

Meeting	Executive
Date	15 June 2023
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Kent, Lomas, Pavlovic, Ravilious and Webb
In Attendance	Councillor Ayre
Officers in Attendance	Ian Floyd – Chief Operating Officer Bryn Roberts – Director of Governance and Monitoring Officer Debbie Mitchell – Chief Finance Officer Neil Ferris – Corporate Director of Place Martin Kelly – Corporate Director of Children & Education Jamaila Hussain – Corporate Director of Adult Social Care & Integration Pauline Stuchfield – Director of Customer & Communities Helen Whiting – Head of HR & OD Andy Laslett – Strategic Services Manager John Roberts – Strategic Planning Policy Officer

Part A - Matters Dealt With Under Delegated Powers

Chair's Introduction

The Chair introduced the meeting, stating that the Executive was looking forward to delivering the priorities of the new administration, which would be: health, affordability, environment and climate change, equalities, and human rights

1. Declarations of Interest (17:30)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests.

Cllr Webb declared a non-pecuniary interest in Agenda Item 7 (Agency Worker Contract Review), as a Director of Veritau, stating that this was a recent appointment which he had now added to his Register of Interests.

2. Minutes (17:33)

Resolved: That the minutes of the Executive meeting held on 16 March 2023 be approved and then signed by the Chair as a correct record.

3. Public Participation (17:33)

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

Flick Williams spoke on matters within Executive's remit, expressing concerns about the continuing adverse effect on disabled access of the city centre Hostile Vehicles Measures (HVM) scheme and pavement café licences.

Zeina Chapman spoke on matters within Executive's remit, highlighting community concerns about the bollards installed as part of the Acomb Front Street regeneration plan and the way in which the plan had been carried out.

Cllr Warters spoke on matters within Executive's remit, welcoming the new administration and urging them to abandon 'vanity projects', review the HMO supplementary planning documents and properly resource Environmental Services functions.

Lamara Taylor, Head Teacher of Westfield Primary School, spoke on Agenda Item 5 (Westfield Centre Partnership with University of York). She highlighted the sense of pride in Chapelfields as well as its challenges, and the benefits that the partnership would bring to the community.

Cllr Nelson also spoke on Item 5, as a Ward Member for Westfield. She supported the proposals and stressed the importance of engaging fully with residents and meeting the wider needs of the community.

Cllr Waller also spoke on Item 5, as a Ward Member for Westfield and a governor of York High School and Westfield

Primary School. He supported the proposals, emphasising the need to maintain current activities as well as creating new ones.

Written comments received from Rod Sims, Head Teacher of York High School, supporting the proposals set out in Item 5, had been circulated to Members before the meeting.

4. Forward Plan (17:56)

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

5. Westfield Centre Partnership with University of York (17:56)

The Corporate Director for Children & Education, the Director of Customer & Communities and the Strategic Services Manager presented a report which set out a proposal from the University of York (UoY) to support education and community outcomes in the Westfield area, and asked Members to support the proposal and to consider options for a partnership contribution from the council by leasing Sanderson Community House (SCH) to UoY for development of the 'Westfield Centre'. The Head of Access and Outreach at UoY was in attendance and provided further details on the project. She noted that the current name for the centre was temporary and a name would be chosen by the community.

The report outlined the background to the proposal, which had evolved from conversations between Education leads and local headteachers following UoY's involvement in a partnership to establish a community learning centre in a deprived area of Hull. UoY were seeking to establish a similar centre in Westfield, via a £2.5m investment through philanthropic donations. Four options were available, as detailed in paragraphs 27-34 of the report and summarised below:

- Option A – support the proposal and lease SCH to UoY at a peppercorn rent. This was the recommended option.
- Option B - lease SCH to UoY at a commercial rent. This would be likely to reduce investment in the project.
- Option C – reject the proposal and continue the operation of SCH as a community centre. This would leave teams struggling to raise the current usage above 5%.

- Option D - close the community centre and convert it into 3 terraced houses. This was essentially the fallback position should Options A and B fall through.

Members welcomed the report and the plans to consult with residents 'face to face', commenting that the area was defined by its people and not by deprivation. In supporting the recommendations, the Executive Member for Children, Young People & Education thanked all those involved in the project, which he said could be transformative for families. Having noted the comments made on this item under Public Participation, it was

Resolved: (i) That the partnership with the University of York to develop the 'Westfield Centre' be supported.

(ii) That Option A be approved and the University of York be granted a five-year lease of Sanderson Community House at a peppercorn rent, subject to public consultation with Westfield residents on the proposed lease.

(iii) That authority be delegated to the Director of Customer & Communities, in consultation with the Executive Member for Housing, Planning & Safer Communities, to negotiate and enter into all legal agreements necessary to implement the lease, following the outcome of the Westfield resident consultation.

Reason: In order to support education and community outcomes in the Westfield area.

6. Strensall with Towthorpe Neighbourhood Plan - Referendum Outcome and 'Making' the Plan (18:26)

The Corporate Director of Place and the Strategic Planning Policy Officer presented a report which sought approval to 'make' the Strensall with Towthorpe Neighbourhood Plan following a successful referendum.

The referendum had been held on 4 May 2023, alongside local elections held on the same day. On a turnout of 33%, 85% of respondents had replied 'Yes' to the referendum question and 17.5% had replied 'No'. Under the Regulations, the council was

therefore required to 'make' the plan – that is, to formally adopt it as part of the statutory Development Plan - by 30 June 2023.

The Executive Member for Housing, Planning & Safer Communities thanked all those involved and expressed a wish for more neighbourhood forums and plans across the city.

Resolved: (i) That the successful results of the referendum held in respect of the Strensall with Towthorpe Neighbourhood Plan forming part of the City's statutory Development Plan be noted.

(ii) That the Strensall with Towthorpe Neighbourhood Plan be formally 'made', in accordance with statutory requirements.

(iii) That the Decision Statement attached at Annex B to the report be approved, and published in accordance with statutory requirements.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

7. **Agency Worker Contract Review (18:30)**

The Head of HR & OD presented a report which sought approval to award a contract to City of York Trading (CYT), trading as Work with York (WwY), for the provision of temporary staff to City of York Council.

CYT was a company wholly owned by the council, with profits coming back to the council as dividends. The current contract had been let to CYT under the 'Teckal' exemption and was due to expire on 31 August 2023. The following options were presented, as detailed in paragraphs 12-25 of the report:

Option 1 – award the contract to CYT directly under 'Teckal' arrangements. This was the recommended option.

Option 2 – go through a formal re-tender process involving other external agencies. This would require an 18-month extension to the current contract to allow enough time, and there would be further implications if the procurement process was not successful.

Option 3 – move the agency process in-house. This would also require more time, as well as additional resources from the council.

In supporting the recommendations, the Executive Member for Finance, Performance, Major Projects & Equalities noted that, while agency workers should not be used unless essential, Option A would reduce the cost where this could not be avoided.

Resolved: (i) That approval be given to award a contract directly to CYT for the provision of temporary staff to the City of York Council for an initial period of five years, plus up to two years of extensions (a maximum term of seven years).

(ii) That authority be delegated to the Head of HR, in consultation with the Chief Finance Officer, to take such steps as are necessary to negotiate with CYT any changes to the current specification around the rates and fee structure and to enter into the resulting contract.

Reason: To keep agency costs to a cost-effective level for the council whilst maintaining quality of service.

8. Finance and Performance Outturn 2022-23 (18:41)

The Chief Finance Officer presented a report which provided a year end analysis of the council's overall finance and performance position on 2022-23, including progress in delivering the savings programme.

The report highlighted the ongoing pressures faced by the council across all service areas, especially children's and adults' social care budgets, as well as increased interest rates and the challenge of inflationary pressures in particular. The provisional out-turn position was a net overspend of £4.8m, funded from contingency and earmarked reserves. An overview of the outturn was provided in Table 1 at paragraph 7 of the report and key variances within each directorate were summarised in Annex 1.

Performance in general had remained high despite the many challenges of the past four years, and continued to compare well against similar local authority areas. Strategic indicators with an improving direction of travel were summarised in paragraph 13 of the report; those with a worsening direction

were summarised in paragraph 14. Detailed information was provided in Annex 2.

In response to questions, it was confirmed that the financial position remained serious and the overspend was forecast to increase in the context of national funding issues. The Executive Member for Finance, Performance, Major Projects & Equalities noted she was preparing next year's budget proposals and was grateful to officers for supporting plans to present these in a transparent way.

Resolved: (i) That the year-end position be noted.

(ii) That the finance and performance information be noted.

Reason: To ensure that significant financial issues can be properly dealt with.

9. Capital Programme Outturn 2022/23 and Revisions to the 2023/24-2027/28 Programme (18:59)

[See also under Part B]

The Chief Finance Officer presented a report which set out the capital programme outturn position for 2022-23, including any under or over spends, and provided an update on the impact on future years of the programme.

An outturn of £79321m was reported on the approved 2022/23 budget of £127.393m; an overall reduction of £48.072m. This comprised requests to re-profile a net -£49.179m of schemes to future years and adjustments to schemes increasing expenditure by a net £1.107m, mainly due to receipt of additional grant funding. The overall programme continued to operate within budget, due to careful management of expenditure.

Key areas of investment and outcomes were highlighted in paragraphs 2 and 3 of the report. Variances and re-profiling requests within each portfolio area were set out in Table 1 at paragraph 10 and detailed in the body of the report. The re-stated capital programme for 2023/24 to 2027/28 was shown in Table 3 at paragraph 96 and detailed in Annex A; the projected

call on council resources was illustrated in Table 4 at paragraph 97.

The Executive Member for Finance, Performance, Major Projects & Equalities noted that the information in the report related to the previous administration and that much work would be needed to ensure a deliverable programme in the current circumstances.

Resolved: (i) That the 2022/23 capital out-turn position of £79.321m be noted.

(ii) That the requests for re-profiling from the 2022/23 programme to future years, totalling £49.179m, be approved.

(iii) That the adjustments to schemes, increasing expenditure in 2022/23 by a net £1.107m, be noted.

Reason: To enable the effective management and monitoring of the council's capital programme.

10. Treasury Management Annual Report and Review of Prudential Indicators 2022/23 (19:03)

The Chief Finance Officer presented a report which provided details of the out-turn position for treasury activities in 2022-23 and highlighted compliance with the council's policies as previously approved by Members.

No significant changes to the treasury management strategy were reported. It was confirmed that the report would be considered by the Audit & Governance Committee at its meeting on 19 July 2023.

Resolved: That the 2022/23 performance of treasury management activity and prudential indicators outlined in Annex A to the report be noted.

Reason: To ensure that the continued performance of the treasury management function can be monitored, and to comply with statutory requirements.

PART B - MATTERS REFERRED TO COUNCIL

11. Capital Programme Outturn 2022/23 and Revisions to the 2023/24-2027/28 Programme (18:59)

[See also under Part A]

by a net £1.107m, mainly due to receipt of additional grant funding. The overall programme continued to operate within budget, due to careful management of expenditure.

Key areas of investment and outcomes were highlighted in paragraphs 2 and 3 of the report. Variances and re-profiling requests within each portfolio area were set out in Table 1 at paragraph 10 and detailed in the body of the report. The re-stated capital programme for 2023/24 to 2027/28 was shown in Table 3 at paragraph 96 and detailed in Annex A; the projected call on council resources was illustrated in Table 4 at paragraph 97.

The Executive Member for Finance, Performance, Major Projects & Equalities noted that the information in the report related to the previous administration and that much work would be needed to ensure a deliverable programme in the current circumstances.

Recommended: That the re-stated 2023/24 to 2027/28 programme of £533.321, as summarised in Table 3 at paragraph 96 of the Executive report and detailed in Annex A, be approved.

Reason: To enable the effective management and monitoring of the council's capital programme.

Cllr C Douglas, Chair

[The meeting started at 5.30 pm and finished at 7.04 pm].

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