
MEETING	EXECUTIVE
DATE	9 SEPTEMBER 2008
PRESENT	COUNCILLORS WALLER (CHAIR), STEVE GALLOWAY, REID, RUNCIMAN AND VASSIE
APOLOGIES	COUNCILLORS SUE GALLOWAY AND JAMIESON- BALL
IN ATTENDANCE	COUNCILLOR R MOORE

53. 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.

54. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of:

- Annexes E, F, H and I to agenda item 7 (Hungate Council Headquarters – Update)
- Annex 2 to agenda item 12 (Improved Direct Communication with Residents)
- Annex 2 to agenda item 15 (Museum Gardens Public Toilets)

on the grounds that these documents contain information relating to the financial or business affairs of any particular person (including the authority holding that information), 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).

55. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 29 July 2008 be approved and signed by the Chair as a correct record.

56. PUBLIC PARTICIPATION

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

Chair indicated that he would use his discretion to permit Jason McGill, Chair of the York City Football Club (YCFC) to address the meeting regarding agenda item 8 (Update Report on the Progress towards a Community Stadium).

Mr Mc Gill expressed concern about recent press reports indicating a large shortfall in the budget for the community stadium project. He asked Members to support the project by appointing a project manager, as agreed by the Urgency Committee on 21 May, and by providing a letter of intent to the Football Foundation (FF) indicating the Council's commitment to the delivery of a stadium by 2012. This would add the necessary weight to YCFC's request to the FF that they roll up the interest on the existing loan. Approval of that request would enable progress to be made without the need for a loan from the Council.

57. EXECUTIVE FORWARD PLAN

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

58. MINUTES OF WORKING GROUPS

Members considered a report which presented the minutes of the following meetings of working groups:

- the Local Development Framework (LDF) Working Group meetings held on 15 July and 4 August 2008 (Annexes A and B)
- the Social Inclusion Working Group meeting held on 8 July 2008 (Annex C)
- the Young People's Working Group meetings held on 23 April and 10 July 2008 (Annexes D and E)

Members' attention was drawn in particular to the recommendations contained in Minutes 5 and 6 of the Young People's Working Group and to the comments and suggestions in Minutes 9 and 13 of the LDF Working Group and Minutes 6 and 8 of the Social Inclusion Working Group. The Young People's Working Group had recommended that the Executive support a proposal to make a bid to the Myplace fund (Minute 5) and support the "11 Million Takeover Day" event and activities (Minute 6).¹

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

RESOLVED: That the minutes of the Working Group meetings be noted and that the recommendations contained therein be endorsed.

REASON: In accordance with the constitutional role of Working Groups as advisory bodies to the Executive.

Action Required

1. Proceed with bid to the Myplace fund

ST

59. HUNGATE COUNCIL HEADQUARTERS - UPDATE

Members considered a report which provided an update on progress made on the Council Headquarters project since withdrawal of the Hungate planning application and outlined the process to be adopted to review the Council's options and select an appropriate way forward.

The report re-iterated the benefits of the project, which remained unchanged, and the response from English Heritage that had led to the withdrawal of the planning application on 11 July 2008. A review had since been undertaken of the leadership and project management process and of the roles taken within the Council and by partners. This had enabled the Council to consider lessons learnt and to prepare future strategies. It was now proposed to consider setting up a 'design consultation forum' and to undertake further work on a communications and engagement strategy for the 'external audience'.

The Project Team had undertaken a high level analysis of a long list of available sites, which had highlighted four site options with the potential to meet most of the Council's needs. Details of the evaluation were attached as Annex F to the report. Members were now asked to confirm or otherwise comment on this initial evaluation and to provide a steer on the prioritising and / or weighting of the detailed appraisal criteria set out in paragraphs 32 and 33 of the report, in order to develop some scheme solutions.

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

RESOLVED: (i) That the contents of the report be noted.

(ii) That it be noted that the following high-level approaches are the options available to the Council:

- a) a single site in the city centre (within the inner ring road);
- b) a single site on the edge of the city centre;
- c) a split site in the city centre;
- d) a split site combination of city centre and edge of city centre (e.g. Monk's Cross).

(iii) That the content of the high level appraisal at Annex F to the report be noted.

(iv) That the following detailed appraisal criteria, as outlined in paragraphs 32 and 33 of the report, prioritising and / or weighting as appropriate, be used in evaluating the short-listed sites identified in Annex F:

- a) availability;
- b) deliverability;
- c) accessibility and suitability (to include sustainability);
- d) finance;
- e) risk;

f) qualitative assessment.

(v) That the proposal to set up a 'Design Consultation Group', and the use of experts and public exhibitions, be approved in principle.¹

(vi) That a clear communications strategy be developed to inform the public of the sequence of decisions and the work that is being undertaken to develop a solution.²

(vii) That Officers be requested to provide to Members updates of the financial appraisal of the options referred to in Resolution (ii) above.³

REASON: In order to progress this project and ensure that the best result is achieved on behalf of the City, taking account of the need to keep within existing budgets and to ensure objective assessment of, and proper consultation on, the available options.

Action Required

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| 1. Set up Design Consultation Group | SL |
| 2. Develop a communications strategy | SL |
| 3. Provide an update report on financial appraisal of the options - add item to Forward Plan | SL |

60. UPDATE REPORT ON THE PROGRESS TOWARDS A COMMUNITY STADIUM

Members considered a report which provided an update on progress made towards meeting the conditions of a proposed loan to York City Football Club (YCFC) since the matter last came before the Executive, on 15 July 2008 (Minute 37 of that meeting refers).

In July, the Executive had recommended that full Council approve the loan in principle, subject to ensuring that the Council was protected in securing any loan against the existing ground and subject also to ensuring sound financial management in YCFC and its majority shareholder, JM Packaging. Another important factor was the status of the Football Stadia Improvement Grant. Currently, YCFC were unable to meet the conditions of their existing loan, which could mean the loss of a £2 million Grant to the project.

The report outlined the following options for Members' consideration:

Option 1 – do nothing, as set out in the July report to Executive;

Option 2 - replace the Football Foundation (FF) loan, as previously recommended, subject to the required conditions being met;

Option 3 – provide a loan to cover interest on the FF loan. This would mean that the Council's total outlay and liability would be less and that the FF would turn their loan into a grant when work began on the new stadium. Further work would be needed to examine the advantages and disadvantages of this option.

Option 4 – buy the freehold of Bootham Crescent and rent it back to YCFC pending completion of a new stadium. A considerable amount of work would be needed to evaluate this option, which would further delay the decision.

In the light of recent discussions with YCFC, and the comments made on this item under Public Participation, Members also considered a fifth option, namely to provide the alternative support requested by YCFC rather than recommending the grant of a loan from the Council.

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

- *RESOLVED:
- (i) That the Executive re-affirms its commitment to a Community Stadium and recognises the importance of securing the £2 million Football Foundation grant to that end.
 - (ii) That no further action be undertaken at this time to extend a loan from the City of York Council to York City Football Club, on the understanding that the Club is undertaking negotiations with the Football Foundation in order to have the interest on that body's loan to the Club rolled over into the future sale value of Bootham Crescent Football Stadium.
 - (iii) That the Director of City Strategy recruit, in accordance with the decision of the Staffing Matters and Urgency Committee on 21 May, to secure the appointment of a project manager to:¹
 - a) establish a site;
 - b) consult on the design and operation for the wider benefit of the community of the City;
 - c) establish the cost of, and sources of funding for, a community stadium and
 - d) deliver a community stadium by 2012.
 - (iv) That Officers continue their dialogue with York City Football Club, and York Knights, on how to sustain spectator sports in the City, and on the continuation of other sports clubs based at Huntington Stadium.²
 - (v) That the Chief Executive write to the Football Foundation setting out the actions decided in Resolution (iii) above and the commitment of the Council to work in partnership with YCFC to deliver the community stadium.³

REASON: To support and progress the project to provide a new community stadium, which will have a positive effect upon York's local pride, commercial momentum and civic profile.

** Note: These resolutions supersede the recommendations made at the Executive meeting on 15 July 2008 (Minute 37 refers); those recommendations will not, therefore, be put before Full Council.*

Action Required

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| 1. Proceed with recruitment of a project manager | SL |
| 2. Continue discussions with YCFC and York City Knights | SL |
| 3. Write to the Football Foundation | SC |

61. WASTE UPDATE

Members considered a report which provided an update on the relocation options for Beckfield Lane Household Waste Recycling Centre (HWRC) and on negotiations regarding the interim contract for waste disposal.

Initial feasibility work had been undertaken on the three options identified after the full options analysis carried out in May 2007. However, it was estimated that a further £35k would be needed to obtain sufficient information to enable a decision to be taken on these options. Members were therefore asked to consider the priority of this work in the current financial year and decide between the following options:

Option 1 – do nothing and continue to use the facilities at Beckfield Lane - this was not recommended, due to ongoing anti-social behaviour issues, traffic congestion and proximity to housing;

Option 2 – undertake additional feasibility work in 2008/09;

Option 3 – ask Council to prioritise funding for the feasibility work as part of the 2009/10 budget process.

With regard to the interim contract, the Council had been working with North Yorkshire County Council (NYCC) to find an interim solution to cover the period until the Inter Authority Agreement with NYCC, to provide long term waste disposal facilities through a PFI scheme, became operational. Negotiations had not yet been completed, however, and a report would be brought back to Members once the outcome was known.

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

RESOLVED: (i) That the position on the interim waste contract be noted.

(ii) That Option 2 be agreed (undertake additional feasibility work in 2008/09) and that a one-off sum of £35,000 be allocated from contingency to fund further design work on the new west of York recycling centre to be located at Harewood Whin.¹

REASON: To progress the provision of improved recycling facilities in the west of the City, building on the success of Hazel Court in the east, without further delay.

Action Required

1. Undertake additional feasibility work, funded from contingency

SL

62. INCOME POLICY FRAMEWORK

Members considered a report that presented for discussion, comment and approval the Council's income policy framework.

The policy, attached as Annex A to the report, was intended to improve efficiency and ensure consistency in the way that income was generated, collected, monitored and reported. It was based upon a set of key principles, supported by guidance notes to be developed with the Section 151 Officer. Implementation of the policy framework would begin as soon as it had been approved. A summary plan, attached as Annex B, had been developed to guide the implementation. Detailed implementation plans were being developed for each directorate.

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

RESOLVED: That the income policy at Annex A to the report, and the summary implementation plan at Annex B, be approved for implementation from 1 October 2008.¹

REASON: To ensure that compliance with the policy and guidance is achieved across all council services within the timescales set out in the action plan.

Action Required

1. Begin implementation of policy, in accordance with implementation plan

SA

63. AN INTEGRATED CROSS-CITY BUS TICKET FOR YORK

Members considered a report which provided details of the outcome of a study into integrated cross-city bus ticketing for York and sought approval to progress one of the options identified by the study. It was noted that there were no funds set aside for this initiative, which had not been included in the 2008/09 budget proposals.

The study, prepared by Halcrow, had been undertaken in response to a motion approved by Full Council on 29 November 2007 (Minute 48 of that meeting refers). The full version of the Halcrow report had been made available as a background paper. It outlined five ticket types that could be covered by a block exemption from The Competition Act 1998 and The Transport Act 2008. These formed the basis of the options available for development in the York area and comprised:

- Multi-operator Travelcards (MTCs)
- Through Tickets (TTs)
- Multi-operator Individual Tickets
- Short Distance Add-ons

- Long-Distance Add-ons

The Halcrow report concluded that, in the short term, and to confirm that latent demand for such a product existed, the Council should develop a paper-based MTC.

Members were asked to consider the following options:

Option A – to proceed with the introduction of a paper-based MTC, with a view to introducing a smartcard solution in the longer term. Subject to the agreement of bus operators, this would result in a ticket acceptable on all bus services across the City. A paper-based travelcard could be introduced more quickly and far more cheaply than a smartcard. However, it would still involve set-up costs of £187k as well as ongoing running costs of £130k.

Option B – to proceed with the immediate introduction of a smartcard product, for introduction in 2012. Without financial support from regional or central government, the cost would be prohibitive, at an estimated £2.7m.

Option C – not to introduce a cross city bus ticket unless it formed part of the wider ‘Yorcard’ scheme currently being trialled in Sheffield. There were currently no plans to introduce the scheme in York but when the opportunity arose (probably in 3-5 years), the estimated cost of £2m in the first year could be funded through the Regional Financial Allocation.

Supplementary information outlining work carried out to review the possibility of introducing a ‘through ticket’ product was circulated at the meeting. *[This has been made available on-line as an additional annex to the report on this item].*

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

RESOLVED: (i) That the estimated cost implications and realistic timescales for the introduction of an integrated cross-city bus ticket be noted.

(ii) That, in the short term, Officers be requested to pursue the idea of establishing a cross ticketing regime on key high usage corridors serving destinations such as the Hospital and the University.¹

(iii) That the results of their investigations be reported back to a future Executive meeting, together with an update on the options for accelerating the roll out of the Yorcard into York.²

REASON: To provide an appropriate response to this issue, given that the lack of cross ticketing affects relatively few City of York residents and that the cost of introducing a separate system for York is beyond the financial resources currently available to the Council.

Action Required

1. Investigate possibility of introducing cross ticketing on high use routes SL
2. Include item on Forward Plan and produce update report SL

64. IMPROVED DIRECT COMMUNICATIONS WITH RESIDENTS

Members considered a report which sought approval to proceed with the production of a new monthly council publication designed to improve communications with residents, and to appoint a preferred supplier to work in partnership with the Council on this.

Approval in principal to introduce a monthly publication delivered free to all households had originally been granted by the Executive on 24 July 2007 (Minute 34 of that meeting refers). The report outlined action taken since that date to address issues raised by Members regarding funding and procurement. An OJEU procurement process had been undertaken, resulting in two responses to the invitation to tender (ITT), from Newsquest and York Local Link. Evaluation of these bids had taken some time, due to the complexity of the options presented and the differing funding models. Following evaluation, a report had been taken to Corporate Management Team (CMT) seeking approval to create a budget from existing resources, which CMT had agreed.

Details of the bids were contained in (exempt) Annex 2 to the report. Newsquest had presented four options under a Business Plan A and a further three options under a Business Plan B. Your Local Link had presented three options, as outlined in the annex. Following evaluation in accordance with the criteria set out in the ITT, attached as Annex 1 to the report, Members were invited to approve either Option A or Option C in the Your Local Link bid.

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

RESOLVED: That Officers be instructed to negotiate with both the tenderers for the service, with the aim of establishing a stand alone publication that can be published within the resources available.¹

REASON: A stand alone publication would be more likely to be read by residents and would accord with best practice from other local authorities.

Action Required

1. Carry out negotiations with tenderers

GR

65. PROPOSED ACTIONS AS A RESPONSE TO THE INDEX OF MULTIPLE DEPRIVATION SCORE

Members considered a report which sought approval and funding for a set of proposed actions to tackle deprivation within the worst performing Index of Multiple Deprivation (IMD) area in the City.

The proposals had arisen from the Executive's decision on 12 February 2008 to establish a pilot project aimed at reducing deprivation, initially in

the Westfield 'Super Output Area' or SOA (Minute 159 of that meeting refers). To date, an audit of current activity in the Westfield area was still ongoing and Executive Members had completed a doorstep survey across the City, the results of which had not yet been fully analysed.

Proposed actions arising from the pilot project were set out in paragraphs 14 and 15 of the report, with estimated required budgets. They included:

- Supporting the formation of an active residents' group and providing them with appropriate Community Development Training (£2.5k)
- Developing and delivering at least one activity targeted at each of the IMD domains, as detailed in paragraph 16 (£27.8k)
- Producing and delivering a quarterly local newsletter detailing information and activity, with timetables and venues (2k)
- Developing performance measures for each action adopted.

Total costs of these proposals were £32,300. There was no existing budget for this work and Members were therefore asked to consider releasing funds from contingency to support the project.

Having noted the comments of the Shadow Executive, it was

RESOLVED: (i) That the actions identified in the report be agreed.¹

(ii) That an allocation from contingency be authorised to implement the actions, as detailed in paragraphs 14 to 16 of the report, as a response to tackling deprivation within the worst IMD area in the City.²

REASON: To reduce deprivation in the City and to inform the Council and the Local Strategic Partnership on the development of an effective city-wide response to deprivation.

Action Required

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| 1. Make arrangements to implement the actions outlined in the report | SL |
| 2. Allocate funds from contingency | SA |

66. A BIG SCREEN FOR YORK

Members considered a report which asked them to decide whether they wished York to be considered as a site for a Big Screen.

Big Screens were part of the BBC's 2012 'Livesites' initiative, which aimed to roll out a nationwide network of 30-60 Big Screens across the country by 2012. Screens had already been installed in a number of cities and there was likely to be a further roll out of the programme from next year. A primary requisite for consideration was to have planning permission in place. With such permission, York would be a strong applicant. Screens would only be considered for high profile city-centre locations, would network nationally and internationally and were expected to broadcast local as well as national content. Given the potential impact on the historic environment, it was considered that the new St John Square, in Hungate,

would be the best long-term site for a Big Screen in York. However, in view of the delay to the Hungate development, waiting for this site could result in York losing out.

Members were asked to consider whether to approve further feasibility work relating to a Big Screen for York. Subject to that approval, it was suggested that that options for its location be considered in the context of the City Centre Area Action Plan, in particular the Issues and Options paper, which was open to consultation until 22 September.

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

RESOLVED: (i) That the public consultation on whether a Big Screen should be established in York take place as part of the LDF build process and that the Big Screen option be added to the 'Issues and Options' consultation on the City Centre Area Action Plan.¹

(ii) That potential sites for a temporary screen be identified.²

(iii) That the preferred long-term location for any screen would be to integrate it within a new development such as Hungate, and that Officers be requested to appraise this option further as opportunities arise.³

REASON: To take advantage of the opportunity to showcase the culture and heritage of the City and provide an outlet for local higher education training, subject to testing the views of local residents and finding a suitable site which will not have a negative impact on the historic environment.

Action Required

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| 1. Add this option to the Issues and Options consultation on City Centre Area Action Plan | SL |
| 2. Identify potential temporary sites | ST |
| 3. Make arrangements to appraise this option in relevant circumstances | ST |

67. MUSEUM GARDENS PUBLIC TOILETS

Members considered a report which sought approval to grant a long lease of the site of the Museum Gardens toilets, and an adjacent store building and adjoining area (the Property), to The Lendal Tower Venture (the Developer).

The Property was illustrated on the plan attached as Annex 1 to the report. Members had already agreed in principle to closing the toilets and leasing the site to the Developer as part of a scheme to build a restaurant with an outdoor terrace. That scheme had now received planning permission. Ward Members were supportive of the development and it was considered

that the advantages to Museum Gardens outweighed the loss of the public toilets.

The available options were:

Option A – grant a lease of the Property for the proposed restaurant scheme. This was the recommended option.

Option B- retain the Property. This was not recommended, as the chance to provide an enhanced entrance to Museum Gardens would be lost.

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

RESOLVED: (i) That, subject to obtaining the Charity Commission's consent to the transaction, Option A be approved and the Property be leased to The Lendal Tower Venture based on the Heads of Terms Development Agreement included in Annex 2 to the report.

REASON: To improve a publicly accessible space.

(ii) That the consideration sum be applied to the benefit of the Yorkshire Museum and Gardens Charity.¹

REASON: To comply with the Council's obligations as custodian trustee.

(iii) That, if necessary, at the next Full Council meeting a sub-committee be constituted as the Yorkshire Museum Gardens Committee, in accordance with the 1960 Charitable Scheme (pending the final agreement of the new replacement Scheme), in order to remove from the endowment the property required to build the proposed restaurant, in compliance with the Charities Act 2006.²

REASON: To comply with the Charities Act 2006 and to make a proper application to the Charity Commission for consent to dispose of the property.

Action Required

1. Make arrangements to apply the consideration sum to the benefit of the YM SA
2. Advise Democratic Services whether sub-committee needs to be constituted at the next Council meeting, on 25 September SA

68. URGENT BUSINESS - REFERENCE REPORT: LOAN TO SCIENCE CITY YORK

Members considered a reference report which presented a recommendation from the meeting of the Executive Members for City Strategy and Advisory Panel (EMAP) held on 8 September 2008, in respect of a loan to Science City York. The original report to EMAP was attached as Annex 1 to the report.

The Chair had agreed to deal with this matter as urgent business in order to avoid any unnecessary delay in the decision making process. It had been referred to the Executive because the amount of the loan was such that it fell outside the delegated powers of the Executive Member.

The recommendation was:

“that the Executive approve a loan of £50,000 from the Council to the Science City York Company Limited by guarantee to assist with its cash flow.”

RESOLVED: That the recommendation be accepted and a loan of £50,000 be approved from the Council to the Science City York Company Limited by guarantee to assist with its cash flow.¹

REASON: In accordance with the delegation scheme set out in the Council’s Constitution and to support the development of Science City York and the contribution it makes to the City and to the Council’s strategic objectives.

Action Required

1. Make arrangements to implement the loan agreement SL

69. CHAIR’S REMARKS

The Chair noted that this was the last Executive meeting to be attended by the Council’s Head of Finance, Sian Hansom, who was leaving to take up a position with North Yorkshire County Council. On behalf of Executive Members, he thanked Sian for her work and wished her well in her new post.

A Waller, Chair

[The meeting started at 2:00 pm finished at 3:15 pm]