickness absence across the Council.

Since the introduction of the new policy on 1 October 2007, there had been significant improvements in sickness absence levels, with an overall reduction from 12.9 days to 9.54 days per full time equivalent (FTE) member of staff. This early improvement had recently shown signs of levelling off and it was recognised that further work was needed to achieve further reductions and ensure that absence levels did not 'bounce'.

Training had been delivered to managers and HR administrators to clarify their roles and responsibilities under the new policy, which was now completely functional. However, the implementation of the amended Delphi system had taken longer than expected and was not yet fully operational. To ensure further improvements in absence levels, the HR Corporate Development Team was leading on a number of strategic actions, including corporate management training, health and well-being promotion activities, rehabilitation programmes and work / life balance policies. Attendance management had also been included as an item within the Single Improvement Plan (SIP) approved by Members in June 2008.

With reference to the comments made by Cllr Taylor on this item, Members noted that there was no evidence of any institutionalised bullying in the Council. Individual allegations of bullying or other staff grievances should be dealt with in accordance with established 'escalation' procedures.

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

**RESOLVED:** That the work being undertaken in this area be noted.

REASON: To ensure the achievement of significant and sustained improvements in attendance levels.

## **87. ADOPTED REGIONAL SPATIAL STRATEGY AND PARTIAL REVIEW**

Members considered a report which outlined the purpose and key timescales of the Partial Review of the recently adopted Regional Spatial Strategy (RSS) and sought approval for Officers' response to the Call for Evidence, which was the first stage of the review process.

The report summarised key elements of the RSS and the key issues for York. The latter included the identification of York as a Sub-Regional Centre and requirements to:

- Define Green Belt boundaries to 'establish long term development limits'
- Deliver 640 new homes per year from 2004-08, then 850 from 2008-26
- Review affordable housing targets in the light of emerging housing market assessments.

The Regional Assembly (RA) had now embarked upon a partial review of the RSS to seek to achieve the higher housing numbers that had come from the Housing Green Paper. This would involve examining the housing potential in each of the seven 'sub' areas. York's role as part of the Leeds City Region and York sub-areas, and its capacity to accept higher levels of growth, were important issues to be addressed through the review process. Adoption of the revised RSS was scheduled for completion in late 2010. A response to the Call for Evidence document had been sent to the RA for consideration by 11 July. Members were invited to approve the response, attached as Annex A to the report, or to recommend changes to be forwarded to the RA.

Members welcomed the opportunity to re-visit the housing and employment growth figures in the RSS, which had been considered unrealistically high. They expressed the hope that Yorkshire Forward's involvement in the revised document would not lead to an undue emphasis on economic development as the major driver.

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

RESOLVED: That the Officer response to the Call for Evidence, as set out in Annex A to the report, be approved.

REASON: To endorse the response that had to be submitted to the Yorkshire and Humber Assembly for consideration by 11 July.

## **88. TRANSFORMATION OF COMMUNITY TRANSPORT SERVICES**

Members considered a report which provided an update on progress on the transformation partnership aimed at improving the Council's community

transport provision, improving service quality and achieving efficiency savings. Members had received a previous update in December 2007. Some further information, relating to previous and revised timetables for the Dial & Ride services, was circulated at the meeting. This has been added to the on-line agenda as an additional annex to the report (Annex C).

The partnership, between City of York Council (CYC) and Northgate Kendrick Ash (NKA) had been running since April 2007 and encompassed home to school transport, transport for 'looked after' children and transport for adults with learning and physical disabilities. The NKA service manager was continuing to work within the CYC structure and was acting as manager of the new integrated transport team. The medium-term aim was now to recruit a permanent member of staff to the position of service manager.

The report outlined progress on each of the key work streams within the project. Overall, the partnership had been very successful, achieving combined cost reductions of £216,654 for the Learning, Culture and Children's Services (LCCS) and Housing and Adult Social Services (HASS) transport budgets in its first year. Consultation with unions, staff, service providers, customers and families remained a core element of the project, as did the provision of a safe and quality service. Proposed eligibility criteria to determine the most appropriate mode of transport for clients based on need and capability were attached as Annex A to the report. Results of customer surveys carried out in respect of school buses for Tadcaster Grammar School and taxi provision for Applefields School were attached as Annex B.

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

RESOLVED: (i) That the latest update on this project, as requested by the Executive when the project first commenced, be noted.

REASON: So that the Executive can monitor the progress of the project.

(ii) That the re-stated eligibility criteria set out in Annex A be endorsed and formally adopted.<sup>1</sup>

REASON: To ensure that the policy is adhered to when deciding requests for transport.

(iii) That the changes to the Dial & Ride services, as reported at the meeting, be noted and that Members be kept apprised of any further developments in relation to these services.<sup>2</sup>

REASON: To determine the potential for using Dial & Ride vehicle availability to meet the demand for home to school transport, without disrupting the current service.

Action Required

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| 1. Adopt the revised eligibility criteria.   | SB |
| 2. Make arrangements to update the Executive on further developments re Dial & Ride. | SB |

**89. CORPORATE CUSTOMER STRATEGY**

Members considered a report which sought their views on a draft Corporate Customer Strategy for 2008-2013, setting out a 'vision' for the delivery of efficient, customer-focused services by the Council. The report also sought approval for a revised Customer Complaints and Feedback Policy.

Copies of the draft Strategy and revised Policy were annexed to the report. The Strategy was intended to revise and replace the former Customer Access Strategy, reflecting the development of the customer service agenda within local government and building upon the work of the [easy@york](#) project. The revised Policy would replace the current Complaints Policy, which was outdated and did not reflect the importance of using customer feedback to help shape future service delivery. It was intended to consult upon the draft Strategy with a range of customer groups before bringing the final version to Members for approval in December 2008.

It was reported at the meeting that the [easy@york](#) project had been selected for the final stage of the IT Excellence awards. Members congratulated Officers and staff involved in the project for this and for the advances made over a relatively short period of time in delivering electronic access to services. It was noted that work was being undertaken to make the Council's website more customer friendly in terms of reporting street level problems and that Members would like to see the results of revisions to the reporting process.

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

RESOLVED: (i) That the revised Corporate Customer Complaints and Feedback Policy be approved.

(ii) That the draft Corporate Customer Strategy be used to consult and engage customers, in accordance with the plan set out in paragraph 16 of the report.<sup>1</sup>

(iii) That the working up of the delivery plan, as set out in Section 8 of the draft Strategy, be approved.<sup>2</sup>

REASON: To enable the new Policy to be implemented and to allow the draft Strategy to go forward for consultation with customers.

(iv) That a report proposing a final version of the Strategy be brought back to the Executive in December 2008.<sup>3</sup>

(v) That an update report be brought to the Executive in December 2008 or earlier, with specific attention to be given by Officers to the reporting of faults on street level services by Members and the public.<sup>4</sup>

REASON: To enable Members to approve the final Strategy and to monitor progress on the reporting of faults.

Action Required

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| 1. Implement consultation plan as per paragraph 16                                 | SA |
| 2. Work up the delivery plan as per Section 8 of the draft Strategy                | SA |
| 3. Schedule report on Forward Plan for Executive in December                       | SA |
| 4. Schedule update report on Forward Plan for Executive in December 2008 or before | SA |

**90. FIRST PERFORMANCE AND FINANCIAL MONITOR - 2008/09**

Members considered a report which provided details of the headline performance issues arising from the 2008/09 performance monitor period and presented the latest projection of the Council's revenue income and expenditure for the current financial year.

With regard to performance, significant progress had been made across the Council in the last quarter. Headlines included:

- an increase in customer satisfaction levels to 65%
- 4 out of 6 corporate standard targets reached or exceeded
- continuing improvement in staff sickness levels
- staff turnover levels 41% lower than last year
- a significant reduction in the number of health and safety incidents.

The main areas of concern included:

- low turnover growth in the City compared to last year (11.4%)
- the impact of the 'credit crunch' on new house building
- a continued reduction in the percentage of initial care assessments for adults completed on time (an action plan was in place to address this).

With regard to the revenue budgets, an overspend of £1,092k was projected across all service areas, although applications had been made for the release of £512k from contingency to fund some of the overspending pressures. Central budgets were forecast to overspend by £134k. Offsetting this, an underspend of £1,136k on Treasury Management activity was projected, due to an improved position on interest rates and the ability to defer borrowing. Overall, the Council faced a number of on-going budget pressures and future budget rounds would need to identify actions to control and mitigate these. Members were asked to consider seven requests for supplementary estimates, totalling £512k, as detailed in Annex 8 to the report.

In respect of the projected overspend on legal fees in Childrens' Services, it was noted that this was due to an increase in the number and complexity of cases, requiring the use of local private solicitors to supplement the in-house team, together with significant increases in court fees for public law cases. Officers were working to ensure that as many cases as possible were retained in-house.

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

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

REASON: So that corrective action on these issues can be addressed by Directorates and meetings of Executive Members and Advisory Panels (EMAPs).

(ii) That the following applications for supplementary estimates to be funded from contingency, as set out in paragraph 51 and Annex 8, be approved:<sup>1</sup>

<b>Portfolio area</b>	<b>Area for request</b>	<b>Amount</b>
Neighbourhood Services	Replacement bins	£50,000
City Strategy	Parking – downturn in PCN income	£180,000
Chief Executive	Members Allowances – potential superannuation costs	£20,000
<b>TOTAL</b>		<b>£250,000.00</b>

REASON: In accordance with the Executive's Constitutional powers to make decisions on the level and granting of supplementary estimates.

(iii) That the information provided at the meeting on the increased costs of legal charges within the Director of Learning, Culture and Children's Services be noted and that the Director be asked to report to the Executive later in the year on the action being taken to address this issue.<sup>2</sup>

REASON: To ensure that the projected overspend is kept under revise.

(iv) That the movements in the Prudential Indicators, as set out in Annex 12 to the report, be noted.

REASON: To ensure the continued performance of the Council's Treasury Management function.

Action Required

1. Release funding from contingency to cover these costs SA
2. Report back to Executive on actions to address increased legal charges CB

**91. CAPITAL PROGRAMME - MONITOR ONE**

*[See also under Part B Minutes]*

Members considered a report which presented the likely out-turn position of the Council's 2008/09 Capital Programme, based upon information up to August 2008, and sought approval for any necessary alterations to or slippage on the programme.

The current approved programme amounted to £75.942m, of which £23.567m must be financed from capital receipts. An out-turn of £63.930 (a net decrease of £12.012m) was predicted on the approved budget, due mainly to delays on the Administrative Accommodation project. By the end of August 25% of the budget had been spent, as compared to 23% over the same period last year. In-year capital receipts were forecast to be down against target by £3.983m, primarily due to timing issues, with the majority of slippage expected early in 2009/10. The main achievements on capital schemes were highlighted in paragraph 8 of the report. Further details of progress in each directorate area, as reported to EMAPs, were set out in paragraphs 10 to 23.

The capital programme, as revised by the changes set out in the report, was summarised at paragraph 24 (table 11). Members' approval was sought for the revisions, including slippage. Attention was drawn the following shortfalls on specific projects:

- £100k on the Hazel Court scheme, due to the reduction in value of a significant capital receipt
- £154k on the 2008/09 Disabled Facilities Grant scheme, due to a lack of Right to Buy sales in the current financial year.

Members were asked to make a recommendation to Council to ensure that these shortfalls were funded from capital receipts.

With reference to the comments of the Shadow Executive on this item, Members expressed concern about the recently publicity given to a specific capital receipt and noted that the matter would be subject to investigation by the Monitoring Officer.

RESOLVED: (i) That the revised 2008/09 budget of £63.930m, as set out in paragraph 6 of the report (Table 2) be approved.<sup>1</sup>

(ii) That the net slippage of £12.248m into future years, and the additions of £217k in 08/09, £4.424m in 09/10 and £203k in 10/11 be approved.<sup>2</sup>

(iii) That the re-stated capital programme for 2008/09 to 2010/11, as set out in paragraph 24 (Table 11) and detailed in Annex A, be approved.<sup>3</sup>



(iv) That the capital receipt projections for 2008/09 to 2010/11, as summarised in paragraph 26 (Table 12) and set out in (exempt) Annex B, be noted.

(v) That the use of the re-classified PFI funds to overcome the early years shortfall in funding be noted.

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

Action Required

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|---|----|
| 1. Update the programme spreadsheets to reflect the revisions to the 2008/09 budget       | SA |
| 2. Update the programme spreadsheets to reflect the approved slippage                     | SA |
| 3. Update the programme spreadsheets to reflect the revisions to the three year programme | SA |

**92. URGENT BUSINESS - CONSULTATION RESPONSE TO THE HOME OFFICE GREEN PAPER ON THE FUTURE OF POLICING**

Members considered a report which sought approval for a proposed response to the Government's Green Paper entitled *From the neighbourhood to the national: policing our communities together*. The Chair had agreed to deal with this item as urgent business to enable a response to be submitted by the deadline of 10 October 2008.

The proposed response, attached as Annex 1 to the report, represented a consensus view of those present at a meeting of Group Leaders and York North Yorkshire Police Authority members held on 29 September to discuss responses to the Green Paper. If approved, it would be incorporated into a letter from the Leader of the Council on behalf of the City of York and forwarded electronically to the Home Office.

RESOLVED: That the response at Annex 1 to the report be approved, subject to the inclusion of the following sentence in the third bullet point of that response:<sup>1</sup>

*"However, the current system of the appointment of un-elected members does raise questions of accountability."*

REASON: To respond to the Government Green Paper within the relevant time scale.

Action Required

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| 1. Incorporate amended wording and send response to the Home Office | KS |
|---|----|

### **93. CHAIR'S REMARKS - YORK HIGH SCHOOL**

On behalf of the Executive, the Chair extended his thanks to the Director of Learning, Culture and Children's Services and his team, together with Officers in City Strategy and Neighbourhood Services, for their ongoing work in dealing with the consequences of the recent fire at York High School.

## **PART B - MATTERS REFERRED TO COUNCIL**

### **94. CAPITAL PROGRAMME - MONITOR ONE**

*[See also under Part A minutes]*

Members considered a report which presented the likely out-turn position of the Council's 2008/09 Capital Programme, based upon information up to August 2008, and sought approval for any necessary alterations to or slippage on the programme.

The current approved programme amounted to £75.942m, of which £23.567m must be financed from capital receipts. An out-turn of £63.930 (a net decrease of £12.012m) was predicted on the approved budget, due mainly to delays on the Administrative Accommodation project. By the end of August 25% of the budget had been spent, as compared to 23% over the same period last year. In-year capital receipts were forecast to be down against target by £3.983m, primarily due to timing issues, with the majority of slippage expected early in 2009/10. The main achievements on capital schemes were highlighted in paragraph 8 of the report. Further details of progress in each directorate area, as reported to EMAPs, were set out in paragraphs 10 to 23.

The capital programme, as revised by the changes set out in the report, was summarised at paragraph 24 (table 11). Members' approval was sought for the revisions, including slippage. Attention was drawn the following shortfalls on specific projects:

- £100k on the Hazel Court scheme, due to the reduction in value of a significant capital receipt
- £154k on the 2008/09 Disabled Facilities Grant scheme, due to a lack of Right to Buy sales in the current financial year.

Members were asked to make a recommendation to Council to ensure that these shortfalls were funded from capital receipts.

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

**RECOMMENDED:** That the shortfall on the Disabled Facilities Grant and additional works at Hazel Court be funded from capital receipts.<sup>1</sup>

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

Action Required

1. Refer recommendation to Full Council on meeting on  
27/11/08

GR

A Waller, Chair

[The meeting started at 2.05 pm and finished at 2.55 pm].