



Notice of meeting of

Executive

To:	Councillors Waller (Chair), Steve Galloway, Sue Galloway, Moore, Reid, Runciman and Vassie
Date:	Tuesday, 3 February 2009
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 2 February 2009, if an item is called in *before* a decision is taken, *or*

4:00 pm on Thursday 5 February 2009, 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 Annexes 1-4 to agenda item 10 (Discuss Bungalows – Development Update), on the grounds that they contain information relating to the financial and business affairs of any particular person (including the authority holding that information). 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 - 20)

To approve and sign the minutes of the meeting of the Executive held on 20 January 2009.

4. Public Participation

At this point in the meeting, members of the public who registered their wish to speak regarding an item on the agenda or an issue within the Executive's remit can do so. The deadline for registering is **5:00 pm on Monday 2 February 2009**.

5. Executive Forward Plan (Pages 21 - 24)

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

6. Minutes of Working Groups (Pages 25 - 80)

This report presents the minutes of recent meetings of the Social Inclusion Working Group, the Local Development Framework (LDF) Working Group and the Young People's Working Group and asks Members to consider the advice given by the Groups in their capacity as advisory bodies to the Executive.

7. Comprehensive Area Assessment and Use of Resources Assessment 2009 (Pages 81 - 88)

This report provides an overview of the Comprehensive Area Assessment (CAA), including the new Use of Resources Assessment and internal preparations intended to address any risk areas that could affect the Council's first assessment result in November 2009.

8. Access York Phase 1 Park & Ride Development - Major Scheme Bid Submission (Pages 89 - 104)

This report provides an update on the progress of phase 1 of the Access York Project since the last report to the Executive in July 2008. It recommends that Members authorise the submission of the Major Scheme Business Case to the Department for Transport (DfT), authorise the preparation of conditional contracts with the owners of the sites and agree in principle to the proposed funding sources for the Council's local contribution to the scheme.

9. Council Headquarters - Update Report (Pages 105 - 114)

This report provides an update on the outcomes of the pre-qualification stage of the procurement process for the delivery of the Council's new headquarters building and seeks Member' endorsement of a new initiative to develop an office of the future working model to pilot new workplace concepts in advance of the move to the new headquarters building.

10. Discus Bungalows Development Update (Pages 115 - 148)

This report details progress made by the Project Steering Group, Council and Development Consortium, in consultation with the Residents' Development Association, to enable the re-development of the Discus Bungalows sites at St Anne's Court/ Horsman Avenue, Regent Street and Richmond / Faber Street. It seeks approval to accept a reduced capital receipt on the sale of the land, in view of the current economic downturn.

11. Riverbank Repairs: River Ouse, Scarborough to Clifton Bridge (Pages 149 - 160)

This report provides an update on the current condition of the riverbank between Scarborough and Clifton Bridges, further to the collapse reported to the Executive on 2 December 2008, and provides information on costs to carry out minor repairs where appropriate and future capital costs to carry out major repairs or stabilisation works.

12. Housing Rent Increase 2009/10 (Pages 161 - 166)

This report asks the Executive to consider the rent guidelines issued by the Department for Communities and Local Government (CLG) for 2009/10 and to decide on the level of the Council's rent increases for that year.

13. Establishing a Staffing Committee for City of York Council (Pages 167 - 174)

This report sets out proposals for establishing a Staffing Committee for City of York Council, with a view to establishing the Committee from the start of the next municipal year in May 2009.

14. 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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- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- 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);
- find out about the rules for public speaking from the Democracy Officer.

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Further information about what's being discussed at this meeting

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
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City of York Council

Committee Minutes

MEETING

EXECUTIVE

DATE

20 JANUARY 2009

PRESENT

COUNCILLORS WALLER (CHAIR),
STEVE GALLOWAY, SUE GALLOWAY, MOORE,
REID, RUNCIMAN AND VASSIE**149. 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.

Cllrs Reid and Moore announced that, as members of the Planning Committee, they would they would withdraw from the room during consideration of agenda item 5 (Proposed Big Wheel in North Street Gardens) under the provisions of the Planning Code of Good Practice, so as not to prejudice their consideration of any future planning application in respect of that item.

150. MINUTES

That the minutes of the Executive meeting held on 23 December 2008 and the Executive (Calling In) meeting held on 6 January 2009 be approved and signed by the Chair as a correct record.

151. PUBLIC PARTICIPATION / OTHER SPEAKERS

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme. Further requests to speak had been received from a Union representative and two Council Members.

a) Item 5 – Proposed Big Wheel in North Street Gardens

John Heawood spoke against the proposal, on the basis of the size of the wheel and its unsuitability for a site within the City walls. He urged Members either to reject the proposal now or to defer a decision pending consideration of other potential wheel operators and proper consultation with York residents.

Cllr Taylor spoke against the proposal, in his capacity as Heritage Champion, on the grounds that the site was unsuitable for a wheel of this size. He suggested that the Council work with WTA to seek an alternative site or look at alternative attractions, such as a tethered balloon.

Philip Crowe spoke against the proposal, on the grounds that it conflicted with the new Sustainable Community Strategy and would not contribute to the City's economy.

Lynn Aaron spoke in favour of the proposal, as the landlady of the nearby Yorkshire Hussar and a resident of North Street, on the grounds that the wheel would boost the local economy and improve security in the area.

Letters and e-mails received from members of the public and local businesses in respect of this item, comprising five in favour and three against the proposals, were also circulated to Members.

b) Item 9 – Review of Public Bus Services in York

Cllr Gillies spoke in relation to the concessionary travel proposals, urging Members to support the option to replace the anonymous token system with an auditable stored taxi card system (Option D on page 139 of the report).

c) Item 10 – Shared Service – Business Case

Heather Mackenzie spoke on behalf of UNISON. She raised a number of concerns regarding the transfer of Council staff to the shared service company and sought clarification in respect of the terms and conditions of the new contracts, particularly the reduction of annual leave to pay for a performance related pay scheme, and the effect of the transfer on equal pay claims.

152. EXECUTIVE FORWARD PLAN

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

153. PROPOSED BIG WHEEL IN NORTH STREET GARDENS

Members considered a report which presented a proposal to site a new observation wheel - the 'Yorkshire Wheel' - in North Street Gardens.

The operators, World Tourist Attractions Ltd. (WTA) had previously worked in partnership with the National Railway Museum (NRM) to operate an observation wheel on the NRM site. Although successful, WTA had decided to re-locate for commercial reasons and now required a city centre site for a new wheel, in order to provide the views required for an exciting visitor experience. Other sites in the city centre had already been considered and ruled out and WTA believed that North Street Gardens was the only remaining viable site for the wheel, which would be purpose built for York and similar to wheels installed by WTA in Windsor, Greenwich and Belfast. Photographs showing wheels in other locations were annexed to the report, together with photographs and plans of the proposed site and a preliminary landscape assessment of North Street Gardens.

Members were invited to comment on WTA's proposal, with particular regard to whether the Yorkshire Wheel would fit in with the City's leisure policy, promote the visitor economy and enhance the leisure amenity of North Street Gardens as a public open space.

Members debated the matter and noted the comments of the Shadow Executive on this item, the comments made under Public Participation and the contents of the letters and e-mails circulated before the meeting.

Cllr Steve Galloway then proposed a set of recommendations based upon the rejection of WTA's proposal. Cllr Vassie then put forward an alternative recommendation, namely that the WTA's proposal be accepted. On being put to the vote, Cllr Vassie's recommendation was declared LOST. Cllr Galloway's recommendations were then put to the vote and declared CARRIED and it was therefore

RESOLVED: (i) That an agreement not be entered into with WTA to site the observation wheel in North Street Gardens.

(ii) That the Executive reasserts its previous position that attractions of this sort are welcome in the City but need to be sited sensitively and without either prejudicing existing amenity provision or threatening the City's visual heritage.

REASON: This location is not considered suitable for the development, due to the potential damage to the historic environment, the limited size of the site and concerns about flooding and accessibility.

(iii) That Officers be requested to consider, as part of the City Centre Local Development Framework build process, what guidance might be offered to developers who request acceptable options for siting substantial structures of this type and / or other major leisure / visitor attractions.¹

REASON: To ensure a fair and consistent approach.

(iv) That Officers facilitate meetings to progress a new permanent visitor attraction to the City.²

REASON: So that potential attractions that may benefit the City can be properly considered and consulted on.

Note: Cllrs Moore and Reid withdrew from the room during consideration of the above item and during the relevant part of the Public Participation item, as indicated under 'Declarations of Interest'.

Action Required

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| 1. Pass this request on to officers involved in the LDF process and liaise where required | CB |
| 2. Make the necessary arrangements to facilitate these meetings | CB |

154. COMMUNITY STADIUM - UPDATE REPORT

Members considered a report which provided an update on progress towards a Community Stadium for York and proposed an approach for the delivery of the initial stages of the project, and an outline project structure.

Further to the decisions made by the Executive on 9 September 2008, a project manager had been appointed and had started work on 17 December, thus providing an opportunity to progress the project ahead of schedule. The Project Manager, Tim Atkins, was present at the meeting. The Community Stadium Partnership Group had met for a second time and reached agreement on the approach to the structure, communications protocol, site selection, development of the business case, joint working and specialist support. It would meet again in February to formalise the delivery framework and protocols.

Details of a proposed project structure, including the proposed membership of the Partnership Board, Partnership Group and Internal Officer Team, were set out in paragraphs 7 to 12 of the report. Information on work in progress to prepare a draft project plan, develop a detailed business case and ensure a clear communications strategy and risk management strategy for the project was contained in paragraphs 13 to 20. Members would be informed in future update reports whether any further resources were needed to progress the project, in addition to the sum set aside in May 2008 to fund the project manager.

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

RESOLVED: (i) That the progress made on the Community Stadium Project to date be noted.

(ii) That the approach set out in paragraphs 7 to 20 of the report, and the outline project structure, be agreed so that it can be referred to the Partnership Group at its next meeting, in February 2009.¹

(iii) That the Council be represented on the Project Board by the Executive Member for City Strategy.²

REASON: To enable the partnership to work effectively and to drive the project forward.

Action Required

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|--|----|
| 1. Proceed with this work and refer project structure to the Partnership Group | SS |
| 2. Appoint the Executive Member to the Project Board | SS |

155. REGIONAL SPATIAL STRATEGY (RSS) 2009 UPDATE - RESPONSE TO SPATIAL OPTIONS CONSULTATION

Members considered a report which sought their approval for a proposed response to the Spatial Options consultation carried out by the Regional Assembly (RA) as part of the Partial Review of the Regional Spatial Strategy (RSS) for Yorkshire and the Humber. The consultation period ran to the end of January.

The review, entitled '*The Housing Challenge, Yorkshire and Humber Plan – Update 2009*', was intended to examine how the region could accommodate housing growth, resulting from the Government's 2007 Housing Green Paper. A copy of the response already submitted by the Council to the RA's initial Call for Evidence document was attached as Annex A to the report.

The Spatial Options consultation document considered three questions:

- (1) How much housing provision should be planned for the future?
- (2) How should it be distributed?
- (3) What options are there to accommodate this growth in each of the seven 'sub-areas'?

These key questions were discussed in paragraphs 9 to 34 of the report and a proposed response to the consultation was summarised in Annex B. Members were invited either to approve the response as drafted (Option 1) or seek amendments to the draft response (Option 2).

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

RESOLVED: That the proposed response to the Spatial Options consultation set out in the report and summarised in Annex B be approved for submission to the Regional Assembly by the end of January.¹

REASON: The response reflects Members' view, and that of other authorities across the region, that the RSS should not be reviewed at this early stage.

Action Required

1. Submit the response to the Regional Assembly

SS

156. AFFORDABLE HOUSING INITIATIVES

Members considered a report which asked them to endorse the current review of affordable housing policy in York through the Local Development Framework (LDF) and to note the affordable housing initiatives being prioritised by the Housing and Adult Social Services department, following discussions with house builders and other stakeholders.

The report followed on from the resolutions made at the Executive meeting on 18 December 2007 and the meeting of the Executive Member for City Strategy and Advisory Panel (EMAP) on 14 January 2008. Members had

agreed that affordable housing provision should be reviewed through the LDF process and had requested that cross-party dialogue be entered into with developers. Meetings held as a result included a round table session with the four Group Leaders, individual meetings with house builders and planning consultants and a half day seminar / workshop attended by over 40 key housing stakeholders.

The outcome of these meetings would inform the drafting of the LDF Core Strategy Preferred Options affordable housing policy to be considered by the LDF Working Group in February 2009, as well as the Council's wider approach to meeting affordable housing needs in the City. Details of the workshop, facilitated by Icarus on 7 November 2008, were contained in Annex 1 to the report, copies of which had been made available on the Council's website and in the Members' Library. Notes from the meetings with developers and consultants were attached as Annex 2.

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

RESOLVED: (i) That the outcomes of the Developer meetings and the Affordable Housing Workshop be noted.

(ii) That Officers be supported in using the comments received in the Developer meetings and the Affordable Housing Workshop, along with comments received during the Issues and Options stage of the Core Strategy, to inform the Preferred Options Policy to be taken forward through the LDF, as agreed by the Executive in December 2007.

(iii) That the affordable housing initiatives currently being prioritised by Housing and Adult Social Services following the discussions with house builders and from the affordably housing workshops, as well as new initiatives which will develop alongside the new Housing Strategy to be published in 2009, be noted.

REASON: In accordance with the previous recommendations of the Executive and the Executive Member for City Strategy and to ensure that potential new initiatives are fully explored.

157. REVIEW OF PUBLIC BUS SERVICES IN YORK

Members considered a report which set out a review of the current bus services operating in York and the supporting initiatives in place and presented recommendations for progressing options in several areas, based upon potential savings, efficiencies and service improvements.

The report had been prepared in response to the items contained in the 'Policy Prospectus' for 2008/09 and a motion approved by Full Council in September 2008 to investigate the extension of the YOzone card. It looked in detail at the following areas and presented key messages and options in respect of each, as summarised below.

Commercial Bus Services

These high frequency, high quality services were delivered on a commercial basis. The Council thus had little direct role in their provision but could, in addition to continued work under the existing voluntary partnership, choose to:

- Reduce Council expenditure on bus stop infrastructure
- Introduce a formal Quality Partnership on an identified corridor or route, under the Local Transport Act 2008.

Subsidised / Tendered Bus Services

Spending on these services was forecast to increase to £750k in 2009/10, which was £110k over budget. The report commissioned from Halcrow on the subsidised bus network had recommended that some services be withdrawn completely, some re-worked into a more regular, simplified timetable and others withdrawn and replaced by demand responsive transport, shared taxi services or taxi buses. A table of services to be considered for withdrawal was presented in Table 5, in Paragraph 87 of the report.

Dial and Ride

It was proposed to support the inclusion of three new accessible minibuses for the service in the Capital Programme for 2009/10. The current service level agreement was due to expire and Members were asked to decide between:

Option 1 – to re-tender the service using an open EU process and

Option 2 – to instruct Officers to investigate the possibility of re-negotiating a new service level agreement with York Wheels (recommended).

Members were also asked to consider:

- Whether the fares for Dial and Ride (D&R) should be reviewed
- Whether (and what) concessionary rates should apply to D&R
- The potential use of D&R vehicles for peak local bus journeys, in place of home-to-school journeys.

Park and Ride

A decision must be made within the next 18 months on whether to go out to tender for the operation of the new services for the A59 and Wigginton Road or whether to operate them as part of the existing contract. Approval was sought to produce a further report on the upgrading of on-bus ticket machines and to explore the introduction of off-bus ticketing facilities.

Concessionary Travel Scheme

Details of current arrangements were contained in Annex A to the report. Introduction of the ENCTS bus pass in April 2008 had raised the cost of funding bus pass concessions to an estimated £4.2 million in 2008/09 and contributed to a decrease in the take-up of national transport tokens.

Members were asked to decide whether to:

- Retain the current operating hours for bus pass acceptance and
- Withdraw any alternative to the bus pass to the over 60s, but increase the value of tokens for eligible disabled people to £50

Or to

- Restrict token distribution to the over 75s eligible disabled

- Increase the value of tokens to £40 for this year and replace the anonymous token system with an auditable stored value taxi card system from 1010/11
- Simplify the system for under 60s disabled, replacing the purchase of tokens arrangement with the issue of a fixed sum of £75 for the year
- Distribute tokens from The Guildhall and key parish venues, requesting nursing homes to collect their allocations from either of these.

YOzone Card Scheme

Details of current arrangements were contained in Annex A to the report. Approval was sought to investigate options for the launch of an 'all operator' Yozone bus pass for those aged 16-19, following Members' endorsement of proposals to extend discounted bus travel to include students in further education.

Public Transport Information

Details of current arrangements were contained in Annex B to the report. It was recommended that the improvements made to publicity literature during 2008 be built upon by continuing to deliver the best printed bus information and publicity within available resources. The alternative was to provide additional staff resources to achieve better delivery of printed information. Further recommendations to improve telephone, internet and real time passenger information (RTPI) were outlined in paragraphs 208 to 226 of the report.

Bus Stop Infrastructure

The strategic direction for on-street bus infrastructure was set out in Annex C to the report. Members were invited to note this information and to support Officers' efforts to improve and maintain the bus stop infrastructure in York.

Air Quality

Latest figures showed that 47% of the total York bus fleet had reached the EURO III standard for cleanliness of engines, as compared to the LTP2 target for 2011 of 89%. The minimum standard for tendered services was EURO II. Officers would continue to monitor the development of hybrid buses and, through the Quality Bus Partnership, encourage bus operators to invest in cleaner vehicles. However, it was recommended that the minimum standard for all tendered local bus services be raised to EURO III from 2011.

Having noted the comments of the Shadow Executive on this item and the comments made by Cllr Gillies under Public Participation, it was

RESOLVED: (i) That the options presented in the various sections of the report be noted.

(ii) That, in relation to **Commercial Bus Services**, continued efforts should be made to improve passenger waiting facilities and bus priority measures across the City,

with effort focused on commercial routes, and that current investment levels in these areas should be sustained.¹

(iii) That **subsidised services** be retained, to run to September 2011, that the lowest tenders be accepted for continuation of existing services, as tabled, but that consideration of the proposals to discontinue subsidised bus services (shown in table 5, paragraph 87) be deferred until the Council's budget position is clear and alternative travel options have been clarified and, to that end, that Officers be requested to report further on the shared taxi / taxi bus options mentioned in the report.²

(iv) That approval be given in principle to undertake a trial utilising a new **Dial & Ride** vehicle to deliver peak commuter journeys for a rural village.³

(v) That the inclusion in the LTP capital programme of one new, fit for purpose minibus, to be used for both Dial & Ride and rural, peak time scheduled services, be agreed.⁴

(vi) That Officers be instructed to investigate the possibility of re-negotiating a new service level agreement with the current provider, York Wheels.⁵

(vii) That approval be given to increase the Dial & Ride fares from £2.50 to £3.50 for a day ticket and from £1.25 to £1.75 for a single ticket and to devolve future fare increases to the Officer in Consultation process.⁶

(viii) That the production of a further Officer report, on the partnership working, cost and potential options involved for the upgrade of **Park & Ride** one-bus ticket machines to make them ITSO smartcard compatible, be supported.⁷

(ix) That, in the interests of speeding up boarding times both in town and at site, Officers be asked to report further on the options for extending the use of off-bus ticketing facilities.⁸

(x) That, in relation to **Concessionary Travel**, approval be given to retain the current operating hours for bus pass acceptance and to withdraw any alternative to the bus pass for the over 60s, but to increase the value of tokens to £50 for eligible disabled people.⁹

(xi) That Officers be requested to investigate further and report on the costs and advantages of replacing the anonymous token system with an auditable stored value taxi card system from 2010/11 and on the system for the under 60s disabled, which allows them to purchase additional tokens.¹⁰

(xii) That, in the light of the above decisions, Officers be instructed to consider ways of optimising the issue of transport tokens including, where economical, home delivery and bulk collection by nursing homes.¹¹

(xiii) That Officers be instructed to investigate the options available to the Council for the launch of an 'all operator' **Yozone** 16-19 product and to produce a subsequent report outlining the implications.¹²

(xiv) That Officers be requested to investigate the feasibility of remotely accessing **Public Transport Information** data within the Metro 'COSA Trackbuilder, to improve Traveline telephone and internet data quality.¹³

(xv) That approval be given to tender the travel information telephone service and retain the existing local telephone number (01904 551400).¹⁴

(xvi) That approval be given, with the agreement from bus operators, to purchase a licence for the Real Time Passenger Information 'Bus Operator Reports' product and run alongside on-street bus monitoring for one year before fully transferring to this stream of information.¹⁵

(xvii) That, in respect of **air quality**, approval be given to raise the minimum standard of engine rating on all tendered local bus services to EURO III from 2011.¹⁶

REASON: In order to continue to develop bus travel, in partnership with the bus industry, to ensure that bus patronage in the City continues to rise.

Action Required

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|---|----|
| 1. Continue improvements to waiting facilities and bus priority measures | SS |
| 2. Accept lowest tenders for continuation of services and schedule report on Forward Plan re shared taxi / taxi bus options | SS |
| 3. Make arrangements to undertake trial | SS |
| 4. Include new minibus in LTP capital programme | SS |
| 5. Investigate re-negotiation of SLA with York Wheels | SS |
| 6. Implement fare increase as agreed | SS |
| 7. Schedule report on Forward Plan re on-bus ticket machines | SS |
| 8. Schedule report on Forward Plan re off-bus ticketing facilities | SS |
| 9. Make these changes to the bus pass / travel token scheme | SS |
| 10. Investigate potential of stored value taxi card system and schedule report on Forward Plan | SS |
| 11. Consider improvements to issue arrangements for travel tokens | SS |

12. Investigate options for 16-19 YOzone card and schedule report on Forward Plan	SS
13. Make arrangements for the twice-yearly printing of bus maps	SS
14. Investigate the feasibility of this option	SS
15. Make arrangements to tender the travel information telephone service	SS
17. Purchase a licence for this product as agreed	SS
16. Implement the EURO III standard as agreed	SS

158. SHARED SERVICE - BUSINESS CASE

Members considered a report which provided details of the final Business Case for the shared service between City of York Council (CYC) and North Yorkshire County Council (NYCC) in respect of internal audit, counter fraud and information governance services.

The two councils had been working in partnership since September 2007 to develop the shared service, which was intended to provide greater resilience, capacity and flexibility for both councils, as well as the delivery of increased efficiencies. An Outline Business Case and timetable had already been approved by the Executive Member for Corporate Services in March 2008. The Project Board had now completed the detailed Business Case for Phase II, which had been made available to Members and on the Council's website as Annex 1 to the report.

Members were invited to consider the following options:

Option 1 – proceed with the full implementation of the company, wholly owned by both councils. This was recommended, as the most appropriate long term structure for the shared service.

Option 2 – ask Officers to examine the alternative structural options, which had previously been rejected.

In response to the issues raised on this item under Public Participation, Officers reported that NYCC had that morning approved the arrangements for the shared service in full awareness of UNISON's concerns. Staff and unions had been kept informed of developments throughout the process. The company would be council owned, with both CYC and NYCC holding an equal number of shares. It would operate in accordance with the principles and governance arrangements as indicated under 'Legal Implications' at paragraph 21 of the report.

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

RESOLVED: (i) That approval be given to proceed with the implementation of the wholly owned company (Option 1) as the appropriate long term organisational structure for the shared service (Option 1), in accordance with the details set out in the report and the attached Business Case.¹

REASON: To enable the implementation of the appropriate long term structure for the shared service (Part II of the strategic plan).

(ii) That the appointment of the Executive Member for Corporate Services and the nominated Officers to the Board of Directors of the shared service company be agreed.²

REASON: To ensure appropriate governance and accountability for the shared service company.

(iv) That the shared service be authorised to carry out functions relating to housing benefit and council tax benefit, using Section 70 of the Deregulation and Contracting Out Act 1994 and the Contracting Out (Functions of Local Authorities: Income-Related Benefits) Order 2002.³

REASON: To ensure that staff employed by the shared service company can properly undertake future investigations into benefit related fraud.

(v) That the Council be authorised to enter into a Premises Licence with the shared service company for the future use of office accommodation.⁴

REASON: To enable the Council to provide fully serviced accommodation to the shared service company.

(vi) That the Council be authorised to enter into an agreement for an overdraft facility with the shared service company.⁵

REASON: To ensure that the shared service company has adequate funds to cover its working capital requirements.

(vii) That Officers report to a future Executive meeting on the staffing issues that remain to be determined.⁶

REASON: To ensure that these matters are satisfactorily addressed.

Action Required

- | | |
|--|----|
| 1. Implement arrangements for the wholly owned shared service company | SA |
| 2. Appoint the Executive Member and nominated Officers to the Board of Directors | SA |
| 3. Make the necessary arrangements for the shared service company to perform these functions | SA |
| 4. Enter into Premises Licence with the shared services company | SA |
| 5. Enter into agreement for an overdraft facility for the shared services company | SA |

159. SECOND PERFORMANCE AND FINANCIAL MONITOR FOR 2008/09

Members considered a report which provided details of the headline performance issues from the second performance monitor period up to 31 October 2008 and presented the latest projection of the Council's revenue out-turn for 2008/09.

With regard to performance issues, improvements had been made in respect of 62% of key performance indicators so far this year, with 65% on target. However, the LAA indicators were causing some concern, with only 52% of those reported showing improvement at this point. Details were provided in Annex 1 to the report and in paragraph 17. Key improvements were noted in the following areas:

- York schools (now ranked 3rd nationally)
- The timeliness of children's social care assessments
- Adult social care self directed support
- Collection rates for household waste and recycling
- Meeting the affordable homes target
- Reducing road traffic accident casualties
- The timeliness of invoice payments
- Corporate health.

Areas of concern included

- The looked after children population
- The size of the NEET (not in education, employment or training) population
- The effect of the economic downturn on home owners and businesses.

With regard to financial issues, the current projection was for a net underspend of 1,528k in the year on the General Fund budget. The level of reserves for CPA purposes was forecast to stand at £9,225k. It was noted that the sum of £2,576k set aside in the Venture Fund was fully committed on the Administration Accommodation and [Easy@york](#) projects. There was also a potential call on reserves of £200k as a result of the York High School fire. Members were asked to consider:

- Requests for supplementary estimates submitted by the Executive Member for Leisure, Culture and Children's Services (detailed in paragraph 26 and Annex 2) and
- A request from the Executive Member for City Strategy to use the capital element of the additional Housing and Planning Delivery Grant (£135k) to fund structural maintenance (detailed in paragraph 39).

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 Corporate Management Team and directorates.

- (ii) That approval be given to fund the following supplementary estimate requests from the contingency fund:
- a) £72k for court costs fees for child protection cases, as set out in paragraph 26 and Annex 2 to the report.
 - b) £70k for legal fees, as set out in Annex 2
 - c) £40k for fostering costs (of the total £80k requested), with an update report on the full costs of fostering, the importance of which is appreciated, to be brought to a future meeting.¹

(iii) That the remaining supplementary estimate requests in Annex 2, amounting to £84k, not be approved.

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

(iv) That the request of the Executive Member for City Strategy to use the capital element of the additional Housing and Planning Delivery Grant (£135k) to fund structural maintenance currently charged to revenue, as set out in paragraph 59, be agreed.²

REASON: In accordance with budgetary and performance monitoring procedures.

Action Required

- | | |
|--|----|
| 1. Make the agreed adjustment to the budget and schedule report re fostering costs on Forward Plan | SA |
| 2. Make the agreed adjustment to the budget | SA |

160. CAPITAL PROGRAMME - MONITOR TWO

Members considered a report which presented the likely out-turn position of the Council's 2008/09 Capital Programme, based upon information to November 2008, and sought approval for certain adjustments to the programme.

The current approved programme amounted to £63.93m, financed by £45.854m of external funding, leaving a cost to the Council of £18.085m. The predicted out-turn against this programme was £60.537m, representing a net decrease of £3.393m, comprising adjustments to schemes and the re-profiling of budgets (including the Administration Accommodation Scheme) to future years. Details of the variances in each portfolio area were set out in Table 2, at paragraph 6 of the report. There had been £31.432m capital spend up to the end of November 2008, representing 49% of the approved budget. This compared to 44% at the same time last year.

Paragraphs 10 to 34 of the report summarised key exceptions and implications on the programme in each portfolio area, as reported to Executive Member and Advisory Panel (EMAP) meetings. The revised three-year programme resulting from these changes was summarised in Table 12, at paragraph 35. Approval was sought for the re-stated programme and for slippage on the 2008/09 programme. Members were also asked to recommend the funding of a shortfall of £120k on the Disabilities Facilities Grant Scheme and retention costs of £6k at Acomb Library from capital receipts.

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

RESOLVED: (i) That the 2008/09 revised budget of £60.537m, as set out in the report at paragraph 6 and Table 2, be approved.

(ii) That the net slippage of £20.8m for the Administrative Accommodation project to 2011/12 and future years, net slippage of £1.474m for the rest of the capital programme, and adjustments of -£624k in 2008/09, £804k in 2009/10 and £662k in 2010/11 be approved.¹

(iii) That the re-stated three-year capital programme for 2008/09-2010/11, as set out in paragraph 35, Table 12 and detailed in Annex A be approved.

(iv) That the capital receipt projections for 2008/09-2010/11, as summarised in Table 13, be noted.

(v) That Council be recommended to approve the funding of the shortfall on the Disabled Facilities Grant (£120k) and retention costs at Acomb Library (£6k) from capital receipts.²

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

Action Required

- | | |
|--|----|
| 1. Adjust the budget on the ledger | SA |
| 2. Include this recommendation in capital budget report to Executive / Budget Council in February 2009 | SA |

161. FINAL REPORT OF THE HEALTH SCRUTINY COMMITTEE - DEMENTIA REVIEW

Members considered a report which presented the findings and recommendations of the Health Scrutiny Committee following their Dementia Review. The review had examined the experience of older people with mental health problems (and their families and carers) accessing general health services for secondary care, in order to identify areas for improvement.

The Chair of the Committee, Cllr Fraser, was in attendance to answer any queries on the review or report. Cllr Moore indicated that he had also been involved in the review at its early stages, as a member of the Health Scrutiny Committee before his appointment to the Executive.

The Committee's final report, attached at Annex 1, had been approved by the Scrutiny Management Committee (SMC) on 17 December 2008. The SMC had suggested that, once the recommendations in the report had been approved by the Executive, a copy be sent to the Chief Executive of the NHS, the Secretary of State and all participants in the review. The recommendations arising from the review were summarised in paragraph 8 of the cover report.

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

RESOLVED: (i) That the contents of the Health Scrutiny Committee's final report be noted with thanks.

(ii) That the recommendations set out in the final report be approved.¹

(iii) That the following actions arising from the report be agreed:

- a) That all agencies involved in the care of older people be requested to sign up to the DoH document 'Your care, your dignity, our promise'.²
- b) That the final report be forwarded to the Joint Integration Commissioning Group to inform the discussions on future commissioning strategy for those suffering from dementia.³

REASON: In order to respond appropriately to the findings of this scrutiny review.

Action Required

- | | |
|--|----|
| 1. Arrange for the recommendations in the final report to be implemented | GR |
| 2. Request relevant agencies to sign up to this document | GR |
| 3. Send report to the JICG | GR |

162. MEMBER DEVELOPMENT

Members considered a report which sought approval to sign up to the Improvement and Development Agency (IDeA) / Local Government and Humber (LGYH) Member Development Charter, and to implement the necessary changes to achieve charter status and improve Member development in the Council.

Member development had been highlighted through the Comprehensive Performance Assessment (CPA) as an area that required improvement in York. It currently formed part of the role of the Senior Member Support

Officer, who held a £10k budget for this purpose. Most other authorities had had a dedicated officer to oversee member development. The last specific programme of activities had run during 2007, since when activities had been organised on an ad hoc basis. A further programme was intended for 2009.

It was recommended that a strategic and evaluative Member-led scheme be developed, based upon an annual programme of development appraisals for all Members. Activities would be decided by an all-party Member Development Working Group and the scheme would continue to be led by Democratic Services. Feedback to inform planned work would be provided at the end of each event and via development appraisals. Annex 1 to the report showed how the scheme would operate. An example of a development appraisal form was provided at Annex 2.

RESOLVED: That approval be given to:

- a) Sign up the IDeA Member Development Charter;¹
- b) Implement the outline Member Development Scheme, as set out in paragraphs 21-40 of the report;²
- c) Delegate to the Member Development Working Group responsibility to decide a Member Development Programme, appropriate training and development activities and budget.³

REASON: In order to improve Member Development at the Council.

Action Required

- | | |
|---|----|
| 1. Sign up to the IDeA Charter | KS |
| 2. Implement the Member Development Scheme | KS |
| 3. Make arrangements to delegate these matters to the Working Group | KS |

163. URGENT BUSINESS - THE BARBICAN AUDITORIUM

Members considered a report which provided an update on the position with regard to the Barbican Auditorium following the Council's termination of the conditional development agreement with Absolute Leisure Limited (ALL).

The Chair had agreed to consider this matter under urgent business in view of the need to gain the views of the Executive at an early stage, before bringing a more detailed options report to a future meeting.

The report outlined the events leading up to termination of the agreement with ALL on 9 January 2009, in consequence of the failure of ALL to complete the contract and commence building works on 5 January 2009. Officers reported at the meeting that they had now gained possession of the building and were thus in a position to take the immediate steps described in paragraph 10 of the report. These included external improvements, a condition survey, determination of revenue costs and

seeking advice on legal and procurement processes and the current and future markets for entertainment uses.

Members would need to re-consider their objectives for the building in the light of the advice received. The main options likely to be considered were to:

- Re-market the building as originally envisaged
- Market the building with a new brief
- Procure an operator or establish a trust to operate the building on behalf of the Council
- Bring the facility back into a usable condition for the Council to operate
- Market and sell the building for non-entertainment use.

Potential options would be developed and brought back to Members within six weeks. In the meantime, as the Council currently had no budget for the Barbican, funding was required to meet the costs of heating, maintenance, security and specialist advice.

RESOLVED: (i) That the contents of the report be noted and the work to be undertaken by Officers approved.

(ii) That a further report be requested for early March, when Officers will be able to provide a more detailed analysis of the long-term and interim options described in this report.¹

(iii) That the requirement of £120k revenue funding for 2009/10 be included in the current budget setting process.²

REASON: To deal with the immediate issues arising from termination of the agreement with ALL and to enable Members to consider long term options for the Barbican Auditorium.

Action Required

- | | |
|--|----|
| 1. Schedule options report on Forward Plan for Executive meeting in March 2009 | CB |
| 2. Ensure that this sum is included in the budget reports to EMAP / Executive / Budget Council | CB |

164. CHAIR'S REMARKS - DIRECTOR OF NEIGHBOURHOOD SERVICES

The Chair noted that this was the last Executive meeting to be attended by Terry Collins, Director of Neighbourhood Services, who was leaving the Council to take up a new post in Durham. He wished to place on record the Executive's thanks to Terry for his work in York and to welcome Adam Wilkinson as the new interim Director.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 4.20 pm].

Executive Meeting 3 February 2009

EXECUTIVE FORWARD PLAN

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 16 February 2009		
Title & Description	Author	Portfolio Holder
<p>Bids for Funding from the Council's Venture Fund</p> <p><i>Purpose of report: To provide Members with the views of the Venture Fund Panel on a number of bids which are requesting funding from the Venture Fund.</i></p> <p><i>Members are asked to: approve (where appropriate) the advance of funds from the Venture Fund.</i></p>	Ross Brown	Executive Member for Corporate Services
<p>Capital Budget 2008/09 to 2010/11</p> <p><i>Members are asked to: Consider the capital budget proposals from Directorate EMAPs and consider corporate funding of the programme.</i></p>	Ross Brown	Executive Member for Corporate Services
<p>Revenue Budget 2008/09 to 2010/11</p> <p><i>Purpose of report: To present to Members consolidated budget proposals from Directorate EMAPs.</i></p> <p><i>Members are asked to: Consider added corporate issues with a view to setting the Council's budget.</i></p>	Steve Morton	Executive Member for Corporate Services
<p>Treasury Management Policy 2008/09 – 2010/11</p> <p><i>Purpose of report: To set the Council's Treasury Management Policy and Strategy and Performance Indicators for the period to 2010.</i></p> <p><i>Members are asked to: Approve the Policy. This is to conform with statutory requirements.</i></p>	Louise Branford-White	Executive Member for Corporate Services

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 3 March 2009

Title & Description	Author	Portfolio Holder
<p>Risk Management Policy Statement and Strategic Framework</p> <p><i>Purpose of report: To set before Members the draft Risk Policy Statement and Strategic Framework.</i></p> <p><i>Members are asked to: Approve the Statement and Strategic Framework.</i></p>	David Walker	Executive Member for Corporate Services

Table 3: Items slipped on the Forward Plan with the agreement of the Group Leaders					
Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>Vehicle Maintenance Procurement</p> <p><i>Purpose of report: To inform Members of the proposed procurement arrangements for the maintenance and management of the Council's fleet.</i></p> <p><i>Members are asked to: Consider the recommendations in the report.</i></p>	Sarah Kirby	Executive Member for Neighbourhood Services	03/02/09	14/04/09	Further consideration is required of the options available to the Council.
<p>Comprehensive Performance Assessment</p> <p><i>Purpose of report: To provide Members with a detailed briefing on the latest government performance framework.</i></p>	Peter Lowe	Executive Member for Corporate Services	03/02/09	03/03/09	Owing to the delay with the formal publication of the CPA result.

<p><i>Members are asked to: Note the report's recommendations and comment.</i></p>					
<p>Consideration of Discretionary Rate Relief Appeals</p> <p><i>Purpose of report: To ask the Executive to consider appeals against refusal of discretionary rate relief.</i></p> <p><i>Members are asked to: Consider appeals against refusal of discretionary rate relief.</i></p>	<p>Charlie Croft</p>	<p>Executive Member for Leisure, Culture & Social Inclusion</p>	<p>03/02/09</p>	<p>N/a</p>	<p>Deleted from the Forward Plan as no appeals received.</p>
<p>Improving the Council's Direct Communications</p> <p><i>Purpose of report: To provide further information and options for improving the Council's direct communications.</i></p> <p><i>Members are asked to: Comment on the contents of the report.</i></p>	<p>Matt Beer</p>	<p>Executive Leader</p>	<p>03/02/09</p>	<p>TBC</p>	<p>For further work.</p>

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Executive

3 January 2009

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

1. This report presents the minutes of recent meetings of the Social Inclusion Working Group, the Local Development Framework (LDF) Working Group and the Young People's Working 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 – minutes of the meeting on 19 November 2008 (Annex A) and draft minutes of the meeting on 15 January 2009 (Annex B)
 - LDF Working Group – draft minutes of the meeting on 6 January 2009 (Annex C). Minutes of the previous meeting, on 4 November 2008, were brought to the Executive on 23 December as part of the report on the Revised Local Development Scheme.
 - Young People's Working Group – draft minutes of the meeting on 15 January 2009 (Annex D).

Consultation

4. 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

- 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

- Members are asked to consider the following recommendation to the Executive contained in the attached draft minutes of the Social Inclusion Working Group at Annex B (Minute 32):

That it be recommended to the Executive that the following community groups, be invited to nominate co-opted non-voting representatives to serve on SIWG until such time as an umbrella group is in place to represent the views of disabled people:

- *Access Group (physical and sensory disabilities)*
- *York People First (learning disabilities)*
- *Valuing People Partnership (learning disabilities)*
- *York Mental Health Forum (mental health)*

- For information the current membership, as approved by Full Council, allows for two non-voting co-opted members to represent each equalities 'strand'. If this recommendation were approved, the Executive would need to recommend to Council the appointment of two additional co-opted members representing the disability 'strand'.

Corporate Priorities

- 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

- 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 by the Board:
 - **Financial**
 - **Human Resources (HR)**
 - **Equalities**
 - **Legal**
 - **Crime and Disorder**

- **Property**
- **Other**

Risk Management

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

Recommendations

10. Members are asked to note the minutes attached at Annexes A to D and to decide whether they wish to:
- a) Approve the specific recommendations made by the Working Groups, as set out in paragraph 6 above;
 - 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:

Fiona Young
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Chief Officer Responsible for the report:

Quentin Baker
Head of Civic, Democratic and Legal Services

Report Approved



Date 21/1/09

Specialist Implications Officer(s) None

Wards Affected:

All



For further information please contact the author of the report

Annexes

Annex A – Minutes of the meeting of the Social Inclusion Working Group held on 19 November 2008.

Annex B – Draft minutes of the meeting of the Social Inclusion Working Group held on 14 January 2009.

Annex C – Draft minutes of the meeting of the Local Development Framework (LDF) Working Group held on 6 January 2009.

Annex D – Draft minutes of the meeting of the Young People's Working Group held on 15 January 2009.

Background Papers

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

City of York Council

Committee Minutes

MEETING	SOCIAL INCLUSION WORKING GROUP
DATE	19 NOVEMBER 2008
PRESENT	COUNCILLORS LOOKER (VICE-CHAIR, IN THE CHAIR), BROOKS, GUNNELL AND SUNDERLAND (SUBSTITUTE) JACK ARCHER, SUE LISTER, PETER BLACKBURN,, SARAH FENNELL, RITA SANDERSON, DARYOUSH MAZLOUM AND JAN JAUNCEY (NON-VOTING CO-OPTED MEMBERS) <u>EXPERT WITNESSES IN ATTENDANCE</u> JOHN BETTRIDGE – MENTAL HEALTH FORUM DAVID BROWN – YORK ACCESS GROUP STEVE ROUSE –CYC
APOLOGIES	COUNCILLORS VASSIE, ASPDEN AND SUE GALLOWAY PAUL WORDSWORTH (NON-VOTING CO-OPTED MEMBER)

17. 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.

18. PUBLIC PARTICIPATION

There was one registration to speak at the meeting under the Council's Public Participation Scheme.

Ruth Thompson informed the Group that she was the parent of a disabled child and belonged to CANDI (Children and Inclusion), which was a forum for the parents/carers of children with disabilities or special needs. It was a voluntary organisation and members sat on many different committees in the health sector, council and other professional organisations to take part in decision-making about services for disabled children. The Group had been asked to train professional people in York on Disability Equality – what it means to children, how it could be improved and how it affected family life. There was no funding to pay parents to do this training. The Group was therefore requesting that SIWG funding of £500 be donated to the Group as a one-off grant to pay the parents to provide the training.

The training would require one parent per session with a payment of £50 per parent. This could then result in ten training sessions being provided.

The Chair thanked Ruth for the information provided and stated that the request would be considered when the funding of projects was considered later in the meeting.

19. MINUTES

RESOLVED: That the minutes of the last meeting of the Group, held on 17 September 2008, be approved and signed by the Chair as a correct record subject to the word “photograph” being removed from paragraph 1 of Minute 14, and paragraph 6 of Minute 14 being amended to read “...the BME Citizens Open Forum had been held at the Early Music Centre”.

20. MATTERS ARISING

The Council’s Head of Licensing and Regulatory had been invited to attend the meeting to update the Group on taxi licensing matters. He was accompanied by the Taxi Licensing Officer and representatives from the Hackney Carriage and Private Hire Associations.

The Head of Licensing and Regulatory informed the Group that it was hoped to set up an accreditation scheme to ensure that certain standards of service were achieved. He would welcome the contribution that members of the Group could make to the development of such a scheme.

He was asked if there was a list available detailing the taxi companies that provided services to wheelchair users. Cards providing contact details of vehicles with wheelchair access, were circulated to the Group. The intention was that the cards would also be issued by taxi drivers who did not themselves have vehicles with wheelchair access, to passengers who required this service. The information was also available on the council’s website and handed out with travel tokens. The Group was informed that 17% of the licensed hackney cabs had vehicles that were wheelchair accessible, and most of the larger private taxi companies had at least one taxi that was wheelchair accessible. All Hackney taxis could store a wheelchair in the boot of the vehicle. Members of the Group stated that there were often difficulties in obtaining a wheelchair accessible taxi at the start and end of the school day because they were being hired by the Council to transport children with disabilities. Many wheelchair users had to pre-book taxis to ensure their availability and were not therefore able to make unplanned journeys.

He was asked if taxi drivers were trained in how to support disabled people. He stated that there was no legal requirement for them to do so. The introduction of an accreditation scheme would be one way of addressing this issue.

Clarification was sought regarding charges. It was noted that Hackney taxis were not permitted to charge an additional sum for transporting a wheelchair. No charge could be made for carrying an assistance dog but there was a charge for other animals. Some private companies did charge for wheelchairs and it was therefore important to check. No charge could be made for assistance dogs.

The representative from the private hire association was asked at what point the meter started running when a taxi arrived to collect a passenger. He explained that the policy of his company was that if a journey was pre-booked the meter would not start prior to the agreed pick-up time. If the client was late, the meter was started after five minutes. All reasonable assistance was provided to passengers. There were issues in respect of public liability once a driver assisted a passenger outside the vehicle but some companies had taken out separate insurance cover for this purpose. Taxi drivers would welcome training being offered to enable them to better assist passengers with particular needs.

The representatives were thanked for their attendance at the meeting.

- RECOMMENDED: (i) That the Group would seek volunteers to assist in the drawing-up of an accreditation scheme for taxi drivers.
- (ii) That, as many of the groups represented at SWIG were taxi users, a request be made that the draft accreditation scheme be considered by the Group in due course.

REASON: To ensure that inclusion and equality activity is supported in the City.

Action Required

- | | |
|---|----|
| 1 Officers to seek volunteers to assist with accreditation scheme | GR |
| 2 Report to be made back to the Group when information available | GR |

21. CHAIR'S REPORT

- (a) Social Inclusion Working Group, Forward Plan 2008/09

Consideration was given to the updated Forward Plan (Work Plan) 2008/09. It was noted that the item on working with ward committees had been deferred to the meeting in January 2009. The discussion regarding Community Cohesion issues had also been deferred pending further data becoming available. Rita Sanderson asked if the Council had a Community Cohesion strategy. Officers explained that a strategy was not yet in place but this was being addressed.

(b) Community Representation on the Group

It was noted that there were two co-opted places on the Working Group for representatives of people with disabilities. As there was no umbrella group representing organisations supporting people with disabilities, consideration was given to the most appropriate way forward. It was suggested that York People First, the York Access Group and the Mental Health Forum would be able to make a worthwhile contribution to the Group. They were already engaged in SIWG work as expert witnesses. Discussion took place as to whether there were other groups who should also be considered. It was hoped that, in the future, there would be an umbrella organisation for the groups representing different strands of disability. There was, however, a need to have representation on the Working Group in the interim. Rita Sanderson offered her support in setting up a disabled people's interim forum. This offer was welcomed but it was noted that the drive for the establishing of such a group had to come from the disabled community.

It was noted that there were various opportunities for groups to have a say on issues that impacted on them as SIWG meetings were open to the public and the views of additional expert witnesses were welcomed. It was suggested that there was a need for wider consultation before appointments were made to fill the co-opted vacancies.

RECOMMENDED: That a report be prepared for the next meeting on the membership of the Group and the issues raised.

REASON: To ensure that SIWG was representative of all of the equality strands.

Action Required

1 Report prepared for next meeting on membership issues GR

22. COMMUNITY FORUM REPORTS AND FEEDBACK

The Group received the following reports:

(a) Interfaith Forum

The Group gave consideration to the survey of religions and belief groups in York that had been carried out jointly by York Interfaith and Churches Together in York. The aim had been to explore the current work, perceptions, and concerns of the main religions and belief groups in the city. Forty-five Centres of Worship and meeting places of Belief Groups were represented in the returns. Jan Jauncey went through the key issues. She explained that there were a number of points raised by the survey that would be taken forward, including raising awareness of integrated activities, an annual faith conference and a joint environmental project. Officers

informed the Group that the main findings from the survey would be included in the Council Equality and Inclusion Strategy 2009-12.

A separate questionnaire on Equalities and Diversity had also been circulated but, of those who had responded to the survey, only 30% had completed the form.

The Group expressed their best wishes to Paul Wordsworth who was currently in hospital.

(b) York Racial Equality Network (YREN)

Rita Sanderson updated the Group on events in which YREN had been involved.

- On 1 October 2008, YREN had formally launched their Senior Citizens Ethnic Elders Social Group. The group had been pleased to welcome Jack Archer of the York Older People's Assembly, who had provided the opening introduction. Attendees had included representatives from Age Concern, the Older People's Assembly and other organisations.
- YREN had hosted and facilitated the York BME Citizens Open Forum on 18 October 2008. The theme had been based on community safety and the launch of the new YREN racial harassment information cards. Key issues had included the lack of awareness of the meaning of hate incidents and a reluctance by individuals to report incidents for fear of reprisal or because they felt the incident would not be taken seriously. Possible key themes for future Open Forums included community safety, community cohesion, inequalities with health provision, and English as an additional language support.
- Rita reminded the Group that YREN elected representatives to serve on SIWG on an annual basis. It had been agreed in 2007 that the Forum would elect one male and one female representative. She sought advice as to whether there could be some flexibility in this matter. She was informed that it would be permitted for the representatives to be of the same gender.

Concerns were expressed regarding the increasing costs of hiring community venues. It was felt that this could prevent organisations from meeting or holding events. Steve Rouse suggested that organisations might wish to consider hiring Youth Service accommodation, as the rates were competitive.

The Group were concerned to note that a member of the public had attended a YREN event who had behaved in such a way as to make other participants feel very uncomfortable. The Police had been notified and had confirmed that the person was known to them. Officers asked if other representatives had experienced similar incidents. It was noted that some of the Groups represented used

PO Boxes for correspondence and that difficulties sometimes arose in respect of promoting the support they provided or advertising particular events.

(c) Lesbian Gay Bisexual Transgender (LGBT)

Peter Blackburn reported that their AGM had taken place and a new committee was in place. Work to develop a new website was progressing well and it was hoped that the site would be available by the end of the year. Mesmac was involved in delivering diversity training at York College and this appeared to be having a good impact. There was a growing demand for social events to be arranged and another Pride event would take place in 2009.

(d) York Older People's Assembly (YOPA)

- Consideration was given to the findings of the YOPA questionnaire. Sue Lister went through the key issues with the Group. It was noted that having a receptive Council had been considered the most important factor. Issues had also been raised in respect of staff training in all services.
- An evaluation of the 50+ Festival was circulated. It was pleasing to note that the event had bridged the generations and had been a celebration of inclusiveness.
- A paper was circulated which summarised the consultation that had taken place at the Equality and Human Rights Commission (E&HRC) event held on 17 November 2008. This had been one of a series of twelve consultations that were taking place nationally on behalf of E&HRC, with the aim of achieving grassroots input into the three-year equality scheme being prepared by the E&HRC.
- The Group's attention was drawn to a DVD entitled "Sisters on the Planet" which had been produced by Oxfam and Christian Aid. Copies were available from Oxfam.

(e) Young People

- Steve Rouse informed the Group that young people from Applefields School had been taking part in the Duke of Edinburgh Bronze Award. Three students had already completed the award and four more would have done so by Christmas. They had taken part in an expedition and had coped extremely well.
- A disability trampolining club was taking place on Monday evenings from 5.00 pm to 6.00 pm at All Saints School.
- The Law College had been asked to deliver a workshop to raise young people's awareness of their rights.
- The Children's Fund Programme Manager had met with young people as part of the consultation on the Children and Young People's Plan.
- Steve informed the Group that he had attended a Transgender Awareness Workshop. This had been extremely worthwhile and he recommended the training to others. Further sessions were due to be held at the Priory Centre in York on 15 December 2008, 18

February 2009, 16 April 2009 and 25 June 2009. (For further information contact: www.GenderShift.com or Bookings@GenderShift.com).

23. PROJECT PROPOSALS FOR SIWG BUDGETS 2008/9

The Group were asked for their views as to the projects they would recommend were funded through the SIWG budget for 2008/9.

Consideration was given to the notes from an informal meeting of SIWG representatives that had been held on 22 October 2008 at which suggested projects had been discussed. The proposals put forward were:

1. A Diversity Exhibition – each group would create its own part of a diversity display and the display boards could be used at festivals and events or split up for small events held by individual groups. They could also be displayed at libraries or put up at Council or public events.
2. A Diversity Garden – a shared garden where everyone would feel welcome. It would be fully accessible and would also be a sensory garden for people with sight impairment.
3. Diversity Fun at Festivals – putting on events, workshops, speakers, displays, presentations, performances and stalls at festivals run by partner groups eg Pride Picnic in the Park, 50+ Festival, International Women's Week, One World Week, YUMI etc.
4. Diversity Day – have a special day in York each year to celebrate diversity. This could include stalls, the diversity display, balloons, picnic, performances, crafts activities, food, games, quizzes and dancing.

A further two outline project proposals were tabled at the meeting as follows:

- An application for £500 had been put forward by the representative from CANDI (Item 2 on the agenda).
- Steve Rouse and Rita Sanderson put forward a partnership bid to enable them to engage more BME young people with the Young People's Service and assist them in accessing its services.

The Group agreed that the priority for projects as outlined in the written report circulated before the meeting should be:

- The Diversity Exhibition Boards
- The Diversity Day.

It was noted that there was a need to obtain costings for these projects before decisions could be taken. It would also be necessary to ensure that a suitable storage place could be found for the exhibition boards should the decision be taken to purchase them.

Views were put forward that the groups represented on SIWG should each receive an amount of funding to assist with costs associated with their

attendance at the meeting, eg travel, the costs of circulating information arising from the meeting and other associated expenses. It was noted that although £250 had previously been allocated to groups represented on SIWG, this had been a one-off grant to help groups hold extra events to help identify issues that community groups wanted to be considered in the drafting of the Council's Equality and Inclusion Strategy 2009-12. The only funding that was available in relation to meetings was to meet expenses such as room hire and refreshments for SIWG meetings.

The Group were reminded that, at their meeting on 12 March 2008, principles had been agreed as a guide for the distribution of SIWG funding. It had been agreed that projects funded by SIWG project budgets should:

1. Contribute to Social Inclusion Working Group objectives and agreed yearly work plans
2. Support the engagement of the widest audience in each of the six Equality Strands i.e. Gender, Race, Disability, Sexual Orientation, Religion and Belief, and Age
3. Aim to engage hard-to-reach groups within each strand
4. Explore new or emerging issues
5. Be innovative and not previously tried
6. Not be main running costs, which would not be funded
7. Receive priority when brought forward by a number of community groups and covering a number of Equality strands

RECOMMENDED: (i) That a report be prepared for the next meeting, detailing costings for the diversity display and diversity day, together with other funding options.

(ii) That those interested in putting forward application about Diversity Exhibition Boards and the Diversity Day would send costing details to the Equalities team to be incorporated into the report.

REASON: To enable the Group to make recommendations regarding project expenditure for 2008/09.

Action Required

1 Report on funding options to the next meeting

GR

24. ENGAGING WITH THE EQUALITY STRANDS

A discussion paper had been circulated on "Engaging the Equality Communities in the Social Inclusion Working Group". The paper described how people from the equality communities were engaged in SIWG at present, and asked questions about this process. It had been intended that the paper would form the basis of small group work and that feedback from the groups would be used to draft an Engagement Strategy

2009-12 for SIWG, which would be finalised at the SIWG Development Day on 27 February 2009.

- RECOMMENDED: (a) That a special meeting of SIWG be convened to consider issues in respect of engaging with the equality strands.
- (b) That members of SIWG would give consideration to the questions in the discussion paper in preparation for the special meeting.

REASON: To enable full consideration to be given to the development of the work of SIWG

Rizwana Khan informed the Group that she was working with the Equalities Team until June 2009 and was looking at issues in respect of gender engagement. She was keen to meet with representatives on an individual basis in order to find out what work was already taking place on this issue. The information received would feed into the Equality Strategy that was being prepared. Representatives were asked to notify Rizwana of their availability to meet with her.

Action Required

1 Arrange a special meeting of SIWG to consider equality strand issues GR

J Looker, Chair

[The meeting started at 6.35 pm and finished at 9.15 pm].

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City of York Council

Committee Minutes

MEETING	SOCIAL INCLUSION WORKING GROUP
DATE	14 JANUARY 2009
PRESENT	COUNCILLORS VASSIE (CHAIR), ASPDEN, BROOKS, GUNNELL, LOOKER (VICE-CHAIR) AND SUE LISTER (NON-VOTING CO-OPTED MEMBER) AND RITA SANDERSON (NON-VOTING CO-OPTED MEMBER)
	EXPERT WITNESSES IN ATTENDANCE: DAVID BROWN (ACCESS GROUP) JIM DOHERTY (ACCESS GROUP) LARRY HOTCHKISS (YORK OLDER PEOPLE'S ASSEMBLY) CLAIRE NEWHOUSE (HIGHER YORK) MAUREEN RYAN (VALUING PEOPLE PARTNERSHIP) CAROLYN SUCKLING (ACCESS GROUP)
APOLOGIES	SARAH FENNELL (NON-VOTING CO-OPTED MEMBER), JAN JAUNCEY (NON-VOTING CO-OPTED MEMBER), LINDA MCELROY (EXPERT WITNESS), DARYOUSH MAZLOUM (NON-VOTING CO-OPTED MEMBER), PAUL WORDSWORTH (NON-VOTING CO-OPTED MEMBER), GEORGE WOOD (EXPERT WITNESS) AND GEORGE WRIGHT (EXPERT WITNESS)

25. 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.

26. INTRODUCTIONS

Introductions were carried out and the new expert witnesses were welcomed to the meeting. It was noted that Jack Archer would no longer be a representative of York Older People's Assembly on SIWG and that YOPA had nominated Larry Hotchkiss as his replacement.

27. PUBLIC PARTICIPATION

There was one registration to speak at the meeting under the Council's Public Participation Scheme.

Lynn Jeffries updated the Group on the setting up of a Disabled People's Forum. The first open meeting of the Forum would take place on Thursday 12 February 2009 at 12 noon at the York Racial Equality Network (YREN) offices. It was intended that, at the meeting, two representatives would be sought to serve on SIWG. Thanks were expressed to YREN for facilitating the meeting and to those who had given their support in the setting up of the Forum.

28. MINUTES

It was noted that, at the meeting, approval had been given for both representatives of an equality strand to be of the same gender should it not otherwise be possible to fill a vacancy. The Group confirmed that this arrangement should be on a temporary basis only and that the principle remained that there should be one male and one female representative to ensure gender balance.

RESOLVED: That the minutes of the meeting of the Group, held on 19 November 2008, be approved and signed by the Chair as a correct record.

29. MATTERS ARISING

Volunteers were sought to assist the Council's Head of Licensing and Regulatory in drawing-up an accreditation scheme for taxi drivers.

RESOLVED: That Jim Doherty and Geoff Henman (subject to his approval) be nominated to assist in the drawing-up of an accreditation scheme for taxi drivers¹.

Action Required

To notify the Council's Head of Licensing and Regulatory of the nominations. GR

30. CHAIR'S REPORT

The Chair gave a PowerPoint presentation on Social Inclusion Working Group activity during 2008 (copy attached at Annex 1 of these minutes).

The Group agreed that the "Help us Get it Right" day had been extremely useful and that this type of event was an excellent model for consulting and engaging with community groups. Copies of the feedback report were tabled (copy attached at Annex 2 of these minutes).

Clarification was sought as to whether student volunteers were still involved in the work of the Group. Officers explained that the students had completed the report that they had been preparing and, as a number of the

students had subsequently graduated or been involved in preparations for their examinations, no further projects were planned at present.

RESOLVED: That the Chair's Report be received.

31. PROJECT PROPOSALS FOR FUNDING IN 2008/9

Members received an updated report on project proposals following on from the paper that had been considered at the meeting on 19 November 2008. Members were asked to offer their support to the outline project proposals expected to be funded from the SIWG projects support budget 2008/9 for work to be carried out in 2009/10.

The following options were put to the Group for consideration:

- To support the projects outlined in Annex 1 of the report.
- Not to support any of the projects in Annex 1 and to seek new project ideas.
- To support some of the projects in Annex 1.

Clarification was sought as to whether funding could be allocated to a group that had no formal connection with SIWG. Officers confirmed that this was possible and that funding for a project had previously been allocated to the Citizens' Advice Bureau.

RESOLVED: (i) That the following outline project proposals, as detailed in Annex 1 of the report, be supported:

- SIWG Diversity Mobile Exhibition £1,940
- SIWG Diversity Day £1,500
- Supporting CANDI (Children and Inclusion) Parents to offer Disability Training £500
- YREN/Young People's Collaboration Regarding BME youth inclusion £500

(ii) That the Group recommended that the remaining funding of £660 be retained for contingencies.

(iii) That the project to develop a diversity mobile exhibition be led by YREN.

(iv) That the Diversity Day project be led by the York Older People's Assembly (YOPA) and, in view of their expertise in arranging events, the Lesbian Gay Bisexual Transgender Forum be asked if they were willing to jointly lead the project.

REASON: To ensure that project budgets promote equality and inclusion.

Action Required

1 To note the Group's recommendations when funding is allocated. GR

32. DISABILITY COMMUNITY REPRESENTATION ON SIWG

Members received a report asking them to consider the representation of the disability strand on the Group, following the resignation of the single co-opted non-voting individual who had been representing disability issues whilst a Disabled People's Forum was being formed.

It was noted that the Council's Housing and Adult Social Services Directorate and York Council for Voluntary Services were currently working together to facilitate the setting up of a Centre for Independent Living (CIL) in York. In line with government recommendations, the CIL should be managed by disabled people to provide services and support for disabled people. Once the Centre was in place and a managing board had been constituted, there would be the opportunity to seek two co-opted non-voting representatives from amongst disabled people members of the CIL management board to serve on SIWG.

The Group also considered the comments made under the public participation item on the agenda regarding the progress in establishing a Disabled People's Forum.

Discussion took place as to the implications of having one equality strand with four co-opted representatives on the Group whilst the other strands would have only two. It was noted that the proposal to recommend that four representatives be appointed would ensure that each of the disability equality sub-strands was represented.

The following options were presented to the Group:

- To invite the community groups listed in paragraph 9 of the report to provide one co-opted non-voting representative each (i.e. four representatives in total) to serve on SIWG until such time as a CIL management board had been put in place.
- Not to appoint disability community co-opted non-voting representatives on SIWG until the CIL management board was in place, drawing on the advice of current disabled expert witnesses in the meantime.
- To seek two co-opted non-voting representatives from amongst the 45 disability community groups currently listed in the York Citizens' Guide.

Discussion took place as to whether it would be appropriate to defer making a recommendation regarding the membership of the Group at this time in view of forthcoming developments regarding a Disabled People's Forum and the establishing of the Centre for Independent Living. It was,

however, agreed that it was important that this issue was addressed as soon as possible. The Group could, in the future, review its composition and make further recommendations to Council as appropriate.

- RESOLVED: (i) That it be recommended to the Executive that the following community groups, be invited to nominate co-opted non-voting representatives to serve on SIWG until such time as an umbrella group was in place to represent the views of disabled people¹:
- Access Group (physical and sensory disabilities)
 - York People First (learning disabilities)
 - Valuing People Partnership (learning disabilities)
 - York Mental Health Forum (mental health)
- (ii) That it be requested that efforts be made by the Council to support the swift establishment of a Disabled People's Forum.

REASON: To ensure that there is appropriate disability community representation on SIWG.

Action Required

1 To forward the recommendation to the Executive for consideration GR

33. EQUALITY AND INCLUSION STRATEGY AND SINGLE EQUALITY SCHEME

Members received a report outlining the approach to the Council's Equality and Inclusion Strategy and Single Equality Scheme 2009-12 that followed on and updated:

- Pride in Our Communities, the Equality Strategy and Schemes 2005-8 and
- The Single Corporate Equality Scheme for the period July 2008 to July 2009

The report also outlined past and future consultation to offer the opportunity to people from the equality strands to influence the contents of the strategy and scheme 2009-12.

The first draft of the strategy and single equality scheme 2009-12 would be brought to SIWG for consideration and comments in Spring 2009, before being submitted to the appropriate Council decision making meeting for approval by Summer 2009.

Discussion took place as to ways in which young people were represented on SIWG. It was noted that the Group included expert witnesses from the Young People's Service and Higher York. It was agreed that it was also

important that every effort was made to include young people when consultation and engagement events were held.

Concerns were expressed that the recent Cycle Survey had not included equalities data. The Chair informed the Group that he continued to raise the issue of the collecting of equalities data as it was imperative that this information was requested as a matter of routine when surveys were carried out.

RESOLVED: That the report be noted.

REASON: To inform members about the development of the equality and inclusion strategy and schemes 2009-12.

34. ENGAGING WITH THE EQUALITY STRANDS - SMALL GROUP DISCUSSION

Members received a report outlining how people from the equality communities were currently engaged with SIWG. Small groups were formed to consider the discussion paper attached as Annex 1 to the report. The written feedback from the groups was forwarded to the Equalities and Inclusion Officer and would be discussed further at the Group's Development Day in February 2009. Information gathered from this meeting and the Development Day would be used to draft an Engagement Strategy for SIWG.

RESOLVED: That the issues raised in the group discussions regarding the following issues be considered when the Engagement Strategy 2009-12 was being drafted¹:

- Co-opted non-voting representatives
- Expert witnesses
- Community participation and engagement events

REASON: To ensure that SIWG includes as many people from the equality strands as possible in its work.

Action Required

1 To ensure the feedback is taken into account when Engagement Strategy is drafted

GR

35. CHAIR'S COMMENTS

The Group were updated on forthcoming events:

- International Women's Week would take place from 7-14 March 2009. Further information was available from www.yorkwomen.org.uk

- York Older People would be holding an event on Monday 19 January 2009 at 2.00 pm at St Saviour Gate. Speakers would include representatives from Yorkshire Housing (new handyperson service) and the Fire Service (fire safety in the home).
- Real People Theatre production of “Holding the Granny” would take place on Thursday 12 March 2009.

Cllr Vassie, Chair

[The meeting started at 6.30 pm and finished at 8.40 pm].

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Social Inclusion Working Group (SIWG) Chair's Report



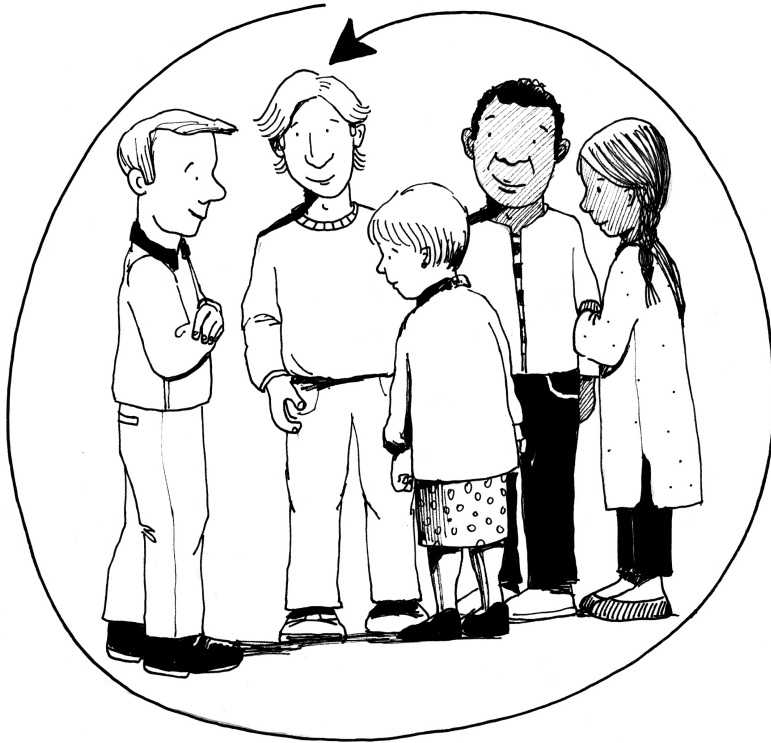
November 2007-December 2008

Overall



- Developed the way we work
- Developed SIWG grants
- Involved more people
- Looked at important plans and services
- Looked at Council Equality Impact Assessments

Developing our Group



- First Development Day
- Looked at objectives
- Planned our work and use of money
- Inclusive meetings
- More people joined us
- Developed joint projects

Using SIWG money

Helped us to:

- Communicate with the community
- Gather information from the community
- Co-fund an Inclusive City Forum scheme



Involving more people



- Expert witnesses
- Student-volunteers
- "Disabled People Together" day
- Community surgeries
- "Help us to Get it Right" day (the EIAs Fair)
- Surveys and forums
- Engaging our communities better

Looking at Council and other plans

We made sure Council Executive knew our views on:



- A Centre for Independent Living
- The Local Development Framework
- Inclusive York antipoverty strategy
- Council Marketing and Communications work
- Taxi licensing
- Council equality strategy 2005-8: 2nd year update
- Council Single Equality Scheme 2008-9

Council Equality Impact Assessments (EIAs) are..

.....tools to help Council officers make sure that Council policies and practices do not have a negative impact on people because of their:

- Gender
- Race
- Disability
- Age
- Religion and Belief
- Sexual Orientation



Equality Impact Assessments (EIAs) Day 5.11.2008



- "Help us to Get it Right" day
- 50 people
- 12 groups
- 9 workshops
- Will help plan services that we need
- Newsletter

Services at "Help us to Get it Right" Day



- Information and access to Leisure Services
- Contact the Council
- Waste and Recycling
- Adult Social Care
- Children and Young People
- Housing Benefits Abuse (Fraud)
- Safeguarding Adults

Strategies at Help us to Get it Right Day



- The Future of Our City: The Sustainable Communities Strategy
- Homeless Strategy

Further information from

- Evie Chandler - Equality and Inclusion Manager

Tel: 01904 551704

E-mail: evie.chandler@york.gov.uk

- Jayne Carr - Democracy Officer

Tel: 01904 552030

E-mail: jayne.carr@york.gov.uk

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'Help us get it right' Day 5th Nov 2008



Feedback report December 2008

What was the day about?

The council, and its Social Inclusion Working Group, want to make sure that everything we do, alone or with other organisations, is as inclusive as possible.

Council staff from 9 different services held workshops to discuss important areas of their work. We want to make sure we do all we can to promote equality and inclusion in the way we work and serve the public.



Who was there?



Over 45 delegates attended the day. Some delegates were individuals and others were from the following community and voluntary groups or organisations:

York Humanists

Higher York

Interfaith Forum

York Youth Service

Churches Together in York

York LINK

Valuing People Partnership Board

Older People's Assembly

York People First

York Carers Forum

York Access Group

Mental Health Forum


What did we find out?

Information and Access to Leisure Facilities



This workshop concentrated on printed publicity material, like leaflets, and buildings. This covered Libraries, Adult Education, Sport and Active Leisure, Parks and Open Spaces and Arts and Culture.

This is what we found out:

- Generally printed material was ok.
 - There are some improvements needed in using signs to help with readability.
 - Some publications needed to use larger fonts.
 - Some people liked some publications, whilst others disliked them. There was no universal agreement about this.
 - How material is distributed and displayed is as important as how it is produced.
- 
- Signage on buildings is important.
 - Background colour on walls makes it inviting.
 - Some photos on the outside of buildings to show the inside makes them more inviting.
 - Someone to welcome people into a building is important.
 - Displaying leaflets in accessible places is important.
 - Perhaps having a single focus for information would be good.

However there was a clear message that we should not over rely on printed information and that it was ok as far as it went but that we needed to find other ways of communicating the message. Ideas included:

- Better use of posters, public spaces to display material e.g. supermarkets.
- Developing a network of people to promote events and pass information on.

- Large screens that promoted events and activities.
- A single publication – like the citizens guide that listed information and contact details

What are we going to do with this information?

- The information about printed materials is going to be fed back into the group that deals with marketing and printed material.
- We are going to develop some standards and guidelines to include the use of symbols in publicity where appropriate.
- We are going to consider where we might produce material in other formats.

If you would like more information on this work, contact Alistair Gourlay, Head Of Lifelong Learning. Alistair.gourlay@york.gov.uk
01904 554294

The Future of our City



Without Walls is the name of the city-wide partnership that produces York's Community Strategy. The partnership is made up of services like education, health, housing, police and social services. It also includes community and voluntary groups and business people.

The Community Strategy is a long-term plan that tackles challenges facing our city. It has been updated for 2008. Without Walls now wants everyone to work together to deliver the plan. We can all help with this.

The Without Walls team asked how easy or hard it would be to help out. They asked about living a healthy lifestyle, looking after the environment and building a strong community spirit.

They found out about some of the barriers that stop people from taking part in these activities. These included the expense of healthy food, leisure facilities and bus travel. Comments collected

also confirmed that we need to do much more to make information on these subjects accessible to everyone.

The comments collected will be taken to the following partnerships for their consideration:

- Healthy lifestyles comments to the Healthy City Board.
- Looking after the environment to the York Environment Partnership.
- Building strong communities comments to the Inclusive York Forum.

If you would like more information about Without Walls contact Denise Simms, 01904 552027 or denise.simms@york.gov.uk

Homeless Strategy



This workshop focused on the Homeless Strategy for 2008-13, which was published in July this year. The Strategy is trying to end the use of emergency temporary accommodation by planning ahead to use re-housing and independent living instead.

The Strategy has four key strands:

- Partnership working and developing shared objectives. This means we had to ensure this strategy fitted in with other work like the Local Area Agreement.
- Preventions advice and information. A wide range of services contributes directly and indirectly to the prevention of homelessness. For example, services improving people's education and skills; identifying and supporting those at risk at an early stage; and ensuring an adequate supply of affordable housing.
- Accommodation. In the short term we will improve the quality and use of temporary accommodation, to help us move towards longer term housing in the future. Having affordable homes is also crucial. In 2007/8 approximately 50 affordable homes were available and over the next two years the target is 425 affordable homes.

- Support Services will need to develop towards providing support that either keeps customers in their existing accommodation or helps them live independently.

The Strategy has a five-year action plan that supports all the work above. This will mean that the council and partners will need to adopt new working practices, think and plan for the future and develop flexible policies that deal with future challenges.

We had detailed discussions at the workshop about the Strategy. Generally people thought it was good and they supported the new approach that was being taken.

If you would like more information on the Homeless Strategy contact Tom Brittain, Housing Operations Manager.

Tom.brittain@york.gov.uk 01904 551262.

Contacting the Council



This workshop concentrated on some of the different ways to access council services and what will be important in the design of the council's new customer service centre. The session also looked at the new 'Feedback and Complaints'

leaflets and procedures.

This is what we found out:

The new customer centre:

- Meet-and-greet is very important.
- Provide induction loop systems.
- Bring together different services around 'life' events.
- Clear signs needed.
- Need confidentiality ensured when in an open area.

The website:

- Website not designed for easy accessibility – can't find information quickly.

Opening Hours:

- One late night per week would be good.

Email:

- Need to get an acknowledgment that email has been received, and when to expect a reply.
- Need a central location where you can make an enquiry and then the right person emails you back.

Telephone:

- Council telephone numbers could be better advertised.

Text Messages:

- Could be used to advise on road works – text alerts by subscription.

Feedback & Complaints leaflet:

- Provide an advocacy service.
- Offer support in making complaints.
- Vital for people with support needs to have other ways to complain and know how to complain.
- Use plain English.

What are we going to do with this information?

We will use this information in developing the various ways to access council services in the new customer centre.

We are creating new standards and procedures for 'Feedback and Complaints', which will take into account the comments received.

Who to contact for more details

Jane Collingwood, Business Change Manager, 01904 553407
Lorraine Lunt, Customer Relations Improvement Officer, 01904 553421
Kofi Mensah, Business Analyst, 01904 553404
Email: yourviews@york.gov.uk

Waste and Recycling



This workshop looked at signage and information on waste and recycling around the city.

What did we find out?

- Use the Higher York Students website to explain recycling to students.
- Large dumpsters could be dangerous.
- Assisted collection – talk to agencies such as Age Concern.
- Review progress annually.
- Phone numbers are different on bins.
- Use the Recycle for York logo more.
- Give feedback on how we are doing compared to the rest of the country and what happens to our recycling.
- Learn from other authorities - Milton Keynes is excellent at recycling.
- People are keen to recycle food waste.
- Signage needs to be consistent to build up people's knowledge.
- Plastic bag recycling bin at each bring site.
- Signs on main roads to sites – could they be improved?
- Could the council sell a can or cardboard crusher?
- Leaflets (people thought they were '1st class!'), are they 100% recycled?

What are we going to do with this information?

We will use this information to improve our services and make them more accessible.

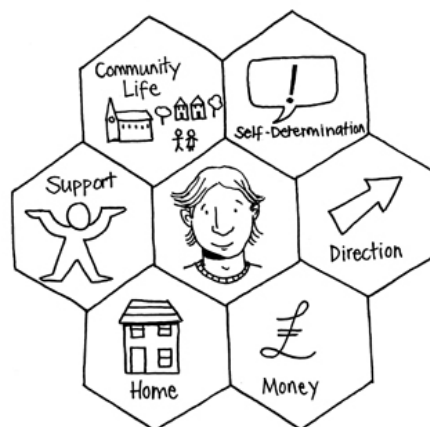
- Leaflets - talk to York Access Group and York People First to help make improvements.
- Investigate opportunities to promote recycling via churches/faith groups, student societies, and cinema adverts.
- Use cartoons/humour in our communications to attract attention.
- Increase the range of road shows to take the message out further.
- Increase service to include promoting composting and rainwater re-use?

- Advertise assisted collections through York Older People's Assembly, Age Concern, Help The Aged, St Sampson's Centre or through the council tax form?

If you would like more information on recycling please contact the recycling team recycling.team@york.gov.uk. 01904 551551

Adult Social Care

This workshop looked at people using Individual Budgets to meet their support needs. This might be people from different ethnic groups, older people, people with physical or sensory impairments, or people with learning disabilities.



An Individual Budget is worked out following a self-assessment.

When a person knows how much money they are entitled to they can then make plans on how to spend it to meet their individual needs. Some people may be able to do this on their own, but others may need some help to do this. They can get this help from a national organisation called 'In Control' (www.in-control.org.uk). Their website has lots information and stories about people who have been using an Individual Budget to meet their support needs.

The workshop group liked:

- The idea of Individual Budgets.
- Giving people a bigger element of independence.
- Empowerment :opportunity for freedom.
- More flexible scheme for individuals.
- The flexible and individualised approach.

The workshop group were concerned about:

- Discrimination in the community.
- Trust – strangers in people's homes.
- Dealing with real people from all backgrounds.
- Payments being index linked to increase with the cost of living.

- Ageing community – more demand.
- Not enough guidance.
- The move / transition from one method of delivery to another.
- Timescale of moving to Individual Budgets.
- Money – is there enough?
- People who are not literate or articulate may miss out – unless they have close and supportive/understanding relatives and carers.
- The best way for people to get to know about this is via Age Concern, the Citizens Advice Bureau, their doctor.
- Care for older people needing temporary care on discharge from hospital – lack of communication between hospital and home-care (home help, community nurse or social worker). Who is responsible for making this link?
- Standard of care and attitudes of some home care agencies now they are privately run and financed. Who should check on levels of training and care?
- The constant cuts in Government funding and Local Authority funding requires care managers to work on less and less money.

What are we going to do with this information?

- Explain the process to family carers, voluntary organisations and individual people.
- Carry out a number of road-shows.
- Use examples of where an Individual Budget has helped someone, and how they overcame any problems
- Help people tell their own stories to inspire others.

For More information contact Ralph Edwards, Deputy Head Of Learning Disabilities. 01904 554105 Ralph.Edwards@york.gov.uk

Children and Young People



This workshop was an excellent opportunity to engage with the wider community about the Children and Young Peoples Plan.

The Children and Young Peoples Plan sets out how all services work together to meet the needs of children and young people in York.

These were some of the issues raised:

- All children and young people in York should have the best possible start in life.
- We must be concerned about the effects of poverty on children and young people. Especially as it can affect those who are most vulnerable.
- Support for parents and how agencies can help through information, advice and guidance.
- Safety in the community, especially about bullying. There was recognition that much work was being undertaken but there could be no room for complacency especially about homophobic and racial bullying and cyber-bullying.
- Recreational activities were important and need to be inclusive.

What we will do with these comments:

The workshop was part of a wider engagement process on the Children's and Young Peoples Plan. The plan is currently being written and will be published at the end of March 2009. It will be available in a number of formats and staff will be available to give feedback on the contents of the plan.

If you would like more information contact: Bernie Flanagan
Early Intervention Fund Manager – Bernie.Flanagan@york.gov.uk
01904 554463

Housing Benefit Abuse (Fraud)



This workshop explained how people claim housing and council tax benefit and what the council does in cases where they think someone might be deliberately claiming when they shouldn't (this is fraud).

These were some of the issues raised:

- raise the awareness of fraud - publicity should include something about the cost of fraud to citizens of York.
- reporting changes of circumstances should be made easier, for example by telephone or internet contact.

What we will do with these comments:

- We will include details of the cost of benefit fraud as part of the council's annual publicity campaign about benefits in spring 2009.
- We will continue to work to simplify the process for claiming benefit and telling the council of changes of circumstances. For example you will soon be able to tell the council about a change over the phone.

If you would like more information on benefit issues contact John Madden, Benefits Technical Manager. John.madden@york.gov.uk
01904 552206.

If you would like more information on benefit fraud contact Richard Smith, Deputy Audit & Fraud Manager. Richard.smith@york.gov.uk
01904 552936

Safeguarding Adults



This workshop was about the two main messages in the safeguarding adults policy, which are a) knowing what safeguarding is and b) knowing what to do about it.

Safeguarding means making sure you are safe from abuse and neglect. It also means helping people to be independent and to make choices. Safeguarding means working together to help keep people safe. We want everyone to know what safeguarding is and what to do about it.

We wanted to find out how we could make sure that the policy was accessible to all communities and what would stop people getting the information and help they need. We asked people:

- What are the best ways for you to get information about abuse?
- What would make it easier for you to report abuse?

What we found out.

How to make the policy more accessible:

- Provide information in an accessible style/format, for example
 - TV adverts, articles in the press.
 - send a leaflet to every household.
 - give out wallet sized cards with details of who contact.
 - run a drama workshop with different scenarios.
 - Website/DVD.
 - Use pictures in information.
 - Put information on tapes.
 - Posters in doctor's surgeries/post office/libraries.
- Provide information through people's own community groups and organisations where they can talk to their peers/ feel safe/get advice.
- Use existing forums to spread information.
- Set up a help-line or help-centre.
- Train staff to understand issues experienced by particular communities or involve vulnerable people in training sessions.
- Explain the steps of what happens when you report to reduce people's anxieties.

Getting help when abuse is reported:

- Establish peer support through people's own networks / existing forums.
- Support befrienders / survivors networks.
- Establish back-up team for long term support.
- Give presentations at meetings of groups/forums.
- Use mediation not just punishment (e.g. school bullying mediation).
- Tell potential abusers that we take it seriously and we will do something to stop it long term.
- Encourage reporting from people in the community e.g. neighbourhood watch.

What we will do with what we found out:

- Report the outcome to the Safeguarding Partnership Board and consider any further resources required.
- Report on safeguarding to other Partnership Boards that are in place and request that members take the suggestions and concerns into the forums that they represent.
- Ensure that staff training and public awareness programmes to promote safeguarding are reviewed.
- Consider any strategies, which may need amending to take account of the EIA outcome.
- Ensure that approaches to personalisation reflect different individual requirements for safeguarding.

For advice and information on safeguarding contact:

Advice & Information Service, PO Box 402, 10-12 George Hudson Street, York, Y01 6ZE
8.30am to 5pm Monday to Friday

tel: (01904) 554141, minicom: (01904) 554120

fax: (01904) 554119

email: housing.socialcare@york.gov.uk

For comments on the Safeguarding Adults Policy contact:

Anne Bygrave, Assistant Director Assessment & Personalisation

Anne.bygrave@york.gov.uk

MEETING	LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP
DATE	6 JANUARY 2009
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), POTTER (VICE-CHAIR), AYRE, D'AGORNE, MERRETT, MOORE, REID, SIMPSON-LAING, R WATSON AND WATT

18. 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.

19. MINUTES

RESOLVED: That the Minutes of the meeting of the Local Development Framework Working Group held on the 4 November 2008 be approved and signed by the Chair as a correct record.

20. PUBLIC PARTICIPATION

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

21. CITY CENTRE AREA ACTION PLAN ISSUES AND OPTIONS REPORT-CONSULTATION SUMMARY

Members considered a report, which updated them on the consultations carried out on the City Centre Area Action Plan Issues and Options Report (28 July to 22 September 2008). Members were asked to note and comment on the findings of the report and note and comment on the next steps in preparing the Preferred Options document for presentation to Members later in 2009.

The Principal City Development Officer introduced the report and described where this fitted into the wider Local Development Framework. He reported that this document, which had been put out for public comment, had received a broad and interesting range of views, thoughts and concerns. It was noted that the next report would go to the LDF Working Group in March/April 2009.

City Centre Area Action Plan – Key points

Officers provided details of the key points arising from the July to September 2008 Consultation. This included: what had been done and what responses had been received; the positive outcomes from the consultation and general headlines; and the key concerns and ideas raised, including decisions that would need to be made in the next few months.

Members then raised various points and concerns to which Officers responded:

- The consultation workshops. That it had been made clear, to those involved in the consultation process, what could and could not be influenced.
- That at the next stage, difficult and controversial decisions would need to be made, but that Members, the City Council and partners would be involved in the decision making process.
- That the boundaries referred to in paragraph 18 of the report, included one for the Central Historic Core and two others for the Draft Local Plan City Centre Inset boundary and the City Walls boundary.
- That the question of a third city centre swimming pool would be noted.
- The issue of whether retail outlets should be allowed in the Castle and Piccadilly areas. The Retail Study had argued in favour of this, but there were other views against this. However, it was noted that this was an issue for the longer-term future of the city and that views on this issue might have changed.
- That the process might have been too focussed on specific sites and issues rather than a broader strategy over 20 years. Reference was made to the Timms Report of one year ago, but it was noted that the world economic situation had since changed. Officers replied that the study had sufficient capacity, even with the most conservative assumptions and that the Retail Study was a 20-year study.
- It appeared that mixed messages had been received about Housing referred to on page 20 of the report. Officers confirmed that housing target priorities were the elderly and young people.

Next Stages – Preferred Options

Officers then presented the Next Stages - Preferred Options, which outlined how the comments would be used to inform further studies in the city centre, the evidence bases and other strategies and plans, and the timetable. It was stated that a report would be presented to the LDF Working Group in March/April 2009 with options and justifications, and that the timetable would avoid the summer holiday period.

At this point Members raised various comments and concerns, which were addressed by Officers. These included:

- That there were opposing views about some of the options and these would be assessed and brought to the next meeting with the preferred options outlined.
- It was agreed that work would be done to obtain a better response and that evidence-based studies would look at scenarios, especially with regard to transport etc.
- It was acknowledged that informal dialogue was important and very healthy.
- Once decisions were made, they would be justified with background information provided.
- There were proposals to work in partnership with key groups such as the City Centre Steering Group, York Civic Trust and English Heritage and gain their input/sign up to the next stages and at the same time raise the profile of the Area Action Plan aims and objectives.
- That it was important to have a shared and agreed vision for York.

Preferred Options Plan

Officers then outlined a suggested approach towards a Preferred Options Plan, which would need to be accessible, of high quality, sound and robust. Officers stated that the plan would include three documents – a Preferred Options Justification Document, a Preferred Options Policy Framework Document and a Spatial Masterplan.

In response to questions raised by Members, Officers responded that:

- Officers would also provide a short summary of the three documents.
- City centre living and issues of access were acknowledged as important.
- Transport merited a section on its own.
- Cross-referencing with other documents was important.
- Wider ownership and partnership was important and that each key proposal would have identified partner organisations, with outlined costs and the delivery plan.
- The deliverability of proposals would be tested.

RESOLVED:

- (i) That the comments received from consultees in response to the City Centre Area Action Plan Issues and Options report consultation be noted and their consideration supported, alongside emerging evidence base documents and the findings of sustainability statement in informing the production of a City Centre Area Action Plan Preferred Options report and, where relevant, other emerging LDF documents.
- (ii) That Members' comments on the City Centre Area Action Plan Issues and Options Report – Consultation Summary be noted.

- (iii) That the next steps and initial thoughts on preparing the preferred options document detailed in the report, and Members comments on this approach, be noted.

REASON: To ensure that the LDF City Centre Area Action Plan can be progressed to its next stage of development as highlighted in the Council's Local Development Scheme.

Cllr S. F. Galloway, Chair

[The meeting started at 4.30 pm and finished at 5.40 pm].

City of York Council

Committee Minutes

MEETING	YOUNG PEOPLE'S WORKING GROUP
DATE	15 JANUARY 2009
PRESENT	COUNCILLORS AYRE, FRASER, LOOKER (CHAIR), RUNCIMAN AND VASSIE
APOLOGIES	COUNCILLORS FUNNELL

15. 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:

- Councillor Fraser – a personal interest in agenda item 4 (Myplace) as an affiliated member of the Club and Institute Union and as a City of York Council nominated participating observer on York CVS Board of Trustees.

16. MINUTES

RESOLVED: That the minutes of the last meeting of the Working Group, held on 22 October 2008 be approved and signed by the Chair as a correct record.

17. PUBLIC PARTICIPATION

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

The Chair gave Councillor Alexander as Young Person's Champion, a standing invitation to attend all future meetings of the Working Group so that he could have a voice at the meetings. As he is not on the Committee he will not be able to have a vote.

18. AN UPDATE ON MYPLACE

Members had previously requested an update on preparations for a myplace bid, following the decision in September 2008 to postpone this until the second round of bidding in 2009.

Members heard from Phil Bixby, a local community architect who has been appointed to assist with the process. He advised Members that his brief consists of 2 main areas. The first is to pick up on the work previously undertaken in relation to the Railway Institute site and the second is to look into and identify a Plan B: a substitute facility which would be less ambitious in scope and could be the subject of an alternative myplace bid.

Mr. Bixby advised that he is turning the information already gathered for the Railway Institute bid into a brief for the project which will include the needs for the site and any conflicts. He will be liaising with young people to obtain more feedback about what they want from the site and advised that the first session with young people is due to take place the following week.

Members discussed possible ideas for a plan B site. Ideas included a shop front/café with a drop in centre above or at the rear of the premises offering youngsters somewhere to go and socialise, but incorporating an area for advice and further information on Youth Services.

Officers commented that a high quality place for young people to meet is still a priority for York even if the myplace bid does not prove successful. Members were advised that the Railway Institute bid will remain the priority and that Mr. Bixby's contract can be extended if required.

RESOLVED: That the Young People's Working Group note this update.

REASON: So that additional investment in youth facilities in the City is in line with our corporate priorities, and the views of residents and young people themselves.

19. CHILDREN AND YOUNG PEOPLE'S PLAN 2009-12 - PROPOSED PRIORITIES

Members considered a report which updates on the progress in producing the next Children and Young People's Plan (2009-12), which is being developed by the YOR-OK board. This follows extensive consultation with Young People and relevant bodies.

Officers outlined the Plan for Members and advised that the right hand column of the table in Annex B of the report, shows the list of proposed priorities. Members were advised that outcome 4 shows options and ideas that relate to "making a positive contribution", which would be of particular interest to this Working Group.

Members commented that they would like to see a Festival of Youth in York as suggested in outcome 4. Certain Members felt that the suggestion was too tentative and should be something that is definitely carried out. Members suggested that the successful Over 50s festival could be used as a template for developing a Youth Festival in the City.

Officers advised that the main points of the plan will be made public through schools and the local link magazine. Members suggested that Ward meetings could be useful in broadcasting details of the plan to a wider audience.

RESOLVED: 1) That the summary of the views of Young People and their Parents at Annex A be noted by Members.

2) That the proposed strategic priorities for the new Children and Young People's Plan set out in Annex B be noted by Members.

RESOLVED: To ensure that Children and Young People's views are reflected in the new Plan.

Councillor Looker, Chair

[The meeting started at 5.00 pm and finished at 6.45 pm].

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Executive

3 February 2009

Report of the Assistant Director of Resources (Customer Service & Governance)

Comprehensive Area Assessment & Use of Resources Assessment 2009

Summary

- 1 This report provides an overview of the Comprehensive Area Assessment (CAA), including the new Use of Resources Assessment and internal preparations which seek to address any risk areas that could affect the first assessment result in November 2009.

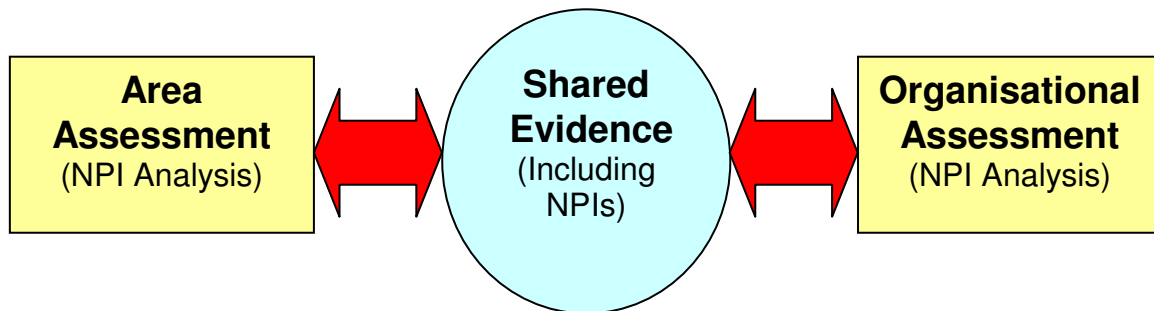
Background

- 2 CAA comes into effect from April 2009 onwards and will be the main external assessment process which the government will use to assess local authorities and the effectiveness of their Local Strategic Partnerships (LSPs). It will bring together seven inspectorates to provide an overview of how successfully the council and LSP are working together to improve the quality of life in York – in particular those priority areas of improvement set out in the city's Local Area Agreement (LAA) and Sustainable Community Strategy (SCS).
- 3 Other key features of CAA are that:
 - it will replace CPA, JARs, APAs and social care star ratings with an annual assessment identifying key risks to achieving priority outcomes or service delivery;
 - the assessment will all draw on the new national indicator set, and will be heavily influenced by the views of residents and those using services (mainly through the 'Place Survey'). The new performance framework is made up 196 national performance indicators (NPIs), which are very different to the old statutory indicators (e.g. BVPIs, PAF, HIP). They are much more outcome focused and concentrate on what it is like to live and work in York.
- 4 The main change CAA brings compared to CPA is a shift away from service related performance to a focus on the local authority. CAA is more about delivering outcomes in partnership and:
 - is about people and places;
 - will give people a snapshot of life in York each year;
 - will help improve quality of life in the York area;
 - will help citizens understand if they are getting value for money from the council and other partners.

- 5 Although the CAA process does not formally commence until April 2009, in reality it has started already as the 2008 LAA and the 35+ targets will be the main focal point for the assessment and the national performance indicator results for 2008/09 will be used in next year's inspection. The new Use of Resources assessment will cover the current financial year with fieldwork commencing in the spring of 2009.

The two assessments of CAA

- 6 CAA will have two main assessments that will (through shared evidence), inform each other to produce an overall set of results for the council, its LSP partners and the area they manage. The first is called the **Area Assessment**, which will examine how effectively local services are delivering priority outcomes for local people (e.g. economic prospects, community safety, etc), and how these are likely to improve in the future.
- 7 The second is called the **Organisational Assessment** and is primarily aimed at the council, although other key LSP partners will also be assessed separately. This assessment is made up of two themes (**Use of Resources and Managing Performance**), which examine the council's organisational effectiveness using 12 KLOEs (Key Lines of Enquiry). Where appropriate, additional risk-based assessments may also be carried out in areas where performance or improvement levels are not satisfactory or declining.



- 8 Working closely with LSP partners, the council will be expected to produce evidence to help support both assessments. Failure to do this effectively will extend the inspection process and place a reliance on the external inspectors to investigate further on the council's behalf.

The Area Assessment

- 9 The area assessment will focus on three main questions:
1. How well do local priorities express community needs and aspirations?
 2. How well are the outcomes and improvements needed being delivered?
 3. What are the prospects for future improvements?

Further detailed questions underpinning these main themes are listed in Annex 1 to this report.

- 10 The broad canvass that these three questions give the inspectors, and the more free flowing approach to the inspection process that CAA provides, with a shift away from policy/process and compliance to a more outcome focused approach, is reflected in the following extract from the recent consultation document:

"Taking the area covered by the LAA as the starting point, by 'area' we mean the scope of any outcomes the council is delivering alone or in partnership with other public, voluntary, community or business organisations. The assessment will trace the focus and scope of any agreed local target. It will 'shrink' to trace progress in particular neighbourhoods or communities, or expand to cover MAAs and sub-regional agendas, as appropriate."

- 11 The Area Assessment aspect of CAA will be reported in two ways. Firstly by a narrative/report that is web based and publicly accessible that focuses on: key priorities, overall successes and challenges, and a summary of prospects. Secondly by giving 'flags' to an area as follows:
- Green flags – to recognise exceptional successes and achievements of local partnership.
 - Red flags – to indicate where current arrangements are inadequate to deliver the necessary improvements and that more or different action is needed AND where the inspectors are not satisfied that sufficient corrective action is being taken.

Organisational Assessment

- 12 The organisational assessment will focus on how well the council delivers value for money in the way it uses its resources and manages performance. The assessment is designed to ensure councils are held accountable for contributing effectively towards the delivery of the Local Area Agreement and other regional improvements (e.g. the MAA).
- 13 The assessment uses 12 KLOEs under 4 key themes :
- 1. Managing finances – looking at how effectively the council manages its finances to deliver VFM:**
 - 1.1 Planning for financial health.
 - 1.2 Understanding costs and achieving efficiencies.
 - 1.3 Financial reporting.
 - 2. Governing the business – examining how well the council governs and commissions services that provide VFM and deliver better outcomes for local citizens:**
 - 2.1 Commissioning & procurement.
 - 2.2 Use of information.
 - 2.3 Good governance.
 - 2.4 Risk management & internal control.
 - 3. Managing resources – examining how well the council manages its natural resources, physical assets and people to meet current/future needs and deliver VFM:**
 - 3.1 Natural resources.
 - 3.2 Strategic asset management.

3.3 Workforce planning and management.

4. Managing performance – examining how well the council delivers services, outcomes and sustainable improvement according to local priorities, including whether it has the leadership, capacity and capability to meet future improvement requirements:

4.1 Delivery of priority outcomes.

4.2 Leadership, capacity and capability.

- 14 Although some of the criteria above are similar to the previous Use of Resources assessment and some Corporate Assessment KLOEs previously covered under CPA, many are considered to be new or have been changed to focus on delivery from a wider partnership perspective (e.g. KLOE 1.1 asks the council to engage local communities and other stakeholders in the financial planning process).
- 15 There will still be scored judgements in a familiar format of Levels 1 to 4 used previously, however there will be clear expectations and standards set that mean a Level 2 reflects that the council has ‘got the basics right’ and at Level 3 the Council is ‘performing well’. It is anticipated that many councils that previously scored ‘3’ in the old Use of Resources assessment will score a Level 2 in the new assessment.

Timetable

- 16 The table below shows the timetable for introducing CAA.

What	When (2009)
First Place Survey results for York available	February
Final CAA methodology published	Late February
CAA inspection process starts	April
York’s 2008/09 NPI results are collected and reported	May
First CAA judgement for York	November

Preparations and next steps

- 17 Advice received to date suggests that the council should:
- Start preparing early.
 - Carry out a locality self assessment as soon as possible
 - Prepare an information base that tells a ‘Story of Place’ that is recognisable to all key stakeholders.
 - Understand that this is a new process for all and build positive and constructive relationships with inspectors early.
 - Make sure that there is a mind set that allows councils and partners to performance manage themselves and build the infrastructure needed to support this.
 - Check now the likelihood of outcomes in the SCS and LAA being delivered.
 - Improve partners and elected members understanding of CAA.

18 The steps that are being taken include the following:

- A senior level CAA Steering Group has been established by the Director of Resources, including key partners, to oversee progress associated with achieving the requirements of the two assessments.
- Directorates are making the transition to monitoring the new national performance indicator set, in line with a recently revised corporate Performance indicator schedule.
- CMT and the Executive will receive performance and finance reports on a regular, consistent and timely basis, which will demonstrate performance of critical performance indicators, particularly those associated with council and SCS priorities.
- Corporate officers will be working with directorate based officers to start reporting more contextual data about the city and the improvement outcomes the council is wanting to achieve. This includes the following:
 - all Place survey data (satisfaction & perception);
 - high-level equalities data, which directorates may also need to collect at a disaggregated level;
 - other data about the city and communities (in addition to that collected for priorities). This might include key areas of quality of life in York .
- The Assistant Director of Resources (Customer Service & Governance) is in the process of identifying responsible officers and reviewing performance against all KLOE areas in the new organisational assessment. An action plan to help address low scoring areas will be developed over the short-medium term.

Consultation

19 CMT and Audit & Governance Committee have received this report for information. The Audit & Governance Committee will specifically monitor plans in relation to preparations for and outcomes of Use of Resources Assessments.

Options

20 Not relevant for the purpose of the report.

Analysis

21 Not relevant for the purpose of the report.

Corporate Priorities

22 This report contributes to the overall effectiveness of the council's governance and assurance arrangements.

Implications

23 There are no financial, HR, equalities, legal, crime and disorder, IT or property implications arising from this report.

Risk Management

- 24 By not complying with the requirements contained in this report, the council's CAA and Use of Resources scores in future assessments could be adversely affected.

Recommendations

- 25 To note the requirements of the new Comprehensive Area Assessment and recognise the work ongoing to meet the requirements of the new process.

Reason

To ensure Executive Members are aware of new corporate inspection processes and associated requirements, and work planned to meet those requirements.

Contact Details

Author:

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Chief Officer Responsible for the report:

Ian Floyd
Director of Resources
Telephone: 01904 551100

Report Approved



Date 20 January 2009

Specialist Implications Officers

Not applicable

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

None

Annexes:

Annex 1 - Area Assessment Questions

Area Assessment Questions

To answer the question “*How well do local priorities express community needs and aspirations?*” inspectorates will explore:

- How well local partners understand their diverse communities ?
- How well do they engage with, involve and empower local people (including the third sector)?
- How well do local people feel they are listened to?
- Does engagement encompass all communities?
- Are priorities in the SCS and LAA sufficiently appropriate and ambitious to meet the locality’s challenges and context?
- Are ambitions appropriately stretching?
- Do they take account of national priorities and standards, inequality in the area, the needs of the most vulnerable members of the community, local needs analyses and weigh up the views of local stakeholders?

To answer the question “*How well are the outcomes and improvements needed being delivered?*” inspectorates are likely to make their assessment and judgements based on 10 critical questions/judgements for the area. Namely:

- How safe is the area?
- How healthy and well supported are people?
- How well kept is the area?
- How environmentally sustainable is the area?
- How strong is the local economy?
- How strong and cohesive are local communities?
- How well is inequality being addressed?
- How well is housing need met?
- How well are families supported?
- How good is the well-being of children and young people?

These questions will primarily focus on the SCS and LAA but also integrate judgements about how well outcomes, services and improvements are being achieved where inequality and risk to individuals is greatest.

To answer the question “*What are the prospects for future improvement*” inspectors will combine evidence from questions 1 and 2 to explore:

- Whether local partners have the capacity and capability to deliver their ambitions, strategies and plans?
- Are local partners taking adequate action to manage, mitigate or address any concerns and risks that may have been identified either by locality self assessments or inspectorates?
- Are local partners engaged in any exceptional innovative practice, which has been, or promises to be successful and which others might learn from?
- How well is improvement planning being implemented (including whether key objectives and milestones are being achieved)?

- Are there any significant weaknesses in arrangements for securing continuous improvement, or failures in governance, that would prevent improvement levels being sustained?



Executive**3 February 2009**

Report of the Director of City Strategy

ACCESS YORK PHASE 1 PARK & RIDE DEVELOPMENT – MAJOR SCHEME BID SUBMISSION**Summary**

1. This report updates members on the progress of phase 1 of the Access York Project since the last report to the Executive in July 2008. The report recommends that Members authorise the submission of the Major Scheme Business Case to the Department for Transport (DfT), authorise the preparation of conditional contracts with the owners of the sites and agree in principle to the proposed funding sources for the Council's local contribution to the scheme.

Background

2. The Access York project was identified in the second Local Transport Plan as a project that would be submitted to the region and DfT for major scheme funding to deliver improvements to the Park & Ride service, bus priority measures and capacity of the Outer Ring Road. The project has been split into two main phases to match regional funding streams. Phase 1 of the project includes the provision of two new Park & Ride sites on the A59 and Wigginton Road corridors and the relocation and expansion of the Askham Bar site on Tadcaster Road. In addition bus priorities will be provided on the A59 and Wigginton Road and the capacity of the A59/A1237 roundabout will be enhanced and improved pedestrian/cycling facilities provided. Phase 2 includes improvements to the Outer Ring Road and measures to provide priorities for cyclists/pedestrians and public transport in the city centre.
3. In February 2008 the Executive approved the submission of the Access York Phase 1 (Park & Ride) bid to the Regional Transport Board (RTB). In April 2008 the Council was informed that its submission had been successful, allowing the project to progress to the next stage. The RTB have been undertaking a review of all schemes included in the regional programme up to 2018/19 and are due to confirm the status of the Access York Phase 1 bid at their meeting on 23rd January. Regional Assembly Officers have recommended the re-endorsement of the Park & Ride scheme to the RTB. A verbal update will be provided to the Executive on 3 February.
4. The status of the Access York Phase 2 (City Wide Transport Improvements) bid which includes improvements to the Outer Ring Road will also be determined at

the 23 January RTB meeting. A verbal update will be provided to the Executive on 3 February.

Major Scheme Bid Update

5. In principle the scope and anticipated completion date of the Access York Phase 1 scheme remains as set out in the 29th July Executive Report. The project team are working towards the delivery of 3 new Park & Ride sites (Askham Bar, A59 and Wigginton Road), an upgraded A59/A1237 roundabout and bus priorities along the routes into the city centre with a completion date of December 2011.
6. The Major Scheme Business Case for Programme Entry to the DfT is principally to set down the economic case and environmental impact of the scheme. The location and layout of the detail of the scheme is subject to local consultation and approval through the planning process as appropriate. Variations to the layout and scope can be made later in the DfT approval process to accommodate changes to the design to meet technical or planning requirements however for the scheme to continue it must remain good value for money and be affordable within the Regional Funding Allocation.
7. There are a number of variations to the content of the bid following detailed design and assessment work undertaken since the last report including the following principal items.
 1. Site sizes have been adjusted to match land availability, car park usage projections and value for money/affordability requirements. The bid now includes for a 1100 space site at Askham Bar, 600 space site at the A59 and 500 space site on Wigginton Road. Space would be available for future expansion at all of the sites.
 2. The location of the Askham Bar site has been adjusted slightly (moved approx. 50m further south) to accommodate ecological concerns. No change has been made to the A59 site location although the site area has been reduced to meet planning requirements and minimise costs. There remain four options for the Clifton Moor site which will be the subject of an option appraisal and local consultation before a report is brought back to the Executive in the Spring.
 3. The overall project Outturn Cost Estimate (including preparatory costs and risk but excluding Optimism Bias) has increased from £24.435m to £27.727m. The cost estimates have increased to take account of increased land purchase estimates, the value of CYC land used, additional bus priority costs, changes to the scheme programme and additional items revealed during the outline design stage. The cost estimates are currently being verified by an independent checker in accordance with the Department for Transport requirements.
 4. Further preliminary design including consultation with the bus operators has been undertaken to establish the most effective locations for bus priorities along the routes. The original costs for the A59 priorities

based upon a 2002 Atkins study have been updated. Additional design and consultation will be undertaken to confirm the exact locations of the proposed bus priorities.

5. Considerable additional Transport Modelling and Economic Appraisal has been undertaken to update the initial work for the RTB bid and to ensure the business case is in accordance with the DfT guidelines. This has led to variations in the Benefit to Cost Ratio values but they are all still above the 'good' criteria set by the DfT.
6. To confirm the cost estimates and enable pre-application consultation to progress the Council's Architectural team have prepared draft drawings for the site terminal buildings. The original bid included cost estimates based upon the Monks Cross design but the buildings for the new sites will meet all of the latest sustainable design standards. Ground source heating will be used and on site power generation possibly using a wind turbine at one/all of the sites is being investigated.
7. A full Quantified Risk Assessment (QRA) of the project has been undertaken to ensure that an appropriate allowance for uncertainty is included in the estimates. The mean QRA value is £2.795m which has been included in the total cost estimate for the scheme.

Programme

8. The project is to be delivered in accordance with a very tight programme with all three sites planned to be opened in 2011/12. The original programme was proposed to match funding availability within the region. The preparation of the Major Scheme Bid has taken longer than anticipated owing to additional design and modelling work being undertaken and to allow the investigation of additional procurement options but completion within 2011/12 is still anticipated.
9. It has been agreed with the DfT that a single bid for the entire three site package will be submitted at the Programme Entry Stage but separate bids will be submitted for each site for the Conditional and Final Approval stages, as this will give greater delivery flexibility. Conditional Approval can only be obtained once the sites have received planning consent therefore separate applications will enable the sites to be delivered more quickly. Final Approval is obtained once the construction prices have been received and if there has been no change in the value for money assessment for the scheme and if the scheme is still within budget. Obtaining Programme Entry stage as early as possible will minimise the cost of the scheme to the Council.
10. The key programme milestones and variations to the 29th July report are identified in the following table

Access York Phase 1: Programme

Activity	Proposed Revised Programme
Develop MSB for DfT	April 2008 to Jan 2009

Programme Entry submission	
Seek CYC Executive approval to submit	February 2009
Submit MSB for Programme Entry	February 2009
Programme Entry assessment by DfT	February 2009 to August 2009
Planning Applications Submitted (3 separate applications)	May 2009 to September 2009
Programme Entry expected to be confirmed	August 2009
Separate Bids progressed for each site after Programme Entry (Dates for First Site – Last Site identified)	
Planning Consent Granted	November 2009 – March 2010
Submit Conditional Approval Bid to DfT	December 2009 -- April 2010
Procurement of works on a site by site basis or as a complete package	Tenders received by April 2010. Procurement process complete by June 2010.
Submit Final Approval Bid to DfT	June 2010 – September 2010
Commence Construction	July 2010 – October 2010
Complete Construction	June 2011 – December 2011

Key Risks

11. The accurate evaluation and pro-active mitigation of risk is critical to the success of the project. To ensure that all risks were captured at an early stage Halcrow were appointed to prepare a Quantified Risk Assessment for the scheme. Relevant owners have been allocated for each risk and progress on the management of the key risks is discussed at Steering Group meetings.
12. The principal risks relate to land purchase, utility diversions, ground conditions, planning consent, A59 roundabout design & construction, funding, cost estimation etc. A summary of the principal risks out of the 62 identified at a risk workshop in October for the project at this stage is indicated in Annex A.
13. The mean Quantified Risk Assessment (QRA) value of the risk including opportunity items for the project has been estimated at £2.795m in 2008 prices. There are opportunities to reduce the preparatory costs for the scheme if the full benefit of using standard designs across the sites is achieved particularly for the buildings. The packaging of the project into one large scheme is anticipated to present the greatest opportunity to make savings. Procurement options are being investigated to ensure that these opportunities are maximised.

Project Delivery

14. The Project Governance using PRINCE2 principles and a performance measurement regime, described in the July Executive report has started to be

implemented. The Project Board has met twice to provide guidance at key stages of the project and the Steering Group continues to meet on a weekly basis pending the creation of the project teams for each site.

15. The Assistant Director (City Development and Transport) has been designated as the Senior Responsible Office for the project.
16. The Project Manager post has now been filled, on a secondment basis. The Capital Programme Manager continues to lead on the submission of the Major Scheme Bid (MSB) to the DfT.
17. Work has started on the recruitment of two key members of staff to assist with the project:
 - Assistant Project Manager
 - Project Support Officer

Procurement

18. The successful procurement and management of the contractor for the delivery of the scheme will help to ensure that the project is delivered to time and within budget. There are also opportunities to minimise the overall cost of the scheme and significant risks if the wrong procurement approach is progressed.
19. A consultant has been engaged to carry out a procurement options review to ensure the most appropriate procurement and delivery approach is progressed. The final report will soon be available however it is clear at this stage that the preferred contract to use for the project is NEC ECC Option C. Under the terms of this contract the contractor prepares a schedule of activities which will be used to form the target cost. The contractor is then paid his actual costs and is incentivised through a share of a pain/gain mechanism to keep his costs less than his target. Two 'forensic cost audits' are recommended, at 6 months and at final account, where the contractor's management accounting system is 100% audited.
20. The Consultant's report is expected to show that two options emerge as being of greatest interest:
 1. Employer design followed by tender for construction using NEC3 ECC Option C
 2. Employer design using Early Contractor Involvement (ECI) as a package, with the contractor awarded further work packages on the basis of performance. This procurement route also uses NEC3 ECC Option C
21. Owing to programming constraints which preclude the early contractor procurement it is anticipated that the only viable option will be a traditional methodology using the NEC contract (Option 1). However to ensure that one of the key advantages of the ECI option is not lost, i.e. buildability of designs, other methods of including contractor involvement in the design are being investigated.

22. It is proposed to use the EU procurement restricted route to appoint a contractor with an invitation to return pre-qualification questionnaires to be issued later in the year.

Financial Information

23. There are a number of financial implications to consider including:
- Approvals
 - Total Scheme Cost
 - Local Contribution
 - Preparatory Costs
 - Cost Increases
 - Revenue Implications

Approvals

24. Subject to an acceptable business case and providing funding has been allocated in the Regional Funding Allocation (RFA) the DfT will confirm the maximum funding which could be received from Central Government at Programme Entry stage and this figure will remain fixed throughout the project. Further business cases have to be presented to the DfT for approval at Conditional Approval (planning consent granted) and Final Approval (tenders received) stages to confirm that the value for money of the scheme and policy fit remains compliant. Members will be asked to approve the continued commitment of the Council to the project before each submission. The Council's section 151 officer has to sign off the business case at each stage of the bid to confirm the accuracy of the estimates and the availability of funding for the local contribution. The approval of the Section 151 Officer will be sought once the independent verification report has been received.

Total Scheme Cost

25. The RTB originally approved the funding stream for the project in April 2008 at a total cost of £24.435m with a RFA requirement of £20.855m. The current total revised cost for the scheme is £27.727m (£24.100m RFA) a 15.5% increase on the original bid which the region will be asked to endorse prior to submission of the business case to the DfT. In the recent programme refresh the Region endorsed schemes which were within 20% of the approved figure.
26. The projected funding profile is identified in the table below.

Access York Phase 1: Funding Profile

	2008/09	2009/10	2010/11	2011/12	2012/13	Total
	£000s	£000s	£000s	£000s	£000s	£000s
Major Scheme Bid Submission February 2009						
CYC	346	1,147	1,187	929	18	3,627
RFA	0	765	12,444	10,689	202	24,100
Total	346	1,912	13,631	11,618	219	27,727

Local Contribution

27. To ensure appropriate management is allocated and commitment shown by Local Authorities the DfT require a Local Contribution of at least 10% of the costs following the receipt of Programme Entry. The current proposed local contribution is 10.4% post Programme Entry to tie in with the allocation approved by the RTB. Any spend on preparatory work incurred prior to the acceptance of the scheme by the DfT is not recoverable through the Major Scheme Bid process and would need to be provided from other sources. Following Programme Entry the DfT will fund 50% of the costs to develop the scheme through to delivery as part of the 90% total DfT commitment.
28. Funding for the local contribution need to be identified so that the current bid can proceed but the final funding package does not have to be confirmed until the final approval stage. The total requirement from City Council sources is anticipated to be £3.627m over the duration of the project providing the overall cost is equal to the Quantified Cost Estimate. There are a number existing developer contributions and the value of the new Askham Bar site already in place to be used as part of the local contribution. Additional funds may be available from the following sources:
1. sale of the existing Askham Bar site
 2. prudential borrowing against the income anticipated from the site operators licence,
 3. developer contributions from sites in the areas close to the corridors,
 4. the Local Transport Plan settlement.

Access York Phase 1: Potential Funding Sources for Local Contribution

Potential Funding Source	Order of value estimate
	£000s
Developer Contributions (Existing)	300
New Askham Bar site (CYC Contribution)	350
Sale of Existing Askham Bar site	500+
Prudential Borrowing	1,000
Developer Contributions (New)	100
Remainder from LTP	1,377
Total	3,627

29. The scheme could be fully funded from the Local Transport Plan but this would mean that schemes which are in the existing transport programme would have to be deferred into the LTP3 period. LTP allocations from the DfT in the period after 2010/11 have not yet been determined. Use of the LTP funding would also cause severe restrictions on the allocations for walking, road safety, public transport and other transport blocks which would be used to fund schemes across the city over the next two years.
30. To minimise the impact of the scheme on the delivery of other local transport priorities it is proposed to base the funding of the scheme on the sources identified in the table above with the LTP used to fund any remaining

requirement. Further development of the funding opportunities will be undertaken and reported to Members as the project progresses.

Preparatory Costs

31. Until programme entry is received it is proposed to fund the preliminary costs from the LTP and keep expenditure to the minimum necessary to meet the overall programme. It is anticipated that up to £400k will be required to progress the scheme in 2009/10 in advance of Programme Entry. Subject to approval by the RTB on 23 January it is anticipated that an additional £675k will be provided to York from the RFA to support the LTP programme in 2009/10.

Cost Overruns

32. The new Major Scheme Process includes a mechanism to limit the liability of the DfT for cost overruns on projects. There is a complex formula applied to the funding which allocates increased liability to the promoting Local Authority as costs increase. The CYC and DfT liabilities are shown for increasing actual scheme costs in the following table :

Access York Phase 1: Funding of Cost Overruns

	Actual Scheme Cost	DfT Contribution		CYC Contribution	
		%	£	%	£
Preparatory Cost (Pre-Programme Entry)	£727k	0%	Nil	100%	£727k
Quantified Cost Estimate (Base Cost + QRA)	Up to £27.7m	90%	£24.1m	10%	£2.9m
Additional Risk Layer (50% of Optimism Bias)	Up to £30m	50%	£1.5m	50%	£1.5m
Cost Overruns	Over £30m	0%	Nil	100%	All
Total	Over £30.73m		Max £25.6m		Over £5.13m

Revenue Implications

33. The exact revenue implications of the new sites will be determined when the operator is procured. The existing sites operate on the basis of a payment of a licence fee to the Council with all operating costs (rates, utility costs, routine maintenance, supervision etc.) being borne by the service provider. It is anticipated that the new sites will operate on the same basis but the level of income per space may be lower due to early years patronage level uncertainty. Members should be aware that there is a small risk that additional Council revenue resources may be required if it is not possible to procure the service provision contract with a licence fee payment to the Council. Members will have an opportunity at each stage of the scheme development process to take account of this risk. Operating arrangements will need to be finalised at an early stage to confirm the full resource obligations before final commitment to the scheme.

Land Acquisition

34. The purchase of the land for the sites is one of the most critical elements of the project. Compulsory purchase of the sites could be pursued but the overall programme for delivery would not be met and consequently create a substantial risk that the identified funding would be lost. To mitigate this risk negotiations have commenced with the landowners of all the sites to ensure that the sites at the required locations are available for development at the appropriate time and to remove cost uncertainty. Landowners at all of the identified locations have indicated a willingness to sell and negotiations are in hand to secure conditional contracts to buy the sites when both planning permission and funding is granted. As is normal practice, it is proposed to pay a non-returnable deposit of 2.5% of the purchase price) to secure the contracts.
35. It is proposed to secure contracts on the identified Askham Bar and A59 sites in the near future and for the Clifton Moor site once a preferred site has been confirmed. It is expected the sites will be purchased in 2010/11, when the agreed land price would be paid after securing both planning consent and funding to proceed with the project.
36. In addition to purchasing the Askham Bar site, a small area of landscaped verge is required from Tesco near the roundabout entrance to the existing P&R site. This will enable the CYC owned land to be connected to the Public Highway to facilitate the provision of the proposed bus only route to the rear of Tesco. The land negotiations with Tesco are progressing satisfactorily. As the land price is low and the acquisition of this land is beneficial to adjacent CYC land it is proposed to purchase this site in advance of the planning application being submitted.
37. Subject to detailed design work it is anticipated that additional land outside the public highway will be required to enable the construction of the A59/A1237 roundabout improvements. It is proposed to negotiate the purchase of the additional land where necessary.
38. It is anticipated that the cost of the non-returnable deposits to secure the contracts to purchase the land for all of the sites will be in the region of £30k, excluding surveyors and legal fees, with the monies proposed to be funded from the Access York Phase 1 allocation in the City Strategy Capital Programme in 2008/09 and 2009/10.

Options and Appraisal

39. The Council has the option to progress with this MSB or to decide not to do so. However, without this bid there is little prospect of being able to fund any of the new Park & Ride sites and therefore achieve the benefits that these will bring in terms of reduced volumes of traffic entering the city, improvements in air quality and the provision of an excellent P&R service to increase the 'offer' provided by the city for its residents, businesses and tourists. There are costs, which will be incurred at risk until the funding is confirmed by the DfT, but the economic case for all of the sites is good meaning that approval is anticipated to be more likely.

40. The Council has an option to enter into conditional contracts to purchase the required land or delay acquiring the land until later in the project when Programme Entry is confirmed. If securing the land was delayed there is a high risk that the cost would increase and the delivery certainty would be lost.
41. There are a number of options for funding the required local contribution for the project. The recommended option is for the scheme to be, in principle, funded from a variety of sources as set out in the financial implications section to minimise the impact on the delivery of other transport priorities across the city. Further development of the funding opportunities will be undertaken and reported to Members as the project progresses.

Consultation

42. Consultation following the principles within the Statement of Community Involvement will be undertaken to enable planning consent to be obtained for the sites and A59 roundabout. In addition local consultation will be undertaken to determine the best location and detail of the proposed bus priorities along Wigginton Road and the A59.
43. Presentations have already been given to the ward committees of the affected areas and formal pre-planning application consultation will be progressed over the spring. It is planned that the consultation for the Askham Bar site will start in the next few weeks with the A59 site to follow on. Local consultation on the site options for the Wigginton Road site commenced in January with a report to members indicating the preferred choice to be submitted in March.
44. A web site for the project will be established to enable the public to comment on the project and view preliminary proposals for the scheme. In accordance with DfT requirements it is proposed to place the Major Scheme Business Case document onto the Council's website.

Corporate Priorities

45. The development of the Park & Ride service and improvements to the Outer Ring Road are key elements of the Council's transport strategy set down in the Local Transport Plan. In addition the proposals support the Council's Corporate Priority 'to increase the use of public and environmentally friendly modes of transport'.

Implications Financial

46. The financial implications are identified in the Financial Information section of the report.

Human Resources (HR)

47. It is proposed to recruit an Assistant Project Manger and a Project Support Officer on fixed contracts for the duration of the project.

Equalities

48. The work carried out will benefit everyone in the community, either because of the opportunity to use the new Park & Ride sites or because of the benefit of reduced congestion on the roads and improved air quality. Sites will be designed to incorporate measures to ensure good accessibility.

Legal

49. It is proposed to prepare Conditional Contracts for the purchase of the land for the sites.

Crime and Disorder

50. There are no crime and disorder issues.

Information Technology (IT)

51. There are no IT implications.

Property

52. The negotiations for the purchase of the land for the sites have been undertaken by Property Services. The existing Askham Bar site will become vacant as a result of the project and be available for sale if required. The project will increase the Council's property assets with the operator undertaking maintenance of the sites and buildings.

Other

53. There are no other implications.

Risk Management

54. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to financial loss, non-compliance with legislation, damage to the Council's image and reputation and failure to meet stakeholders' expectations. However, measured in terms of impact and likelihood, the net score for all risks has been assessed at less than 16. This means that at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.
55. At this stage in the bid process the Council does not commit to funding or underwriting the construction of the new sites. Separate reports will be submitted to the Executive as the bid progresses indicating the financial commitment and level of risk at each stage.

Recommendation

56. Members are recommended to:

1. Approve the submission of the Major Scheme Business Case to the Department for Transport subject to endorsement by the RTB and the approval of the Director of Resources.
2. Approve the conclusion of negotiations for the acquisition of land for the sites and the completion of conditional contracts where necessary to secure options for future purchase.
3. Approve in principle the funding sources for the local contribution to the scheme.

Reason: To enable the Access York Project to proceed.

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**Report
Approved**

Date 19-01-09

**Report
Approved**

Date

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Wards Affected:

All

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Background Papers:

Result of Regional Transport Board Capital Bids and Application for Use of Contingency Funds – to the Executive on 22 April 2008

Access York Phase 1: Park & Ride Development - to the Executive on 12 February 2008

Access York Phase 1: Park & Ride Development - to the Executive on 29 July 2008

Annexes

Annex A: Principal Project Risks and Mitigation

Annex A: Access York Phase 1: Principal Risks and Mitigation

Title	Detail	Mitigation
Utility Diversions/Protection	Presence of services has been identified at the access junctions to the sites but cost implications of proposals currently based upon previous similar schemes.	Obtain prices and requirements from Utility Companies as soon as pre-planning application consultation drawings complete
Ground Conditions	Ground conditions will particularly affect design of Askham Bar site and A59 Subway.	Undertake site investigation early in design process
Land Compensation	Part 1 claims from adjacent properties to the car park sites, at the A59 roundabout and from highway works associated with bus priority schemes	Early consultation and agreement of mitigation measures
Land Acquisition	Delay and/or increased costs caused by lack of land availability. Risk of CPO being required.	Early negotiations and securing conditional contracts for purchase of land
Planning Consent	Planning consent is on the Critical Path. Delay in planning process will cause overall delay to project	Employ planning consultant to progress planning applications. Expedite outline designs. Ensure consultation is effective.
Public Inquiry	Risk of calling in by Secretary of State and requirement for Public Inquiry	Ensure planning processes are followed and consultation effective
A59 Roundabout Design	Size of Roundabout difficult to fit in available space. Risk of failure of Safety Audit	Early consultation with affected properties to develop acceptable options. Early review of outline

Title	Detail	Mitigation
		designs
A59 Roundabout Construction	Construction & Traffic Management complex in restricted site area	Involvement of Contractor in early stages of design to ensure buildability
Environmental Impacts	Presence of protected species	Early surveys and agreement of mitigation measures
Archaeology	Presence of unexpected Archaeological remains	Early Desk Based Study and site surveys where possible
Funding	RFA and Local Contribution not available	Submission of MSBC in accordance with guidance. Early notification of funding requirements to Members
Cost Over-Run	Costs over an agreed level have to be fully funded by the Council	Robust Estimating, Risk Management and Project Governance Procedures
Cost Estimation	Cost estimation based upon design level available at feasibility stage	Update cost estimates as more detailed designs become available

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Executive**3rd February 2009**

Report of the Director of City Strategy

Council Headquarters – Update Report**Summary**

1. This is an update report on the outcomes of the pre qualification stage of the procurement process, for the delivery of the council's new headquarters building. It sets out the detail of the procurement process identifying key activities and the associated timeline for completion.
2. It also seeks Members endorsement of a new initiative to develop an office of the future working model to pilot new workplace concepts in advance of the move to the new headquarters building.

Background

3. The case for a new council headquarters, which is one of the councils corporate imperatives, remains as compelling as ever and the project is still on track to achieve a wide range of benefits;
4. **For the customer** in providing a purpose built York Customer Centre which will be the single most important focal point for the new headquarters building. The new customer facility will enable quick, simple and easy access to services in one place, in a modern customer environment that supports the overall customer access strategy. Customers will no longer have to visit over six different reception points in and around the city centre to access individual services.
5. **For the environment**, the aim is to have a new headquarters building that is designed to deliver benefits to the environment in its construction and subsequent operation, achieving low greenhouse gas emissions and a minimum target of 20 per cent renewable energy, to reduce the future running costs of the building. The new headquarters will be sustainable in terms of its economic, social and environmental impact by being centrally located to support the vitality of the city centre, as well as supporting the existing infrastructure and transport links for customers, visitors and the large volume of staff walking or cycling to work.
6. **For the business** in providing a modern working environment to support an effective and efficient business operation. Rationalising 16 administrative offices down to four to achieve significant long term savings and fund the cost of the new headquarters building, at no additional cost to the residents

of York. The new headquarters will provide the potential to share space with partner organisations to support and improve partnership working and support more collaborative working between services resulting in a more joined up and efficient delivery to customers.

7. **For the City** by providing the opportunity for inward investment to the city by releasing a number of important historic buildings such as St Leonard's Place and Blake Street, which can be sensitively restored and put to more appropriate use.
8. At the Executive meeting on 21st October 2008 Members approved the commencement of an OJEU competitive dialogue procurement process to support the development of potential solutions for the design and construction of a new headquarters building. A notice for expressions of interest (stage 1 of the process) was issued on 10th November 2008 with a closing date for return on 15th December 2008.

Procurement

9. Stage one of the process is now complete. We have received 12 expressions of interest, of which two were non compliant and ten were taken forward for evaluation using the following set of criteria.
 - Supplier Acceptability
 - Economic and Financial Standing
 - Supplier Capacity and Capability
 - Supplier Experience and Track Record
10. We had initially expected to take forward three potential bidders with a maximum of four, however given the level of interest and the quality of respondents, the accommodation project board approved the evaluation teams recommendation to take a select list of five bidders forward onto stage 2 with an invitation to participate in the competitive dialogue procurement process and submit outline proposals.
11. This second stage will focus on the actual locations being proposed and will include site plans and legal boundaries, evidence of title and land registry, site history and context, building massing and site investigations. Other information required at this stage will include a development programme including land assembly, design, consultation, approvals, construction, commissioning and transition. Following a period of dialogue, outline proposals will be returned for evaluation by 16th February 2009.
12. These outline proposals will be considered against an agreed set of criteria, (set out in annex 1). The evaluation team will make a recommendation to take two, maximum of three, bidders onto stage 3 when they will be invited to submit detailed proposals, following a process of clarification and further dialogue to more closely define the council's requirements.

Consultations

13. During Stage 3 of the procurement process the council will expect the bidders to engage in public and staff information and consultation events. Bidders will be required to set out and present their development proposals and subsequently to demonstrate how their design proposals have addressed any concerns or issues that are raised during such consultation. The key stages of the competitive dialogue procurement process and the indicative timescales are attached at annex 2.

Timescales

14. The timescale to complete the procurement process was originally estimated to take 6 months, this early estimate reported to the 2008 October Executive was based upon the best advice at that time and on the assumption that we would only be taking 3 bidders forward onto the next stage. The fact that we are now taking forward five and have had the opportunity to examine in more detail what is required at each stage has resulted in the procurement process taking longer. However this will not effect the overall completion date as the procurement process will now incorporate an element of development work originally set to be completed after contract award. The indicative timetable for the overall completion of headquarters is as follows

• HQ Contract Award	September 2009
• Planning Application	February – March 2010
• Planning Approval	June 2010
• Commence Construction	July – September 2010
• Completion	Mid – Late 2012

Office of the Future

15. The project board has endorsed a new initiative to set up an office of the future as a working model to pilot new workplace concepts in advance of the move to the new headquarters building. This new initiative will showcase and test the principles of occupation in a modern working environment with particular regard to, open plan working, staff to desk ratios, document management, storage and satellite working plus the introduction of flexible working practices.
16. It is intended that the outcomes will be monitored to inform the final internal design for the new headquarters, ensure the efficient use of space, test out and inform new work policies and procedures and provide a tried and tested model and consistent approach to occupying the new headquarters.
17. Work is currently underway to identify an appropriate diverse work group of between 25 and 50 people who already work in an environment which is easily adaptable to an open plan arrangement, are able to work in more than three different work styles and who are keen to be at the forefront of change

and willing to respond and give feedback to other groups around the organisation.

18. The project team will include service representatives and representatives from Human Resources, the easy@york project, ITT, the information and document management project, Health and Safety, Equalities and the Unions.
19. The February project board is set to agree the detailed scope of the project and where it should be implemented to achieve the best effects.

Communications

20. The competitive nature of the procurement process means that the council is bound by the legalities of confidentiality and we are therefore extremely limited as to what we can say. At the current stage we are only able to provide information as to the number of expressions of interest we have received and how many bidders we are taking forward to the next stage.
21. Information in relation to the actual locations will be announced at the end of stage 2. The successful bidder and the unveiling of the successful scheme will be announced later in the summer following Executive approval.
22. A press release and radio media event took place on 15th January to announce the outcome of stage 1. A global e mail was sent to all staff prior to this being published and the council web and intranet sites have been updated to include further detail in relation to the procurement process, the overall benefits of the project and frequently asked questions. We have also written to a number of professional bodies and key stakeholders within the wider York community to provide a more personalized update.
23. The project team and the councils corporate marketing & communications team are currently in the process of reviewing the overall communication strategy to provide greater emphasis on marketing the project once there is a clear way forward.

Implications

Financial

24. The budget for the accommodation project is currently £43.8 million as reported to Executive in June 2008. This includes the construction budget of £32 million.
25. Financial analysis has been carried out which takes account of all costs associated with the office accommodation project. Moving to a new headquarters building as opposed to remaining in the current accommodation is viable and will over a period of 30 years represent a saving at today's prices of £5.84m

Legal

26. It is vital that the project follows good procurement practice and legal requirements, which underlie that practice, and to make decisions in a way which reflects key EU principles (equal treatment, transparency, proportionality) to avoid risks of challenge and to achieve best outcome. Commercial confidentiality must also be observed.

Corporate Priorities

27. The provision of new accommodation and the consequential improvement in services to our customers will contribute to all of the council's priorities.

Risks

28. The project risk register is currently in the process of being re-profiled to take account of the current changes and the revised strategy. The outcomes of this process will be reported to the project Board in February 2009.

Recommendations

29. This is a progress update report and Member are asked to:
- Note the content of this report with particular regard to the procurement of the new headquarters and the progress that has been made to date.
 - Endorse the new initiative to set up an office of the future as a working model to pilot new workplace concepts in advance of the move to the new headquarters building.

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Report **Date**
Approved

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Wards Affected: Acomb, Clifton, Fishergate, Guildhall, Heworth, Heworth
Without, Micklegate

All

For further information please contact the author of the report

Background Papers:

- Executive Report: Business Case – 22 November 2005
- Executive Report: Headquarters Update – 9 September 2008
- EC Harris – Option Appraisal Report October 2008
- Executive Report: Site Options Appraisal – 21 October 2008

of the European Union (OJEU)

Procurement Criteria

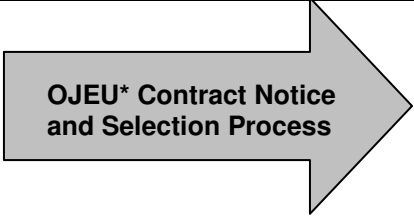
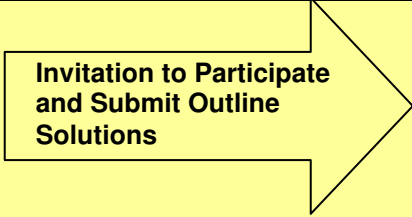
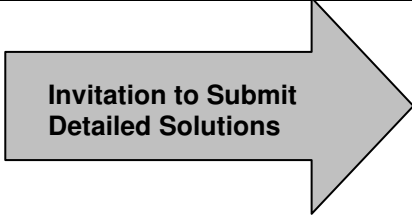

The council will consider applications on the basis of the Most Economically Advantageous Tender criteria being: -

- Financial – 40%
- Quality – 60%

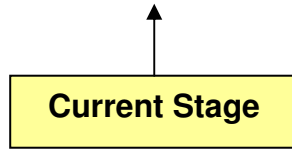
Financial Criteria
Whole life cost
Capital cost
Financial ability to deliver

Quality Criteria	Description
Site assembly	The extent to which the bidder has control of an appropriate site sufficient to meet the council's needs.
Timescales	The extent to what the bidder can complete all work to enable the City of York Council to occupy the new premises by the end of 2012 or earlier.
Planning	The extent to which the bidder's development proposal is likely to achieve all necessary consents.
Buildability	The extent to which the building proposal is feasible in terms of cost and design.
Risk to delivery	The extent to which the bidder's proposals pose risks to the project, e.g. Archaeology, listed buildings, contamination.
Building efficiency	The extent to which the bidder's proposals meet council needs efficiently.
Customer facilities	The extent to which the customer facilities meet the brief and enable the council to, deliver its services and promote the customer first ethos exemplified by the easy@york programme and customer service strategy.
Accommodation	The extent to which the business and staff accommodation will meet the brief and effectively balance the needs of people, process and place.
Enhancement of built environment and public realm	The extent to which the bidder's proposal will deliver an outstanding example of office, urban and civic design.
Carbon saving	The extent to which the building will be carbon neutral. If not, the extent to which it can achieve the best possible reduction in carbon emissions.
Sustainability	The extent to which the design and construction of the building demonstrate sustainability, including sustainability in use To what extent will it support council targets and approach.

Timeline and Key Stages of the Competitive Dialogue Procurement Process

			
<p>Stage 1 Completed</p> <ul style="list-style-type: none"> • OJEU* contract notice published. • Pre-Qualification Questionnaire (PQQ) sent. • Selection of qualifying participants to participate in the competitive dialogue process 	<p>Stage 2 January – February 2009</p> <ul style="list-style-type: none"> • Invitation to participate and submit outline solutions. • Dialogue process • Return & evaluation of outline solutions • Notify successful bidders to be taken forward to Stage 3 	<p>Stage 3 March – May 2009</p> <ul style="list-style-type: none"> • Invitation to Submit Detailed Solutions • Dialogue process • Return & evaluation of Detailed Solutions • Close of dialogue • Notify successful bidders to be taken forward to Stage 4 	<p>Stage 4 June – September 2009</p> <ul style="list-style-type: none"> • Invitation to Tender • Period of clarification • Return of Tenders • Evaluation of Tenders • Recommendation made to Executive for approval of preferred developer solution • Award contract

**Official Journal*





Executive**3rd February 2009**

Report of the Director of Housing and Adult Social Services

Discus Bungalows Development Update**Summary**

1. The report details the progress made by the Project Steering Group, Council and Development Consortium in consultation with the Residents' Development Association to enable the re-development of the Discus Bungalows sites at St Anne's Court/ Horsman Avenue, Regent Street and Richmond / Faber Street.
2. It also provides a summary of the commercial issues, in particular the impact of the downturn in the housing market and credit crunch, that now mean a capital receipt offered for the sale of the land falls under the tolerance level previously approved by Executive and therefore seeks revised approval to accept a reduced capital receipt and continue with this important housing regeneration project for Discus residents and the wider city.

Background

3. On the 6th November 2007, Members approved the Project Board's recommendation to select the partnership of Tees Valley Housing Group (now Fabrick Group with Tees Valley Housing Limited as the Housing Association arm of Fabrick), York Housing Association Ltd and Southdale Homes Ltd (now only the contractor to Fabrick) as the provisional preferred Development Consortium to purchase and develop the three Discus sites, subject to a receipt of satisfactory planning consent, ground investigation surveys, the award of a Social Housing Grant and resolution of issues brought up as part of the evaluation, providing this did not affect the capital receipt to a point where it will affect the order of the evaluation scores.
4. In approving the Project Board's recommendation, Members accepted an offer, which met all the requirements of the tender documents as outlined in the background papers. Sensitivity analysis at that point in time suggested that where further negotiation with the development consortium may be required, there should be a tolerance on the capital receipt reduction of not more than 20%.

5. Members agreed to delegate responsibility to the Director of Housing and Adult Social Services in consultation with the Project Board (which is now the Project Steering Group with developer representation), to agree a Heads of Terms and Conditional Development Agreement with the preferred development consortium to include the Discus Housing Objectives, subject to the Project Board confirmation of the agreements and prior consultation with the Executive Member, the Corporate Landlord and the Chief Finance Officer in the event that the agreement may result in any reduction of the capital receipt. This would secure an agreement with the development consortium that achieves all the outcomes agreed through consultation with stakeholders and interested parties.

Development preparation and progress

6. All ground investigation surveys, including archeological investigations have been satisfactorily completed and now pave the way to allow development to commence on the sites.
7. On the 20th November 2008, Members of the Planning Committee approved the three planning applications received from the Development Consortium to develop the Discus Bungalow sites at St Anne's Court/ Horsman Avenue, Regent Street and Richmond / Faber Street. A Section 106 Agreement will be entered into for each site to fulfill the necessary planning obligations
8. The development will now offer a total of 196 homes of which 60 two bed bungalows for older people and a 41 unit extra care facility will replace the existing 100 Discus Bungalows, and a further 49 affordable homes and 47 market sale homes will be built across the sites
9. The impact of the credit crunch and the downturn in the housing market, in particular the ability of buyers to obtain mortgage products and ability of developers to sell properties on the open market, means careful consideration has been required to assess the suitability of the market sale element of this development and the impact that this may have on the financial viability of the development. Further to considerable negotiation between the Council, Development Consortium and the Homes and Communities Agency (HCA) to help address these issues, social grant investment has now been agreed for all 196 homes. The 47 market sale properties will attract grant to become 'Intermediate for Rent'¹ for an agreed period of time before being purchased by the tenant at market value when the housing market starts to recover. The 18 Discount for Sale (DFS) homes will draw grant and be Affordable for Rent for an agreed period of time, but will be offered as DFS in the future and this will remain in perpetuity. The implications of these revised tenures will be detailed within the Development Agreement and Section 106 agreements accordingly.

¹ Intermediate Rent (IMR) is a rent set at 80% of the open market rent level

10. A draft Heads of Terms for the Development Agreement to be agreed by the Council and Development Consortium is available at Confidential Annex 1. It is anticipated that the contractual terms for this development will be signed by mid February 2009 at the latest.
11. Property Services has evaluated the financial appraisal provided by the Development Consortium and have commissioned an independent verification of the assumptions made by the Development Consortium as to the current and projected state of the residential market in York. The results of this process has reassured officers that this development is deliverable within the agreed contractual parameters and that an agreed capital receipt for the sale of the land can be met. The reports explaining these financial evaluations are available at Confidential Annexes 2 and 3.
12. St Ann's Court/Horsman Avenue is now a vacant site and the top end of the Richmond/Faber Street site is also vacant to allow first phases of development to commence. Residents from these areas have been temporarily decanted into other previously empty Discus Bungalows, which means there are now a total of 50 residents across Regent Street and Richmond Street.

Commercial summary

13. In November 2007, Members approved the Development Consortium recommended by the Project Board to work with the Council to re-develop the Discus sites, and that where further negotiation with the development consortium may be required, there should be a tolerance on the capital receipt reduction of not more than 20%. However, the downturn in the housing market and impact of the credit crunch has meant that a capital receipt within this tolerance cannot be sustained.
14. The commercial viability of this project has therefore been affected. The Development Consortium has predicted an 11% fall in house prices during 2008 and an associated loss of sale revenue since their original financial appraisals at the point of the developer selection process in July 2007. Taking the unstable housing market into account, the Development Consortium is therefore unable to pay the Council the capital receipt originally offered in the selection process. Details of the revised capital receipt offered are available at Confidential Annex 4.
15. If the capital receipt detailed at Annex 4 was paid to the Council, it would still be the highest capital receipt offered in the developer selection process and this Development Consortium would remain the winning bidder. It would also still enable the Development Consortium to deliver an exemplar mixed tenure housing development across the three Discus sites in conjunction with the Council and Discus Residents' Association that meets the needs and expectations of existing residents and the future of housing need in York.

Proposed development timescales

16. Subject to an agreed demolition and phasing plan, it is anticipated that Southdale Homes would commence the first phase of demolition at St Ann's Court this financial year, shortly followed by phased works at Richmond/Faber Street. As Regent Street is practically a fully occupied site, it is anticipated that demolition and development will be managed as part of a slightly later phase in 2009.
17. The Council will need to ensure all Discus Bungalows are demolished by 31st December 2010 to meet Decent Homes Standard targets. This key milestone will be built into the development-phasing plan.
18. It is anticipated that the 100 re-provision homes will be built and all existing Discus residents will be allocated a new bungalow by 2010/2011.

Options

19. Members are asked to consider the following options:
20. **Option 1:** Accept the revised capital receipt offered by the Development Consortium and that subject to agreed contractual terms, the Council should continue to work with this consortium to deliver this exemplar housing regeneration project in York.
21. **Option 2:** Not to accept the revised capital receipt offered by the Development Consortium and look to re-tender to select a new developer for the project or request officers to consider other investment opportunities to re-develop the sites.

Analysis

22. In regard to the options, Members are asked to consider the following details:
23. **Option 1:** If Members approve a revised capital receipt, it is suggested that this still represents a highly competitive commercial deal for a phased sale of the Discus sites, particularly in the current economic climate. As stated earlier in the report, the revised capital receipt is still the highest when considered against the original tender submissions.
24. It is likely that given the poor current conditions in the housing market the Council would be facing similar economic issues with any developer selected. With a predicted 11% reduction in house prices during 2008 that could not have been predicted in early 2007 and given the volatility in the housing market and limitations of mortgage products available, these are serious conditions that could not be forecast at the time of tender.
25. This existing development opportunity would deliver a variety of sustainable, efficient mixed tenure housing built to Lifetime Homes standard across the three

Discus sites and a much needed Extra Care facility, addressing the present and future needs of older residents and affordable family housing demand in the city.

26. **Option 2:** If Members decide not to accept a revised capital receipt and decide to re-tender or request officers to re-visit other investment opportunities to re-develop the Discus sites, the economic market could easily prohibit other developers providing the Council a better receipt than offered by this Development Consortium.
27. Given the length of time since the last tender selection process and change in market conditions, we are not in a position to select one of the other bidding developer/RSL partnerships to re-develop the sites.
28. The expectations of Discus residents would be a key concern here due to the length of time it would take to re-tender, particularly given their high level of engagement through the Project Steering Group to help design the new bungalows and their ongoing overall commitment to this project.
29. Further delays would create increased uncertainty and vulnerability for residents about their future, many of whom have now been decanted into other temporary Discus Bungalows in preparation for development phases based on plans of this Development Consortium and therefore continue to live in non-decent accommodation.
30. The Council's local and national reputation is also potentially at stake in delivering this project and any further delays here would also mean that Decent Homes Standard for these properties are not met by December 2010.
31. The considerable HCA investment ring-fenced to this development could also be lost at a time when there is great need for affordable family housing in the city. The investment bid made by the Development Consortium is shown at Confidential Annex 4.

Corporate Priorities

32. The re-development proposals reflect many of the council objectives and priorities, and many of the actions related to council objectives and initiatives. Specific links can be made to the following:
33. Outward facing
 - Increase the use of public and other environmentally friendly modes of transport
 - Improve the actual and perceived condition and appearance of city's streets, housing estates and publicly accessible spaces
 - Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York

- Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest
- Improve the life chances of the most disadvantaged and disaffected children, young people and families in the city
- Improve the quality and availability of decent affordable homes in the city

34. Improving our organisational effectiveness

- Improve our focus on the needs of customers and residents in designing and providing services
- Improve the way the Council and its partners work together to deliver better services for the people who live in York

Implications

35. The implications arising from this report are as follows:

- **Financial** – In order to complete the sale of these sites Secretary of State consent is required. If this is granted as per the CYC application the capital receipt will be classed as a qualifying disposal. As a qualifying disposal the capital receipt will be exempt from the housing pooling calculation meaning CYC can retain 100% of the receipt. Instead an adjustment will be made to our subsidy entitlement to reflect the capital receipt that will have been received. The maximum loss of subsidy should be £71k per annum. The final figure will depend on the consolidated rate of interest at the time the adjustment is made, the level of administrative costs that can be offset against the receipt and final confirmation of the proportion of receipt which will be taken into account in the adjustment. This calculation also assumes the current subsidy system remains the same. The review of the Housing Revenue Account (HRA) and subsidy system is due to report its initial findings in Spring 2009. Any changes resulting from the review will have to be assessed at that time.

The subsidy loss will have to be accommodated by the HRA unless the option is taken to use part of the Discus capital receipt or other HRA resources to repay HRA debt to an equivalent value of the adjustment made to our subsidy entitlement. The HRA currently has sufficient revenue resources to fund the loss of subsidy so the repayment of debt, at this time, is not recommended. It is therefore intended that the capital receipt, after the relevant project costs have been met, will be spent on the provision of affordable housing or funding expenditure on the Council's own stock in order to meet and maintain the decent homes standard.

- **Legal** - The Council and the Development Consortium for the sale of the Discus sites will enter into a Development Agreement as part of the sale of

the sites. A Section 106 Planning Agreement for each Discus site will deal with ancillary planning matters including nomination rights of the Council

It is intended that the Council will grant the developer a Licence to allow demolition and construction in accordance with an agreed phasing plan of the relevant site, with each phase being conveyed on practical completion of the relevant phase. Payment of the price apportioned to the relevant phase will occur on transfer of the phase.

- **Property-** The Corporate Landlord has been consulted throughout the process and property implications are detailed within this report.
- **Crime and Disorder** - There are no immediate crime and disorder implications, but it should be noted that the re-development would be built to Secure by Design standard. It should also be noted that throughout the course of the development there would be void properties across the sites. These will need to be monitored and managed, and any issues around vandalism or anti-social behaviour tackled immediately.
- **Equalities** - This development will offer better choice and access to housing particularly through the much needed extra care facility, that will not only help meet the aspirations of older people as highlighted in the Older People's Housing Strategy 2006-2009, but will help respond to affordable and other housing needs for a wide range of residents in York. A full Equality Impact Assessment for the project has also been produced and will be monitored throughout the course of the project.
- **Information Technology (IT)** - There are no IT implications
- **Human Resources** - There are no Human Resources implications

Risk Management

36. It has been a widely held belief that development agreements do not fall within the Procurement Regulations because they are not for the procurement of works, goods or services. However, recent case law, (post tender) has thrown doubt over the practice of not complying with the regulations when tendering for sale of land and development agreements. It may be argued that because the Council specified certain requirements for this development and on this basis fulfilling an economic function of the Council, the development agreement is a public works contract under these Regulations.
37. The European Commission has issued a new Public Procurement Remedies Directive, which although in force at European level, will not be applicable at a national level until it has been implemented by Member States. The UK Government must implement the Remedies Directive by 20th December 2009,

but local authorities in the UK are not required to comply with the Remedies Directive until it has been implemented.

38. Walker Morris, our legal framework partner has advised that the risks to the Council of not procuring the Project through the revised Regulations are at this stage minimal as it would be reasonable to expect that the Remedies Directive when implemented in Regulations will only apply to contracts awarded after a specified date. As such, the Council would greatly reduce its risk arising out of any claim by ensuring that it enters into any contract with the Development Consortium as early as possible prior to December 2009. It is anticipated that the Development Agreement would be signed by February 2009 and therefore this risk is minimal. The procurement of the project was advertised nationally and locally, and as such the potential for any challenge under the Remedies Directive is again small.
39. The Homes and Communities Agency (HCA) has advised that the Development Consortium needs to start work on site this financial year in order to draw down social grant for this development. Within the proposed development timescales it is anticipated that works should commence fairly imminently and therefore risk of losing this grant is fairly minimal.
40. The Council has reviewed the General Consents available under both Section 25 Local Government Act 1988 and Section 32 Housing Act 1985. Communities and Local Government (CLG) have advised that given the complexity of this scheme, a specific consent under the Secretary of State is still required. Officers have submitted an application for this specific consent to CLG for their consideration. Providing this consent can be granted to enable exchange of contracts and draw down HCA grant with start on site this financial year, it is considered that risk here is minimal. Officers have briefed CLG and Government Office in detail about the project and therefore it is anticipated that consent will be granted in good time.

Recommendations

41. The Executive are asked to:
 - i. Note the contents of this report and the progress made by the Project Steering Group, Council and Development Consortium in consultation with the Residents' Development Association to enable the re-development of the Discus Bungalows sites at St Anne's Court/ Horsman Avenue, Regent Street and Richmond / Faber Street
 - ii. Approve Option 1 to accept the revised capital receipt offered by the Development Consortium and that subject to agreed contractual terms that the Council should continue to work with this consortium to deliver this exemplar housing regeneration project in York.

Reason: This still represents a highly competitive commercial deal for a phased sale of the Discus Bungalows sites, particularly in the current economic climate. It is likely that given the poor housing market, we would be facing similar economic issues with any developer we had selected. Furthermore, this existing development opportunity would deliver a variety of sustainable, efficient mixed tenure housing built to Lifetime Homes standard across the three Discus sites and a much needed Extra Care facility, addressing the present and future needs of older residents and affordable family housing demand in the city.

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For further information please contact the authors of the report

Background Papers:

Meeting of the Executive Member for Housing and Advisory Panel March 2006-
Report on the Future of the Discus Bungalows

Meeting of the Executive, November 2007, Selection of a Preferred Discus Bungalows
Development Partner

Annexes (*all exempt*):

Annex 1: Heads of Terms for the Development Agreement

Annex 2: Quantity Surveyor report evaluating the Development Consortium's financial
appraisal

Annex 3: Independent valuation company report evaluating the Development
Consortium's financial appraisal

Annex 4: Details of the revised capital receipt and HCA investment bid by the
Development Consortium

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of the Local Government Act 1972.

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Executive**3 February 2009**

Report of the Corporate Landlord

Riverbank Repairs: River Ouse, Scarborough Bridge to Clifton Bridge**Summary**

1. This Report updates Members on the current condition of the riverbank between Scarborough and Clifton Bridges following the previous report on 2 December 2008 which reported a collapse, and provides information on costs to carry out minor repairs where appropriate and future capital costs to carry out major repairs or stabilisation works.

Background

2. At the Executive meeting on 2 December 2008 Members were informed that a significant collapse had occurred on the stretch of the north-eastern bank of the River Ouse between Scarborough and Clifton Bridges where a 40 metre length of concrete capping beam had become dislodged and tipped into the river. The bank it supported had slipped and there was a deep longitudinal crack in the embankment which had been fenced off for safety.
3. The report raised concerns about the long term safety of the bank and the pedestrian/cycle path, and recorded that a previous survey in 2002 had identified the need for repairs to various parts of the riverbank. Annual CRAM bids had subsequently been made to fund the repairs that had been identified but no funding had resulted. At the time of presenting the December report high river levels had precluded further investigation.
4. The meeting resolved:
 - (i) That an appropriate survey of, and minor repairs to, the collapsed area be undertaken, funded from existing revenue budget provision to be identified by the Director of Resources.
 - (ii) That a further updated report on the capital costs of repair in the longer term be brought back to the Executive in the very near future.

REASON: So that the hazard to river users and the general public can be removed immediately and that further consideration can be given to how best to address this issue in the longer term.

5. The river bank comprises a vertical river wall 1.3 metres high above normal water level with a 700mm wide concrete capping beam supporting a sloping earth embankment. The embankment rises 2 metres above the top of the wall

to the level of the riverbank path, and was originally at a gradient of 3:2. The edge of the path on the bank top is typically 10 metres from the waters edge.

6. The original wall construction was timber piles supporting vertical concrete slabs with a timber capping beam. It is not known when this was constructed but it could date from the middle of the last century or earlier.
7. Concern over the condition of this wall resulted in a programme of repair works in the late 1970s and early 1980s with a length of approximately 500 metres repaired in annual phases over a period of about six years. Its condition at the time enabled reasonably economical works to extend its life by constructing a steel frame supporting structure in front of the existing wall with a concrete capping beam and ties into the bank. It is not known whether there was consideration of the life expectancy of this stabilisation work at the time, but it is not unreasonable to expect that it may extend the life of the wall by perhaps 25 years.
8. No funding was made available to continue this stabilisation to the remaining 400 metres downstream towards Scarborough Bridge and it has continued to deteriorate, as evidenced by the 2002 survey.
9. The wall that has failed is part of the length that was repaired in 1983. While the reason for failure is not entirely clear it is likely to be a combination of the effects of regular saturation by river flooding, the extra weight of silt deposited from floods over the years on the front of the bank and scour to the base of the wall.
10. The top of the 700mm wide capping beam is barely visible and the gradient of the bank throughout the whole length of the wall is now much steeper, imposing approximately 3.5 Tonnes / metre extra loading on the wall. The ties and anchors within the bank appear to be within the slip plane, the location of which is shown by the longitudinal fissure three metres from the edge of the path.
11. A report of a hole in the bank in 2006 instigated an inspection which recorded that vertical concrete panels in both the repaired and unrepaired lengths had slipped or cracked in places leaving holes in the wall. These had caused at least six large holes, from 1.6m square and deep to 8m long and 2m deep, to form in the bank.
12. The cost of temporary repairs was then estimated to be £60k but no funding was available. They were covered over with mesh panel fencing as a temporary safety measure pending the funding of a more permanent solution. Because of the steeper gradient of the bank it was considered at the time that pedestrians were unlikely to walk on these areas but they still present a hazard, particularly to dogs.
13. It has now been possible to carry out a complete survey of this length of riverbank. This has provided information to:
 - Establish deterioration since the previous survey in 2002 which instigated the CRAM bids.

- Determine which lengths of bank which could be stabilised and over what timescale before more extensive repair work would be required.
- Determine which lengths of bank are beyond repair and require complete replacement.
- Determine where minor repairs and maintenance can be carried out to extend the life of the bank.
- Provide estimated costs for the above works

14. The findings of the recent survey are summarised as follows:

- The failed length has tipped forward of its original line by 1.35m and is 0.5m lower. The capping beam is cracked at each support and has sheared from the unaffected length at each end.
- The previously repaired 500m length, apart from the 40m length that has failed, is still in a reasonable condition and suitable remedial works could extend its life.
- The unrepaired 300m length of wall is showing serious signs of dilapidation with significant deterioration since 2002 and it is at the end of its life. It requires complete replacement. A location plan is attached in Annex 1 and photographs in Annex 2.
- There are a total of 10 no. holes in the bank ranging in size from 1m square x 1m deep to 5m x 1.5m x 1.5m deep. These are in both the repaired and unrepaired lengths. Because of their depth many have water in the bottom reflecting river level. The use of mesh fencing as on the previously surveyed holes has been considered but on safety grounds this was considered unacceptable and now all of the holes have been fenced off with chestnut pale fencing.
- It has not yet been possible to carry out a diving survey of the river bed adjacent to the wall. However information from previous diving surveys provides sufficient information of typical faults on which to base recommendations. This survey will be carried out soon to locate where specific work is required.

15. The following programme of works has been developed to address the findings in a logical sequence:

- (i) Replace the failed 40m length of wall using sheet piles, and construct new capping beam and ties.
- (ii) Reduce the extra loading on the 500m upstream length of wall by restoring it to its original gradient.
- (iii) Carry out stabilisation works to the remaining 460m of previously repaired upstream wall comprising anti-scour works at its base, replacement of missing sections of wall, filling of holes and the installation of additional ties.

- (iv) Replace the remaining 300m downstream length with sheet piles, and construct new capping beam and ties.

16. The reason for programming the works in this order is that it provides the opportunity to extend the life of the already repaired bank while it is still in a reasonable condition. The downstream bank will be monitored for continuing deterioration and interim works, if necessary, will be restricted to maintaining safety, e.g. fencing off dangerous stretches, pending its ultimate replacement.

Consultation

17. This Report has been written jointly by Engineers from City Strategy and Property Surveyors from Property Services. The Director of City Strategy is aware of the threat to the pedestrian/cycle network and the Assistant Director of LCCS is aware of the implications from a Leisure perspective.

Options

18. The options available are as detailed below:

Option 1

The Council does nothing and allows the river to continue to naturally scour the riverbank along this stretch.

Option 2

The Council funds a repair programme as outlined over an agreed period commencing in 2009/10. The length of the programme will be dependant on the level of annual funding and the rate of continuing deterioration.

Analysis

Option 1

19. This would not solve the problem of compromising the structural integrity of the pedestrian/cycle path, as there is no additional land alongside within Council ownership to allow its relocation. Also it would not address the risk of sudden failure of the riverbank.

20. In addition, the future risk to the erosion of adjacent private land may place the Council in a litigious position from private landowners.

21. The affected area would require permanent fencing off from the general public for safety reasons. It would look unsightly and trap flood debris.

22. There is an argument to allow the river to naturally scour the riverbank. However manmade intervention has already taken place in the past at this point and it is in part this element which has collapsed having come to the end of its life.

23. The financial implications of doing nothing now will mean that any future intervention the Council may make will cost more due to both price increases over time and a much higher degree of repair work required.

Option 2

24. This would address all of the problems that have been identified over a programmed period of an estimated 10 years and provide an asset with an estimated life of between 25 years (the stabilised upstream length) to 100 years (the repaired upstream length and the downstream length).
25. The survey has provided information to enable the development of a programme of works addressing all of the problems that have been identified. The proposed sequencing of the works is intended to minimise overall costs of repair by maximising the life of the existing usable asset.
26. No work of this nature is cheap. Land access to the area is severely restricted and the majority of the work will have to be done from the river. Estimating the cost of this type of work is difficult as it is a specialised market but enquiries to contractors indicate that the costs quoted in the previous report for replacement of the wall (item (i) above) at around £10,000 per metre are of the right order.
27. This will ensure the current pedestrian/cycle path route is maintained and remove the hazard from river users and the general public immediately. Depending on the nature of the repair work (repair or complete replacement) it could have a life span of between 25 and 100 years and will safeguard against any future liabilities.

Corporate Priorities

28. Increase the use of public and other environmentally friendly modes of transport – The integrity of the riverbank is required to maintain the pedestrian/cycle path network around the City, if the stability issues are left any longer there will be no option but to close the area of public access.
29. Improve the actual and perceived condition and appearance of the City's streets, housing estates and publicly accessible spaces – The repairs will enhance the existing river frontage providing its continued use for the future by residents and visitors alike. The river is a highly visible amenity for the City and any measures requiring its partial closure will detract from this Corporate Priority.
30. Improve the health and lifestyle of the people who live in York, in particular among groups whose levels of health are the poorest - Not only will the work ensure the future of the riverbanks for leisure activities, but it also will add to the visual amenity of open green spaces in the City which has proven to provide health benefits

Implications-

31. Financial – The CRAM (Capital Programme Resource Allocation Model) process for 09/10 requests £400k of capital funding to be allocated to this scheme, which goes to Council for approval in February 2009. Paragraph 26 estimates that cost per meter will be £10,000 and paragraph 15(i) details the requirement to replace the failed 40m length of wall. There is no further funding currently available at this time to fund the further works described in paragraph 15(ii) to 15(iv). This programme of works could be included in

future CRAM processes along with other capital schemes, to bid for any available funding.

32. Property – The property implications are already covered in this report.

33. Human Resources – There are no Human Resources implications

34. Equalities – There are no Equalities implications.

35. Legal – The Council has a general duty of care to protect the public from foreseeable dangers in its role as landowner. If the condition of the river bank is assessed to be dangerous the Council should take appropriate action, e.g. repairs or exclusion of public from dangerous areas.

36. Crime and Disorder – There are no Crime and Disorder implications.

37. Information Technology – There are no Information Technology implications

Risk Management

38. The risks associated with not undertaking the repairs as a matter of urgency would be:

- a sudden failure of the riverbank which could result in risk of injury or loss of life to any individual in the vicinity as well as damage to surrounding property
- further erosion of the riverbank which may increase the amount and cost of repair work in the future
- a continued threat to the structural integrity of the pedestrian/cycle path network
- a requirement on health and safety grounds to exclude the public from the affected area

Recommendations

39. Members are recommended to note the report, and that funding for the work for 2009/10 will be considered as part of the overall Capital Programme which will come to Executive on 16 February 2009 and Council on 26 February 2009.

40. To note that funding considerations for future years will need to be addressed as part of future capital programme reviews.

Contact Details

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Neil Hindhaugh
The Corporate Landlord

Report Approved Date *Insert Date*

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Title

Report Approved Date *Insert Date*

Specialist Implications Officer(s) *List information for all*
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Wards Affected: Clifton

For further information please contact the author of the report

Background Papers:

Executive report 2 December 2008

Annexes

Annex 1 – Location plan

Annex 2 - Photographs

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KEY:

- 2 Existing Defects
(recorded in 2002)
- 7 New Defects
(recorded in 2009)

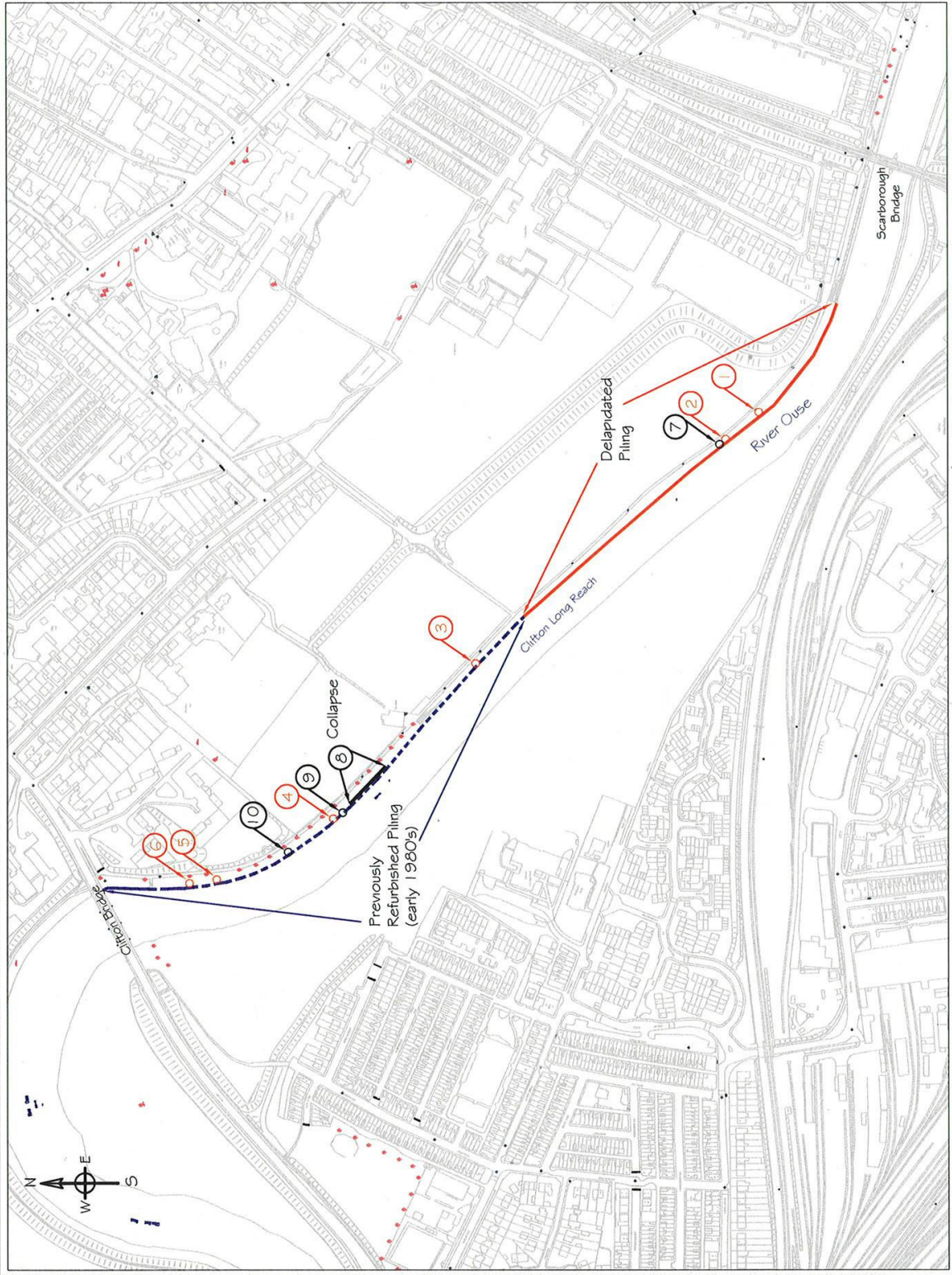
NOTES:

- 1.
- 2.
- 3.

Client	Met
Contractor	Met
Design	Met
Construction	Met
Operation	Met
Maintenance	Met
Handover	Met



 Project Name: RIVER OUSE BANK REPAIRS
 Drawing Title: Defects Location Plan: Clifton Long Reach
 Scale: As shown | Drawn by: JGC | Checked by: JMT | Date: 14/10/20
 Drawing Group: Drainage
 Drawing Number: A2
 Revision Number: 10434_3
 Revision Letter: O
 Feasibility



Defect Location Plan (Scale : 1/2500 @ A2)

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TYPICAL CONDITION PHOTOGRAPHS



Downstream length: hole in wall & bank



Downstream length: general view



Downstream length: tree damage



Downstream length: cracked wall



Upstream length: previous repair with hole in bank. Currently repairable



Upstream length: hole in bank covered with steel mesh fence



Upstream length: failed repair, replacement required



Upstream length: repairable length with failed length beyond



Executive

3rd February 2009

Report of the Director of Housing and Adult Social Services

Housing Rent Increase 2009/10

Summary

1. This report asks the Executive Member to consider the rent guidelines issued by the Department for Communities and Local Government (CLG) for 2009/10.

Background

2. In 2000 the Government announced that from April 2002 all councils and housing associations had to set their rents on a new, fair and consistent basis. This involved a phased change in rents over 10 years beginning in April 2002 based on a formula for rent setting created by Central Government. This is known as rent restructuring and means that actual rents are currently in the process of moving towards a Government set target rent. Under the original proposals announced in 2000, similar properties should be charged similar rents by 2012 regardless of who owns the property. This is known as rent convergence.
3. The actual rent is the rent charged to the tenant. The guideline rent is a notional rent and a feature of the HRA subsidy system. This is the level of rent the HRA subsidy system assumes an authority is receiving for the purpose of calculating its HRA subsidy entitlement.
4. This Government formula rent takes account of various factors including the number of bedrooms a property has, property valuation, average earnings and the date at which all rents are expected to converge.
5. Continuing to implement rent restructuring to achieve convergence for the majority of properties in 2011/12 would result in an average increase in council rents (on a 52 week basis) of 7.7%.
6. However, the CLG have proposed in the draft subsidy determination that the convergence deadline is extended to 2023/24. This revised timescale applies for 2009/10 only and is subject to review in future years. The effect of the extension is to reduce potential rent increases for tenants. If the rent calculations are altered to take account of this extension the average 2009/10 rent increase would be 6%.

Implementation Timetable

7. It is necessary to serve notices on tenants to vary their current rent and a minimum of four weeks notice is required.

Consultation

8. None specifically required.

Options

9. Option 1 - To continue rent restructuring with convergence in 2011/12 and increase rents by 7.7%.
10. Option 2 - To continue rent restructuring with convergence in 2023/24 and increase rents by 6%. RECOMMENDED OPTION
11. Option 3 - To implement a rent increase of 2.5% in line with other fees and charges.

Analysis

12. Option 1 – increase rents by 7.7% in line with the council’s policy on rent restructuring. This would be against the Government guidance on rent restructuring which has indicated that the date for rent convergence should be extended to 2023/24 pending a further review of rent restructuring and HRA subsidy during 2009/10. This level of rent increase would generate additional income over and above the level assumed in the Governments subsidy calculation and the HRA budget.
13. Option 2 – increase rents by 6% in line with Government guidance. This is in line with the recommendation from CLG and matches the assumed level of income in the HRA subsidy calculation and HRA budget.
14. Option 3 – increase rents by 2.5% in line with other housing fees and charges. This would again be against the Government guidance on rent restructuring and would have the effect of either:
 - extending the date for rent convergence beyond the recommended date of 2023/24; or
 - higher increases being needed in future years to compensate for a lower increase in 2009/10 at a time when inflation may be lower than it currently is; or
 - if rent were not increased to recover the funding, it would result in reducing the working balance on the HRA which would in turn affect our ability to continue to provide capital improvements in future years to the same level that is currently provided. Over the last 3 years, on average, a revenue contribution to capital has been made to support the Decent Homes programme of approximately £1.1m per year. Without this revenue contribution, the council would not be in a position where it could meet the Decent Homes standard.
15. This level of rent increase would generate less income than the level assumed in the Governments subsidy calculation and the HRA budget.
16. Money collected through rents is used for direct service provision to tenants, such as repairs and maintenance, highlighted by the recent Annual Housing Service Monitor as tenants highest priority.

17. The rent increase will apply to all council properties including hostels and travellers sites.

Corporate Priorities

18. Implementing the recommended option would ensure a balanced Housing Revenue Account (HRA) budget in 2009/10 thus allowing the work on improving the quality of the councils affordable housing to continue.

Implications

19. The implications arising from this report are:
 - **Financial** - The financial implications of a 6% average rent increase have been included within the Housing & Adult Social Services 2009/10 budget. Implementing the higher increase of 7.7% (option 1) would generate a further £425k income over the amount included in the budget report. Implementing the lower increase (option 3) would result in an annual ongoing loss of income to the HRA of £875k. This loss of income would need to be met from the balance currently held on the HRA and the full impact of this option on the long term viability of the HRA business plan would need to be evaluated in light of the government ongoing review of the HRA subsidy system. However, the outcomes of subsidy review are unlikely to be implemented before 2011/12, and implementing option 3 would result in the HRA going into in year deficit during 2009/10.
 - **Human Resources (HR)** – none arising from this report
 - **Equalities** – none arising from this report
 - **Legal** – It is necessary to serve notices on tenants to vary their current rent and a minimum of four weeks notice is required.
 - **Crime and Disorder** – none arising from this report
 - **Information Technology (IT)** – none arising from this report
 - **Property** – none arising from this report

Risk Management

20. There is a risk to the long term viability of the HRA should the rent increase not be agreed, as income will be lower than accounted for in the HRA business plan which could in turn effect future planned expenditure.
21. In compliance with the Councils risk management strategy the main risks that have been identified in this report are therefore those leading to financial loss (Financial).
22. Measured in terms of impact and likelihood, the risk score all risks has been assessed at less than 16, This means that at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.
23. Due to the significant financial cost of option 3 there are increased risks to the long term viability of the HRA business plan and as has been outlined in the financial

implications, should this option be approved the HRA will go into in year deficit during 2009/10 as the government will expect the Council to increase rents in accordance with the guideline rent and will therefore assume within its subsidy calculation that we will collect rent up to the guideline rent.

Recommendation

24. That option 2 is approved and the average rent increase in York of 6% be agreed.

Reason: To ensure a balanced HRA.

Contact Details

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Report Approved Date

Specialist Implications Officer(s) *None*

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

CLG Housing Revenue Account Subsidy Determinations November 2008
OIC Housing December 2001 – Implications of Rent Restructuring

Information on Housing Revenue Subsidy payment requested by Executive

Year	Amount of Negative Subsidy
2009/10	£ 6,530,000
2008/09	£ 5,310,000
2007/08	£ 5,340,000
2006/07	£ 4,850,000
2005/06	£ 4,690,000
Total	£ 26,720,000

2009/10 expected rent debit assuming 6% increase is:	£26,440,000
2009/10 negative subsidy as a percentage of rent debit is:	24.70%

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Executive**3 February 2009**

Report of the Head of Civic, Democratic & Legal Services

Establishing a Staffing Committee for City of York Council**Summary**

1. This report sets out proposals for establishing a Staffing Committee for City of York Council.

Background

2. Staffing matters are currently dealt with by a joint Urgency and Staffing Matters Committee. The terms of reference for this Committee can be found at pages 58-59 of Part 3C of the Constitution. These arrangements were developed to formalise the existing custom and practice that Urgency Committee dealt with staffing matters, in the absence of a committee with this remit, as Full Council meetings were too infrequent to allow timely decisions on these matters and also unsuitable to deal with sensitive issues affecting individual members of staff.

However staffing matters and urgent business ideally need to be dealt with in different ways. Meetings to deal with urgent business have to be convened on an ad-hoc basis, sometimes without the normal five clear working days notice, and require a small membership to facilitate attendance of Members at short notice. Meetings to deal with staffing matters ideally need to be diarised on a regular basis, require the normal five clear working days notice to be given, and would benefit from a larger membership, particularly in ensuring that meetings were quorate. Proposals have therefore been developed to establish a separate Staffing Committee.

Consultation

3. Consultation has taken place with Corporate Management Team and the Group Leaders.

Options

4. The following options are available for Members' consideration:
 - Option 1 – To agree to establish a Staffing Committee by splitting the terms of reference for the current Staffing Matters & Urgency Committee as set out

in Appendices 1 & 2, with a membership of 10 on a 4:4:2 proportional basis, and regular diarised meetings every two months;

- Option 2 – To amend these proposals, in relation to the size of the Committee, the terms of reference or the regular cycle of meetings;
- Option 3 – To reject these proposals and maintain the status quo.

Analysis

5. Option 1 would address the deficiencies in the current arrangements for dealing with staffing matters.

Corporate Priorities

6. The proposals contribute to the corporate values of providing strong leadership and supporting and developing people.

Implications

7. There are no implications for any of the following areas:

- **Financial**
- **Human Resources (HR)**
- **Equalities**
- **Legal-** The delegations to this committee by Full Council are made pursuant to S.101 of the Local Government Act 1972.

The functions relating to what can be described as staffing matters are largely designated as 'Non-Executive' functions, under the Local Authority (Functions & Responsibilities) (England) Regulations 2001.

- **Crime and Disorder**
- **Information Technology (IT)**
- **Property**
- **Other**

Risk Management

8. In compliance with the Council's risk management strategy. There are no risks associated with the recommendations of this report.

Recommendations

9. The Executive are asked to recommend to Council the approval of Option 1 as follows:-

- i) That a Staffing Committee be established by splitting the terms of reference for the current Staffing Matters & Urgency Committee as set out in Appendices 1 & 2, with a membership of 10 on a 4:4:2 proportional basis, and regular diarised meetings every two months.
- ii) The new standing committee to be implemented with effect from the new municipal year and hold its inaugural meeting within May 2009.

Reason: To ensure that staffing matters are dealt with efficiently and effectively.

Contact Details

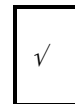
Author:

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Democracy Officer
Democratic Services
Tel No. 01904 551078*

Chief Officer Responsible for the report:

*Quentin Baker
Head of Civic, Democratic & Legal Services*

Report Approved



Date 21/1/09

Specialist Implications Officer(s) None

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Pages 58-59 of Part 3C of the Constitution

Annexes

Appendix 1 – Proposed terms of reference for the Staffing Committee

Appendix 2 – Proposed terms of reference for the Urgency Committee

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11 Staffing Committee

11.1 Function - The Staffing Committee is a formally constituted standing committee of Council which is established to undertake all non-executive functions relating to staffing matters.

11.2 Composition – The committee shall consist of 10 Councillors and the seats on the committee shall be distributed in accordance with the principles of political proportionality.

11.3 Delegations to the Staffing Committee:

No.	Delegated authority	Conditions
1	The Committee is empowered to exercise all functions of Full Council concerning Staffing Matters, (other than those which by law are reserved to Full Council), including but not limited to matters under S.112 of the Local Govt. Act 1972.	
2	<p>For the avoidance of doubt this shall include the following:-</p> <p>(a) To arrange for the conduct of or conduct the recruitment and selection process and to make recommendations to Full Council as to whom an offer of appointment to the said post(s) should be made in respect of the following vacant posts:-</p> <ul style="list-style-type: none"> (i) Head of Paid Service (ii) Directors (iii) Monitoring Officer (iv) S.151 Officer (v) Any Deputy Chief officer post as defined by S.2(8) Loc Govt. & Hsg Act 1989. <p>(b) In conducting its recruitment functions the Committee shall be empowered to establish recruitment sub-committees of no less than three elected Members.</p>	

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11 Urgency Committee

11.1 The Urgency Committee is a formally constituted, politically proportionate committee of Council which may undertake all non-executive functions in case of emergency.

11.2 Delegations to the Urgency Committee:

No.	Delegated authority	Conditions
1	The committee is empowered to authorise all non-executive functions (other than those which must, by law, be exercised by Full Council), in circumstances of urgency, where it is necessary to obtain a decision on any matter without delay.	
2	In relation to any urgent matter, which involves the exercise of Executive functions, the Committee shall act in an advisory capacity to the Executive Leader or his or her substitute Executive Member, who shall have regard to the advice when exercising the relevant function.	Subject to legal requirements for taking an urgent Executive decision.

11.3 For the purposes of determining whether the Urgency Committee ought to exercise the above delegations a decision is regarded as urgent if it cannot reasonably be deferred to the next available Council, Executive or Committee for determination and any such delay is likely to seriously prejudice the Council's or the public's interests.

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