

Meeting	Cabinet
Date	1 April 2014
Present	Councillors Simpson-Laing (Vice-Chair, in the Chair), Crisp, Cunningham-Cross, Levene, Looker, Merrett and Williams
Apologies	Councillor Alexander

117. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

Councillor Merrett declared a personal interest in relation to Agenda item 7 (Improving York's City Centre – Reinvigorate York Public Realm Improvement Projects) as an honorary member of the Cycle Touring Club and as a York Cycle Campaign member.

118. Exclusion of Press and Public

Resolved: That it was agreed to exclude the press and public from the meeting during consideration of Annexes 1 to 4 to agenda item 8 - Minute 124 refers (Formation of a Yorkshire Purchasing Organisation Limited Company) on the grounds that they contain information relating to the financial or business affairs of particular persons (including the authority holding that information). Such information is considered 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).

119. Minutes

Resolved: That the minutes of the last Cabinet meeting held on 4 March 2014 be approved and signed by the Chair as a correct record.

120. Public Participation

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

Gwen Swinburn spoke in relation to agenda item 6 - Bid to join the UNESCO Creative Cities Network as a City of Media Arts (minute 122 refers). She expressed concern that this report did not include a cost benefit analysis, risk implications, financial information in relation to travel or background papers. She also spoke in relation to the authorities governance arrangements and engagement with residents.

Paul Hepworth, spoke in relation to agenda item 9 - Improving York's City Centre - Reinvigorate York Public Realm Improvement Projects (minute 123 refers). He referred to the further deliberations mentioned in the report proposed for various elements of the Fossgate scheme, which included provisions for cyclists. He referred to Department for Transport guidance for cyclists in vehicle restricted areas and asked for full and fair discussion of the guidance, prior to the making of any recommendations in respect of cyclists access to the area.

121. Forward Plan

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

122. Bid to join the United Nations Educational, Scientific and Cultural Organisation Creative Cities Network as a City of Media Arts

Consideration was given to a report which asked for Cabinet's endorsement of the bid to join the United Nations Educational, Scientific and Cultural Organisations Creative Cities Network

(UNESCO) as a City of Media Arts, in order to raise public awareness of the opportunities for the city.

It was reported that in 2010 Council had agreed to make an application to be a Creative City of the Media Arts however, following the withdrawal of funding for UNESCO in November 2011, the admission of further cities had been put on hold. Since that time the media arts sector had continued to grow and following recent encouragement York had resumed its bid through a partnership of organisations steered by York@Large, on behalf of the city.

The Cabinet Member confirmed that York would receive notification as to the success of its bid on 20 November 2014. In the meantime she encouraged all to vote online for the city and expressed her thanks to York@Large for all their work.

Chris Bailey, spoke as an interested resident who had been involved in work on the bid. He highlighted the importance of the Council's endorsement of the bid which could lead to international recognition of the city. He referred to the economic power of creative arts which attracted businesses from other sectors all of which were important for young people in the city.

Members also expressed their strong support for the bid which would help secure the cities future and add further scope for employment

Resolved: That Cabinet agree to endorse the bid to join the UNESCO Creative Cities Network as a City of Media Arts and to raise public awareness of the opportunity presented. ¹.

Reason: To demonstrate the ongoing support of the council for York's bid.

Action Required

1. Continue with development plan in respect of the UNESCO bid.

SH

123. Improving York's City Centre - Reinvigorate York Public Realm Improvement Projects: outcome of consultation and proposals for Fossgate

Members considered a report which provided an overview of the consultation undertaken on the following three of six priority Reinvigorate York public realm improvement projects, including detailed feedback in respect of the Fossgate scheme:

- Exhibition Square and Theatre Interchange scheme, part of the Better Bus Area Fund programme
- Duncombe Place/Blake Street junction
- Fossgate (Annex 1 of the report) and proposed junction improvement plans (Annex 2)

It was reported that the aim of the Fossgate proposals had been to encourage the regeneration of the street, changing its character from a vehicular dominated through road to a quieter more pedestrian friendly area. Following extensive consultation it was noted that strong views had been expressed that investment should be concentrated on improving the northern end of Fossgate and that proposals for the southern end should not be carried out at the present time. Officers had subsequently reviewed their entry treatment proposals for the street and put forward a further option shown at Annex 2 which had now been endorsed by the Fossgate Users Group.

The Cabinet Member referred to the strong views put forward by residents and businesses in the area which had resulted in revisions to the scheme whilst maintaining the character of Fossgate.

Consideration was then given to the following three options:

Option 1

Key proposals included:

- i) Localising physical improvements to the northern end of Fossgate from the junction with Pavement to the junction with Lady Pecketts Yard.
- ii) Raising the surface of the road to footpath level to provide a shared surface between No. 5 (Terrace PH) to No. 14 (Masons Bar & Bistro) with a ramp at either end.

- iii) Reducing the roadway in width and gently sweeping the alignment of the road. This will allow widening of footpaths, whilst keeping the lines of paving simple, and will help to reduce vehicle speeds.
- iv) Amend the status of a short length of the existing overnight parking bays in Fossgate to create 2 parking bays exclusively for use by blue badge holders. These bays would be longer than normal (8m rather than 6m) to allow easier access to the rear of the vehicles by people with wheelchairs. It should also be noted that additional dedicated disabled parking bays have already been provided in near by Piccadilly car park where the Shopmobility scheme operates from.
- v) Relocating the existing parking spaces at the southern end of Fossgate to the other side of the road. This will help to control vehicle speeds.
- vi) Surfacing the roadway in dark grey granite setts (to provide a durable and robust surface for delivery vehicles) and edging with new granite kerbs. The footway will be paved in yorkstone flags. This will maintain a clear visual distinction between the road and footpath. Visually the new granite kerbs will appear 'flush' with the road but will be laid with a slight upstand (this will help blind and visually impaired people to navigate the street).
- vii) Locating new bollards to protect cellars and overhangings from properties and direct traffic whilst still allowing deliveries to businesses.
- viii) Keeping the existing wide granite kerbs, which are unique to Fossgate and are a heritage asset. The existing stone setts and paving to the bridge will also be kept.
- ix) Providing new seating in locations subject to consultation with businesses and residents.

Option 2

Key proposals included:

- i) Raising the surface of the road to footpath level to provide a small length of raised 'table top' between No. 5 (Terrace PH) and No. 8 (Connolly's Homestyle) with a ramp at either end.
- ii) Resurfacing the carriageway between the finish of the new table top up to the start of the existing stone setts and paving to the Bridge.
- iii) Removing the existing traffic island at the junction of Fossgate with Merchantgate and building out the footpath between No. 2 (Alms Houses) and No. 6 (Quantum Sales & Lettings) to enable provision of cycle parking and seating as required.

Other key proposals as for Option 1 above.

Option 3

Key proposals included:

- i) Providing a granite sett ramp at the northern entrance into Fossgate from Pavement and widening the footpath between No. 5 (Terrace PH) and No. 8 (Connollys Homestyle).
- ii) Retaining the existing road levels and resurfacing the carriageway between the new ramp to the start of the existing stone setts and paving to the Bridge.

Other key proposals as for Option 1 above.

Following further discussion it was

Resolved: i) That Cabinet approve Option 1 as the preferred design for the Fossgate scheme and a proposed budget of £310k. The work to be funded out of the £3m Capital budget already agreed for the Reinvigorate York programme (£305.5k) and supplemented from the Capital Maintenance budget 2014/15 (£4.5k) for carriageway patching, leaving a

balance of £1,604.5k unallocated across the Reinvigorate York programme.¹.

- ii) That Cabinet note that the preferred design and proposed budget for the Exhibition Square/Theatre Interchange and Duncombe Place/Blake Street junction projects will follow later.

- Reason:
- i) To ensure delivery of the Fossgate project within the overall Reinvigorate York project programme.
 - ii) To keep Cabinet updated on the Reinvigorate projects.

Action Required

1. Implement preferred Option 1 improvement scheme for Fossgate.

SH, AB

124. Formation of a Yorkshire Purchasing Organisation Limited Company

Consideration was given to a report which sought approval for the formation of a trading company for the Yorkshire Purchasing Organisation (YPO), owned by the 13 founder members of the Organisation. It was reported that a limited company would protect the current level of business with schools and academies and allow YPO to explore opportunities not available to a Joint Committee.

It was noted that the holding company would be set up as a company limited by shares which would allow private sector trading for profit, mainly with schools and academies in relation to energy procurement, allowing YPO to offer the energy buying service to non-public sector organisations.

Alternative methods of protecting existing YPO activity had been considered however, this had been found to be the only option available to Local Authorities for trading on a commercial basis with non-public bodies.

Supporting information in relation to the business case for the creation of the new limited company, the Memorandum and Articles of Association and Shareholder and Management

Services Agreements were set out in exempt Annexes 1 to 4 of the report.

Officers referred to the changes that had taken place since the establishment of the Organisation in 1974 and to the need to retain existing YPO business whilst expanding the offer to private sector organisations and limiting any risks.

Members referred to the importance of strong membership and governance arrangements, the details of which would be finalised at a later date.

Consideration was then given to the following options:

Option 1:- To form YPO Procurement Holdings Limited.

Option 2:- Not to form a company.

Resolved: That Cabinet agrees to:

- i) Note the preparation of the Business Case by Yorkshire Purchasing Organisation Officers in support of the proposed exercise of the power to trade and approve the final Business Case set out at annex 1 (exempt) of the report.
- ii) The formation of the trading company limited by shares wholly owned by the Founder Members of YPO (to be known as YPO Procurement Holdings Limited) to act as a holding company for a range of special purpose vehicles in order to protect the business of the YPO joint committee.
- iii) The Council becoming a shareholder of the company limited by shares under the name of YPO Procurement Holdings Limited which may trade in

accordance with section 95 of the Local Government Act 2003 and the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009 and or Section 4 of the Localism Act 2011.

- iv) Recommends Council to make appointments as its director and alternate director on the Company Board.
- v) Note that the Chairman of the Board of the company will be as set out in the Shareholder agreement.
- vi) Authorise the Director of Customer and Business Support Services to exercise the Council's powers of shareholder at general meetings in the company.
- vii) The governance and funding arrangements for the company as set out in the report.
- viii) Delegate authority to the Director of Customer and Business Support Services, in consultation with the Assistant Director of Governance and ICT, to finalise the detailed arrangements for the formation of the company including relevant financial matters and, governance issues, such as matters to be reserved to the Council as shareholder and to delegate authority to the Assistant Director of Governance and ICT or authorised representatives to enter into all necessary legal agreements or documentation and ancillary to the

implementation of the above recommendations in accordance with the following documents substantially in the form set out in the;

- The Memorandum and Articles of Association of the company – annex 2 of the report (exempt)
- The Shareholder Agreement - annex 3 of the report (exempt)
- The Management Services Agreement – annex 4 of the report (exempt) ¹.

Reason: The business case (as set out at Annex 1) of the report (exempt) is based upon protecting the current business which could be lost if outsourced to private bodies, access to new business to enable continued growth and protection against financial risk, resulting from structural changes in the customer base.

Action Required

1. Delegated authority to finalise the detailed arrangements for formation of YPO Procurement Holdings Ltd.

IF, AD

Cllr T Simpson-Laing, Chair

[The Meeting started at 5.30 pm and finished at 6.15 pm].