

**Notice of a public meeting of
Executive**

To: Councillors Gillies (Chair), Aspden, Ayre, Dew, Douglas, K Myers, Runciman and Waller

Date: Thursday, 18 October 2018

Time: 5.30 pm

Venue: The George Hudson Board Room - 1st Floor West Offices (F045)

A G E N D A

Notice to Members – Post Decision 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 **4:00 pm on Monday, 22 October 2018.**

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

1. Declarations of Interest

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of 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 Annex 2 to Agenda Item 9 (Duncombe Barracks, Burton Stone Lane) on the grounds that it contains information relating to the financial or business affairs of particular persons. 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 1 - 12)

To approve and sign the minutes of the last Executive meeting, held on 27 September 2018.

4. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Wednesday, 17 October 2018**. Members of the public can speak on agenda items or matters within the remit of the committee. To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

Filming, Recording or Webcasting Meetings

Please note that, subject to available resources, this meeting will be filmed and webcast, or recorded, including any registered public speakers who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts> or, if recorded, will be uploaded onto the Council's website following the meeting.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/download/downloads/id/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809.pdf

5. **Forward Plan** (Pages 13 - 18)
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.
6. **Planning for the Possibility of a “No-deal” Brexit** (Pages 19 - 30)
The Chief Executive to present a report which outlines the discussions and activities underway in York in relation to planning for the possibility that the UK may exit the European Union without an agreement in place.
7. **Attendance Management and Well Being** (Pages 31 - 42)
The Deputy Chief Executive / Director of Customer & Corporate Services to present a report which provides an update on current activities to manage attendance and support well-being across the council, and asks Executive to support a dedicated team for a two-year period to achieve a reduction in absence levels.
8. **Proposed Temporary Uses of Part of Castle Car Park** (Pages 43 - 54)
The Director of Economy & Place to present a report which seeks approval for two temporary uses of part of Castle Car Park during 2019, as a pop-up theatre (the Rose) and a Viking Hall.
9. **Duncombe Barracks, Burton Stone Lane** (Pages 55 - 78)
The Corporate Director of Health, Housing & Adult Social Care to present a report which sets out proposals to purchase part of the Duncombe Barracks site on Burton Stone Lane from the Reserve Forces and Cadets Association (RFCA), in order to deliver a housing development.
10. **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) 552030
- E-mail – fiona.young@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

City of York Council

Committee Minutes

Meeting	Executive
Date	27 September 2018
Present	Councillors Gillies (Chair), Aspden, Ayre, Dew, Douglas, K Myers, Runciman and Waller
In Attendance	Councillors D'Agorne and Looker

Part A - Matters Dealt With Under Delegated Powers

37. 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, that they might have in the business on the agenda. No additional interests were declared.

38. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting should any discussion arise on Annexes 1 and 2 to Agenda Item 14 (Establishing an Investment Budget for a Strategic Commercial Property Acquisition), on the grounds they contain information relating to the financial or business affairs of particular persons. 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).

39. Minutes

Resolved: That the minutes of the Executive meeting held on 30 August 2018 be approved, and signed by the Chair as a correct record.

40. Forward Plan

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.

41. Public Participation

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme, and two requests to speak by ward members.

Matthew Laverack spoke on matters within the Executive's remit. He raised concerns about breaches of the terms of the lease of land at Piccadilly to Spark:York which he said had taken place and urged that the lease be terminated if these were not addressed.

Brian Watson spoke in relation to Agenda Item 8 (Community Stadium Update), expressing concern that York City Football Club (YCFC), as the Stadium Operator, would benefit more than York City Knights RFC from the Project. He also queried the arrangements for catering and receipt of revenue from advertising.

Cllr Mark Warters, Member for Osbaldwick & Derwent ward, also spoke on Agenda Item 8, asking why standing areas were now being proposed and expressing the view that YCFC and York City Knights should be equal partners in operating the Stadium.

Andrew Lawson spoke on Agenda Item 11 (City Centre Access Update and Priority 1 Proposals), on behalf of York BID. He highlighted concerns about some elements of the experimental TRO, but confirmed York BID's commitment to supporting the communication and consultation process.

Cllr Denise Craghill, Member for Guildhall ward, spoke on Agenda item 11. She expressed concern about delays in consultation and lack of clarity on mitigation measures for disabled people, and asked that the process be fully resourced so that it could proceed as soon as possible.

42. Demonstrating Delivery of the Older Persons' Accommodation Programme and Preparing for Further Action

The Programme Director, Older Persons' Accommodation presented a report which reviewed the outcome and achievements of the Programme to date and proposed a further phase to tackle the continued and growing need for new accommodation with care for older people.

Progress to date was detailed in paragraphs 9 to 18 of the report and in the table at Annex 1. The Programme was on track to deliver 964 new units of accommodation with care for older people by 2020, compared to the original target of 533 units. It had delivered changes generating revenue savings of over £500k per year and stimulating over £100m of capital investment. A key feature was the transformation of the Burnholme Community College site which would deliver key health and wellbeing facilities for neighbouring communities, as well as a new 80 bed care home.

The first phase of the Programme had focused primarily on residential care and the needs of those with higher care requirements. A further phase would allow the council, working with health and housing colleagues, to address the wider system, in line with the vision to support older people with all levels of care needs to live independently. It was therefore proposed to bring a business case for further investment to the Executive in November.

Members noted that this was the last report to be presented to Executive by Roy Wallington, as a new Programme Director would take over on Monday. They thanked Roy and his team for their work on the Programme and wished him well in his next role.

Resolved: (i) That the outcomes and achievements, which will deliver a substantial increase in the quantity and quality of accommodation with care for older people, be noted.

(ii) That a report be brought back to the November meeting of the Executive so that they may consider the business case for a further phase of the Older Persons' Accommodation Programme.

Reason: In order to respond to the continued and growing need for accommodation with care for older people in the city.

43. Director of Public Health Annual Report 2017

The Director of Public Health presented her Annual Report for 2017/18 in the form of a video screened at the meeting. A leaflet highlighting key points of the video was attached as an annex to the introductory report.

Members expressed their approval of the Report, noting that it had been made available online and could also be shown in doctors' surgeries, libraries and other public spaces.

Resolved: That the Annual Report be received and noted.

Reason: To confirm that the Executive has received an overview of the Annual Report of the Director of Public Health and has a shared understanding of the issues highlighted.

44. Community Stadium Project Update

The Deputy Chief Executive / Director of Customer & Corporate Services presented a report which provided an update on the progress of the Community Stadium and Leisure Facilities Project since the last full report to Executive in October 2017.

Since that date a number of major milestones had been achieved, including:

- Commencement of a 13 year Design, Build, Operate and Maintain contract with Greenwich Leisure Ltd. (GLL) from November 2017, when GLL also took over existing leisure facilities;
- Commencement of construction works to the York Stadium Leisure Complex (YSLC) in December 2017, with work scheduled for completion by May 2019 and opening of the New Facilities from July 2019.

Full details were set out in the report, with images of the construction in Annex A.

Following closure of the Huntington Stadium, York City Knights RLFC (YCK) had been playing all their first home team fixtures

at Bootham Crescent and the Executive had agreed in December 2016 that the council provide financial support for these fixtures until the end of the 2018 Rugby League season. It was recommended that this be continued for the 2019 season, until YCK played their first game from the new Stadium.

Members congratulated YCK on their recent success in the League Championship and, having noted the comments made under Public Participation on this item, it was

Resolved: (i) That the contents of the report and the significant progress made since the last report to Executive in October 2017, be noted.

(ii) That the proposed financial support towards YCK's first team playing arrangements at Bootham Crescent be approved, as set out in Table 1 at paragraph 44 of the report, amounting to council financial support payable up to a net cost of £30,000 for the 2019 Rugby League season, up until the new Stadium is operational.

Reason: To ensure the continued progress of the Project.

45. Supplementary Planning Documents (SPDs) to Support the Emerging York Local Plan

The Assistant Director for Planning & Public Protection presented a report which provided details of Supplementary Planning Documents (SPDs) referred to in the York Local Plan (YLP) and asked Executive to consider the SPDs to be produced and those to be delivered as a priority.

The matter had been considered by the Local Plan Working Group on 20 September 2018, and their recommendations were circulated to Members.

The following options were available, as detailed in paragraphs 19-21 of the report:

Option 1 – progress interim SPDs to inform development management decisions in advance of adoption of the YLP, prioritising two draft SPDs in respect of Affordable Housing and Green Infrastructure. This was the recommended option, since Members had previously highlighted these SPDs as key priorities to support the Local Plan policy position and they were

based on evidence that provided a robust rationale for their implementation.

Option 2 – identify alternative SPDs to be progressed as above.

Option 3 – choose not to progress any SPDs in advance of adoption of the YLP.

Members noted the concerns raised by the Green Opposition Group Leader on the number of SPDs referenced in the YLP and the timescale for considering these after adoption of the YLP.

Resolved: That Option 1 be approved and that Officers' recommendations to progress interim SPDs to inform development management decisions in advance of the adoption of the York Local Plan, prioritising the two SPDs relating to Affordable Housing and Green Infrastructure, be accepted.

Reason: So that work on interim draft SPDs can be progressed prior to adoption of the York Local Plan.

46. Rufforth and Knapton Neighbourhood Plan - Examiner's Report and Decision Statement

The Assistant Director for Planning & Public Protection presented a report which sought approval for the recommendations of the Examiner regarding modifications to the Rufforth with Knapton Neighbourhood Plan (the Plan), to enable the Plan to proceed to a referendum.

The Examiner's Report was attached as Annex A to the report, along with the Decision Statement, including the Council's proposed response to the Examiner's recommended modifications to the Plan, at Annex B. These documents had been considered by the Local Plan Working Group on 20 September 2018, and their recommendations were circulated to Members.

It was recommended that the Examiner's modifications be accepted rather than altered, as they made the Plan more robust and enabled it to meet the Basic Conditions. A decision to reject the modifications could only be made on the specific grounds set out in paragraph 26 of the report.

The Chair extended his thanks to the Rufforth & Knapton Parish Council for all their work on the Plan.

Resolved: (i) That the Examiner's modifications, and the consequential minor modifications, to the Rufforth with Knapton Neighbourhood Plan, as set out in Annex B, be approved and that, subject to those modifications, it be agreed that the Neighbourhood Plan meets the Basic Conditions and other legislative requirements.

(ii) That the Rufforth with Knapton Neighbourhood Plan, as amended, proceed to a local referendum based on the geographic boundary of the parish of Rufforth with Knapton, as recommended by the Examiner.

(iii) That the Decision Statement at Annex B be published on the City of York Council's website.

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

47. City Centre Access Update and Priority 1 Proposals

The Assistant Director of Transport, Highways & Environment presented a report which provided an update on work undertaken following the Executive's decision on 8 February 2018 to implement Hostile Vehicle Mitigation measures in the city centre (minute 122 of that meeting refers). Approval was now sought to progress priority 1 locations to the next stage.

Since 8 February, officers had formed a working group aligned to the York Counter Terrorism Task Group, participated in developing temporary arrangements for the season at the Racecourse, and installed temporary measures in the city centre. A proposal had been devised to implement an experimental traffic regulation order (TRO) restricting access to the priority 1 area, as detailed in paragraph 7 of the report and in annexes A and B. This would allow assessment and consultation to take place, and highlight any additional mitigation measures needed, before proceeding to a permanent restriction.

Members considered the following options, set out in paragraphs 31-38 of the report:

Option A – carry out the pre-implementation consultation described in paragraph 24 on the experimental TPO. This was the recommended option and was supported by the York Counter Terrorism Task Group.

Option B – proceed without the initial consultation, giving only the standard 2 week public notice on the TPO and carrying out a separate consultation with stakeholders and groups on mitigation required to minimise the impact of permanent measures.

Having noted the comments made on this item under Public Participation, it was

Resolved: (i) That the update provided in the report be noted.

(ii) That Option A be approved and that authority be delegated to the Corporate Director of Economy & Place, in consultation with the Executive Member for Transport & Planning, to make the experimental traffic regulation order described in the report, subject to prior consultation in relation to practical implementation and potential mitigation measures.

(iii) That work continue with Saint Sampson Centre and other affected groups to mitigate the impact of the changes.

(iv) That restrictions to prevent vehicles remaining in the Priority One zone be considered and that proposals on these be brought to the Executive Member for Transport and Planning for a decision.

(v) That officers be instructed to develop proposals for further phases of city centre security measures to ensure the safety of the city.

Reason: To enable the work started since the Executive decision on 8 February to be taken forward to the next stage on a risk managed approach, responding to the Police request to protect areas of high footfall against the threat of a vehicle as a weapon attack.

(vi) That, following on from the experimental regulation order and in line with the motion approved by Full Council on 19 July 2018, a 'My City Centre' consultation be held with key stakeholders (including residents, businesses, cycle/pedestrian groups and groups that represent people who have special access requirements) on the wider issues of accessibility, safety and traffic management in the city centre; this to be carried out prior to the implementation of the next phase of hostile vehicle mitigation measures.

Reason: To ensure that the needs of these groups are properly assessed and taken into account.

48. Update on Formal Enforcement Action

The Head of Public Protection presented a report which provided an update on the formal enforcement action and surveillance activity undertaken in 2017-18 by Public Protection (Environmental Health, Trading Standards & Licensing), Housing Services, Community Safety, and the National Trading Standards Regional Investigation and eCrime teams.

The enforcement action taken by each team was summarised in Annex A to the report. Annex B provided details of surveillance activity undertaken across the City of York Council during the year. Highlights had included securing:

- A total of 64 years' imprisonment for offenders
- £21k in fines
- 1,060 hours of unpaid work
- £311k in compensation for victims
- £3.3m in proceeds of crime confiscation orders
- £98k in costs awards.

Members thanked officers for the report and commented that it would be helpful in the longer term to review the areas that it covered in terms of portfolio responsibilities.

Resolved: That the report be approved.

Reason: To provide oversight to the activity undertaken in 2017-18, fulfil the requirement for an annual review under the Public Protection, Housing Services and Community Safety enforcement policy, and meet the

requirement of the Office of Surveillance Commissioners for Member oversight of surveillance activity.

49. Appropriation of Land on Bootham Stray for Highway Purposes

The Assistant Director of Regeneration & Asset Management presented a report which sought consent to appropriate land on a small part of Bootham Stray for highway purposes, in order to expand the current access to land at the Cocoa West development site and so facilitate the proposed residential development there.

The development of the site required an expanded access point onto Wigginton Road to create a safe junction, which would go over land forming part of Bootham Stray. The land to be appropriated measured 379 square metres in total and was illustrated in the plans annexed to the report. As part of the development scheme, it was proposed that the current car park area, measuring 1,385 square metres, would be set out as publicly available stray land, thus more than replacing the amenity value of the appropriated land.

As indicated in paragraph 17, a statutory consultation process would need to be followed and the outcome would be reported to the Executive Member for Transport for a final decision.

Resolved: (i) That, subject to compliance with statutory consultation processes and a report to the Executive Member for Transport, the appropriation for highway purposes of land on those parts of Bootham Stray coloured red and stippled blue on the plan at Annex 1 to the report ('the Access Land') be approved.

(ii) That approval be given to grant a short term licence to Newby Developments to carry out works to the Access Land.

Reason: To allow access to the adjacent Nestle development site, to facilitate the proposed residential development and ensure a safe and sustainable road layout to enable the timely development of new housing.

50. Establishing an Investment Budget for a Strategic Commercial Property Acquisition

[See also under Part B]

The Assistant Director of Regeneration & Asset Management presented a report which recommended further investment to acquire property in the Swinegate area to promote the growth and economic health of the city centre and secure additional income to the commercial portfolio.

Following the success of the previous acquisition of property in Swinegate agreed by Executive on 27 July 2017 (Minute 34 of that meeting refers), a further opportunity had arisen to purchase a mixed commercial portfolio in the area. Details of the asset, and a pre-acquisition report prepared by commercial property agents, were attached as exempt annexes to the report.

Purchasing assets in this area would enable the council to ensure continued support for local businesses as well as proper maintenance and management of the buildings. Consideration would also be given to possible future on-site energy generation.

Resolved: That authority be delegated to the Corporate Director of Economy & Place to complete the purchase of the freehold interest in the commercial property assets in the Swinegate area identified in exempt Annex A to the report, once all due diligence is satisfactorily conducted on the assets.

Reason: To ensure the ongoing economic vibrancy of the city centre while increasing the income from the council's commercial property portfolio in line with budget targets.

Part B - Matters Referred to Council

51. Establishing an Investment Budget for a Strategic Commercial Property Acquisition

[See also under Part A]

The Assistant Director of Regeneration & Asset Management presented a report which recommended further investment to acquire property in the Swinegate area to promote the growth and economic health of the city centre and secure additional income to the commercial portfolio.

Following the success of the previous acquisition of property in Swinegate agreed by Executive on 27 July 2017 (Minute 34 of that meeting refers), a further opportunity had arisen to purchase a mixed commercial portfolio in the area. Details of the asset, and a pre-acquisition report prepared by commercial property agents, were attached as exempt annexes to the report.

Purchasing assets in this area would enable the council to ensure continued support for local businesses as well as proper maintenance and management of the buildings. Consideration would also be given to possible future on-site energy generation.

Recommended: That a capital budget of £2.52 million be established to fund the acquisition of the freehold interest in the commercial property assets in the Swinegate area identified in exempt Annex A to the report.

Reason: To ensure the ongoing economic vibrancy of the city centre while increasing the income from the council's commercial property portfolio in line with budget targets.

Cllr I Gillies, Chair

[The meeting started at 5.33 pm and finished at 6.53 pm].

Forward Plan: Executive Meeting: 18 October 2018

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 29 November 2018

Title and Description	Author	Portfolio Holder
<p>Q2 2018-19 Finance and Performance Monitor Purpose of Report To provide an overview of the council’s overall finance and performance position at the end of Quarter 2.</p> <p>The Executive will be asked to: note and approve the report.</p>	<p>Ian Cunningham & Debbie Mitchell</p>	<p>Executive Leader (incorporating Finance & Performance)</p>
<p>Q2 2018-19 Capital Programme Monitor Purpose of Report To provide an overview of the council’s overall capital programme position at the end of Quarter 2.</p> <p>The Executive will be asked to: note and approve the report.</p>	<p>Emma Audrain & Debbie Mitchell</p>	<p>Executive Leader (incorporating Finance & Performance)</p>
<p>The Inclusion Review and the Special Needs Capital Grant Purpose of Report The number of children with special educational needs and/or disabilities, particularly those with complex autism and those with social, emotional and mental health conditions, is growing. This has led to a need to review current provision and identify areas where provision needs to be developed to meet need. Over the next three years York has been allocated £590K by the Department for Education through the Special Provision Capital Grant to fund additional provision for children and young people with special educational needs and/or disabilities.</p> <p>The Executive will be asked to: approve the use of this funding for projects that have been identified to meet existing need.</p>	<p>Maxine Squire</p>	<p>Executive Member for Education, Children and Young People</p>

Title and Description	Author	Portfolio Holder
<p>Older Persons' Accommodation Programme Purpose of Report To agree the next steps for the Older Persons' Accommodation Programme, setting out the priorities and direction for the work programme.</p> <p>The Executive will be asked to:</p> <ul style="list-style-type: none"> • agree the vision for the next stage of the programme • agree the action plan resulting from the review of the Glen Lodge development • agree actions needed to procure a construction partner for Lincoln Ct. 	Vicky Japes	Executive Member for Adult Social Care & Health Executive Member for Housing & Safer Neighbourhoods
<p>Rugby League World Cup 2021 The City has submitted a bid to be a host city for matches to be held as part of the Rugby League World Cup 2021.</p> <p>The Executive will be asked to: agree the council's contribution to the bid and to commit the necessary resources.</p>	Charlie Croft	Executive Member for Culture, Leisure & Tourism
<p>Re-procurement of Occupational Health Services for City of York Council Purpose of Report To make Members aware that the current occupational health contract comes to an end in June 19; to clarify the on-going need for an occupational health service.</p> <p>The Executive will be asked to: grant permission to re-procure.</p>	Kay Crabtree	Executive Leader (incorporating Finance & Performance)

Title and Description	Author	Portfolio Holder
<p>York Station Front Purpose of Report To inform the Executive about progress on the proposed York Station Front Improvement Scheme and request some decisions to move to the next stage.</p> <p>The Executive will be asked to: note the outcome of the recent public engagement process and endorse the proposals that have been drawn up for submission to the planning authority.</p>	Gary Frost	Executive Member for Transport and Planning
<p>The Sale of Land to Facilitate the Transfer and Transformation of Haxby Hall Care Home Purpose of Report To update Members on the outcome of the procurement process for a care provider for the Haxby Hall care home, and to seek approval for the provider to be granted a 125 year lease for the site.</p> <p>The Executive will be asked to:</p> <ul style="list-style-type: none"> •Note the appointment of the Preferred Bidder as the new residential care provider for Haxby Hall Care Home. •Note that the provider will enter into a contract to provide 9 residential beds for people living with dementia for 10 + 5 years at Actual Cost of Care at the Haxby Hall site. •Agree to grant the provider a long lease of the Haxby Hall site for a term of 125 years in return for the Council receiving payment of a premium. This will enable the provider to improve, redevelop and transform the existing care home. 	Tracey Carter and Vicky Japes	Executive Leader (incorporating Finance and Performance)

Title and Description	Author	Portfolio Holder
<p data-bbox="96 181 1037 220">Revised Housing Revenue Account (HRA) Business Plan</p> <p data-bbox="96 225 405 263">Purpose of Report</p> <p data-bbox="96 268 1384 416">Following the report to Executive in July on the Housing delivery programme and the intention to appropriate the general fund sites into the HRA to build housing, there is a need to revise the business plan to insure that it reflects the ability to build the sites out.</p> <p data-bbox="96 464 1211 502">The Executive will be asked to: approve the revised HRA Business Plan.</p>	<p data-bbox="1458 181 1686 256">Tom Brittain & Patrick Looker</p>	<p data-bbox="1778 181 2085 300">Executive Member for Housing & Safer Neighbourhoods</p>

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 20 December 2018

Title and Description	Author	Portfolio Holder
<p>Annual Discretionary Rate Relief Decision Paper Purpose of Report To approve any new awards of discretionary rate relief for the period 2019-2021</p> <p>Executive will be asked to: consider any new applications against the budget available and approve any new awards.</p>	David Walker	Executive Leader (incorporating Finance & Performance)
<p>Construction Charter Purpose of Report To seek approval for the introduction of a minimum standards charter in respect of construction projects procured by the council.</p> <p>Executive will be asked to:</p> <ul style="list-style-type: none"> • Adopt the charter • Agree that the Council ensures all potential and existing contractors are aware of the charter • Agree that the council monitors performance of contractors against the standards included in the charter. 	Debbie Mitchell	Executive Leader (incorporating Finance & Performance)

Table 3: Items Slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>Waste Resilience Update In response to Members’ request, an update on work to improve the resilience of waste services and agree the next steps.</p> <p>The Executive will be asked to:</p> <ul style="list-style-type: none"> • Note the work already done to improve the resilience of the service. • Consider further steps that may be taken to further improve the resilience of the service. 	James Gilchrist	Executive Member for Environment (Deputy Leader)	18 October 2018	TBC	This item has been withdrawn so that it may be considered at a future Decision Session of the Executive Member for Environment.



Executive**18 October 2018**

Report of the Chief Executive
Portfolios of the Leader and Deputy Leader of the Council

Planning for the possibility of a “No-deal” Brexit**Summary**

1. In a referendum on 23 June 2016, the majority of voters supported the UK leaving the European Union (EU). The Government committed to leave the EU on that basis and Article 50 was triggered on 29 March 2017. The UK will leave the EU on 29th March 2019.
2. The Government and the EU have stated their ongoing commitment to negotiating both a withdrawal agreement and an agreement on the future relationship between the UK and EU, but as it stands, no such agreements have been reached.
3. Given the possibility that the UK will exit without an agreement in place (a No-deal Brexit), this paper outlines some of the considerations and the discussions in relation to planning for such an eventuality.
4. It is not expected that all the eventualities described here will arise. However, it is important that they are considered to enable the city to confidently move forward and respond to changing arrangements positively.

Recommendations

5. The Executive is asked to:
 - 1) Note the discussions and activities underway and identify any other actions which the council should pursue at this time

Reason: to ensure York is as prepared as possible in the event of a No-deal Brexit

Background

6. The UK joined the European Communities (a forerunner of the current EU arrangements) in 1973. Since then, the integration of our statutory framework and our trading relationship with Europe has been comprehensive, impacting on almost all aspects of our lives in some way. The process by which this is unpicked and new arrangements put in place for the UK is one of the most significant administrative processes faced in recent times.
7. A deal will need to be finalised between the UK and EU by mid-November 2018 to be initiated for the UK's departure on 29th March 2019. It would then have to be agreed by Parliament. This would then be followed by a 2-year "implementation period" during which the measures would be put in place to implement the agreed future relationship.
8. The Government has said "*A scenario in which the UK leaves the EU without agreement (a 'no deal' scenario) remains unlikely given the mutual interests of the UK and the EU in securing a negotiated outcome.*" "*However, it is our duty as a responsible government to prepare for all eventualities, including 'no deal', until we can be certain of the outcome of those negotiations.*"
9. The council must take its lead from Government in this respect and consider how the city should respond in the event of a "no deal" scenario. The immediate importance of this is that if a deal cannot be agreed, there will be no implementation period – that is to say, EU law, regulations and trade agreements will cease to apply to the UK immediately upon exit. This gives less than 6-months to understand and respond to the changing framework, to address any potential issues or take advantage of opportunities.
10. In considering Brexit, we must recognise that there is a huge range of views on the likelihood of different outcomes, of their impacts and the effects upon UK residents, communities and businesses. Brexit represents a uniquely complex set of changes which will manifest themselves differently in different places. This paper does not seek to forecast the medium-term economic outlook as a result of Brexit (since the existence and type of post-Brexit agreement will be key in determining that) or the specific opportunities or risks for York outside of the EU in general. Instead, it considers specifically a No-Deal Brexit scenario and the immediately impacts which would need a response in the short term.

11. Whilst it is outside the scope of this paper, it should be recognised that the council is working alongside our regional partners to consider the wider impacts of Brexit. West Yorkshire Combined Authority is considering a paper on 11 October which provides an assessment of the resilience and opportunities for Leeds City Region. This very helpfully outlines considerations particularly around the post-EU funding environment and proposes a set of “asks” of Government to safeguarding investment in our region. This is linked to in the Background Papers section of this report.
<https://westyorkshire.moderngov.co.uk/documents/s9202/Item%207%20-%20Leeds%20City%20Region%20Brexit%20Resilience%20and%20Opportunities%20Assessment.pdf>

Planning for a No-Deal Brexit

12. The council’s primary objective in such a period of uncertainty has to be to ensure the wellbeing of our residents, and as such there is likely to be a natural focus on risks and potential disruption rather than possible longer term opportunities. Such analysis at this point cannot be considered to be complete or definitive and will continue to be refined as the position evolves.
13. Planning for No-Deal is complex for two reasons. Firstly, such is the scale of change that no organisation is well sighted on all aspects which will change or be impacted upon. The scope of the possible changes is yet to be determined through the negotiations. Secondly, even knowing some potential areas of change, it is impossible to predict the likelihood of particular scenarios arising as this is down to a combination of factors including EU-UK negotiations, the implementation approach of any agreements, and the responses of individuals, businesses, governments and representative organisations. Therefore, even a basic risk assessment approach to Brexit is close to impossible at this point.
14. These complexities mean it is not feasible to look at all scenarios at this stage. Instead, it is more logical to look at possible outcomes or consequences and attempt to ensure that we can respond to them effectively, no matter what their direct cause.

Consultation

15. Given that the impacts of a No Deal Brexit will be felt across all sectors and parts of the city, discussions have been held with some key partners

to understand any concerns or issues, particularly those which would be best addressed at a city level. This has included the Police, CCG, Hospital, Fire and Rescue Service, Universities and colleges, Local Enterprise Partnership, Make it York and the CVS. At the first discussion in September, in general, individual organisations were still very much waiting for more information to allow them to narrow down the possible outcomes. Overall, there was a level of confidence that areas of risk could be addressed by organisations. It was not felt, broadly, that there were areas which could or needed to be immediately addressed at a city level, although this did not mean that none would emerge.

16. Some identified risk areas such as pharmaceutical supply, parts availability for emergency vehicles or food supply are being considered at a national level. Partners were, in these cases, awaiting further information nationally to allow the local response to be aligned.
17. In terms of concerns of individual organisations, the main issues related to skills availability through a potential loss of EU migrant workforce, post-EU funding and supply chain disruption for materials or goods.
18. It was agreed that partners would continue to discuss any emerging information and to act as a network to collectively monitor the evolving situation.
19. It was also recognised that it was important that there was a single point of information for individuals and organisations. This is discussed below in paragraph 32.

Options

20. As this paper relates specifically to a No Deal Brexit, it is recommended that the only option currently available is to continue to plan for this eventuality until it is clear that this will not happen.
21. It is planned to continue to assess information emerging from Government and to discuss with city partners any clear implications as they emerge.

Analysis

City Level

22. At a city level, there will be a broad range of impacts resulting from a No-Deal Brexit, upon individuals, businesses and other organisations. The Government has published over 80 technical notices which describe particular arrangements in the event of No-deal. They cover areas as diverse as satellites and space programmes and VAT.
23. These technical notices have been highlighted to partners and will be linked on the council's website.
24. The notices explain the arrangements from the point of view of transactions and regulation. For example, who is responsible for issuing a certain type of licence or permit and where/whether it would be valid. They do not, however, explain the implications for the different organisations or people involved. It is important, therefore, that people and organisations individually consider any relevance of these notices to their own activities.
25. In considering possible consequences of these changes, many commentators have flagged up potentially significant disruption across many aspects of life. It has been suggested that a range of knock-on impacts could result in disruption of supply for utilities. It is worth noting that York (like other places) has a set of contingency plans in place which would be brought into effect in the event of significant disruption to (for example) water, energy or fuel supply. These are designed to protect life and limb, protecting the most vulnerable and ensuring continuity of basis services but would not prevent disruption in totality.
26. At a city level, although the data is not particularly rich, York appears to have a relatively low proportion of EU migrants living within the city. This is based on Census data from 2011, showing 2.7% of York's population was born outside the UK in EU countries. The national figure was 4.1%. Whilst it doesn't directly correspond to workforce, at a macro level it suggests that the city is less impacted by the potential reduction in EU workers than in some other places. However, this does not mean that there are not businesses or organisations which may be impacted. Neither does it mean that changing patterns of EU workers coming to the UK wouldn't impact on the wider employment markets and affect the broader availability of skills.
27. The risks around workforce stability are partially mitigated by the Government's current stated position that they would unilaterally guarantee the rights of current EU migrant workers in the event of No-Deal. It could still be the case that Brexit will mean a change to

employment patterns as the factors influencing individuals' choices are broader than simply immigration status.

28. Other areas which have been highlighted elsewhere as impacted include the health and care, hospitality and HGV sectors. From what we currently know (based on conversations more than available data), York is less directly impacted in these areas than in some places, as there is a relatively lower proportion of EU migrant labour in these sectors in York. However, as above, this does not mean it is insignificant for some organisations nor does it mean there won't be a broader impact on the employment markets at a regional or national level. Should scarcity of supply of these skills lead to a more competitive employment market, there could be wage escalation which may impact on the profitability or viability of some businesses.
29. Across York, there are services provided by foreign or foreign-owned businesses. These include bus services and rail. At this stage, we are not aware of any issue in the continuity of these services after Brexit.
30. Construction is another sector which looks likely to be impacted in a number of ways. Deloitte estimate that 26 percent of the construction workforce in the UK is from the EU, and it is also suggested that this group is often not intending to stay in the UK for long. If Brexit deters these workers from coming to or staying in the UK, this could lead to capacity issues and/or an increase in labour costs.
31. Secondly, the cost of imported materials could increase as a result of changing tariffs or a weaker exchange rate. This could have a significant impact on the overall cost of construction.
32. Discussion is underway on any possible business support which could be identified to help business in their preparations. Leeds City Region LEP is arranging a series of events which may be of interest to businesses. Partners have also suggested that a single point of information is created to ensure everybody has access to the most up to date and definitive information. It was recognised, however, that the council may not be the best host of this, as businesses may not automatically think to look at the council's website, and the council will be in election purdah during the final weeks before and after Brexit. Discussions are therefore underway with partners to make other arrangements.

33. For all residents and business, there is a risk that there could be a short term increase in the cost of goods and materials. This could be driven by trade tariffs for imported goods, disruption of supply chains due to new customs arrangements, reduced availability of goods due to regulatory or standards misalignment, or increases in workforce or distribution costs. There are also the possibilities of direct increases in fuel and energy costs due to changes in the markets. It remains very difficult to predict either the probability or magnitude of this, however, and will be an area where there is full commitment of Government in trying to mitigate impacts.

Council Services

34. From a council perspective, consideration has focussed on the continuity of our services. To this end, Heads of Service are considering any of the Government's technical notices which may be relevant to their services.
35. Across the wider local government community, the key areas which have been identified as likely to be impacted are workforce availability, supply chain, procurement and regulatory services.
36. There are also some areas which need further examination, such as data sharing and availability (for example, if data required by the Council is held with the EU). This will be ongoing over the coming months.

Workforce

37. City of York Council has a relatively low proportion of EU migrant workers compared to other places. For this reason, it is not expected that there is a significant direct impact on continuity of council services in the short term. However, it is noted that any changes could have a very real impact on individual staff members and we will continue to assess the emerging situation and ensure the most up to date information is available.
38. We also recognise that there is a possibility of broader changes in the labour market which could have a knock-on impact in York. For example, across the care sector, construction or HGV roles, if there is a regional or national shortage of these skills, there could be future recruitment or retention challenges, and the potential for wage inflation across particular employment sectors.

39. As above in paragraph 27, the current position of Government is that in the case of No Deal, they will unilaterally guarantee the rights of EU workers in the UK. However, it remains unknown as to how these rights would apply to the specific individual circumstances of Council staff, or the degree to which other factors, such as the Euro-Sterling exchange rate, are significant in people's decisions on whether to stay in the UK, whether to come in the first place and for how long. This could result in changes to overall patterns of employment and skills availability.

Procurement and Supply Chain

40. It is anticipated that there will be some procedural changes in relation to procurement, to comply with a new set of regulations. The procurement team is considering these currently, but it is not thought to be likely to be a significant departure from existing arrangements.
41. Procurement colleagues are also considering existing contractual relationships to identify any potential supply or regulatory issues. This will help to mitigate any potential for the supply of necessary goods or materials to be disrupted.
42. There have, however, been predictions of widespread potential disruption to supply chains caused by additional customs requirements. As it stands, the council has no plans to stockpile goods or materials but will continue to monitor the situation. It is thought more likely that any disruption may manifest itself as an increase in cost rather than an absolute cessation of supply. This could have most impact across materials-intensive sectors such as construction.
43. In responding to potentially less stable markets and supply chains, it will be important to consider specifications and procurement routes flexibly to reduce potential risk of cost escalation. There is also the need to give increased consideration of the impact of wider economic changes such as exchange rates on the value and risk of contracts.

Regulatory Services

44. Another area highlighted by other commentators as directly impacted by a No-Deal Brexit is trading standards, environmental health and other regulatory services. This is because businesses may require different kinds of certification or approval of various products in order to trade or do business in the EU (and those importing into the UK may have to comply with new UK requirements).

45. For the council's services, this could mean a changing set of rules and regulations as well as underlying standards or processes for staff to become familiar with and an increase in demand (currently products from the EU are not checked at borders and this increase in demand is likely to see more products passed through unchecked to be dealt with at their destination). The internet has enabled many 'micro businesses' to set up importing goods and services from the EU and the rest of the world. The team is currently considering the Government's Technical Notices in detail to identify the impacts and any action required. In other areas, new targets relating to air quality and other environmental standards which are EU based may also be introduced in due course.

Overall impact and next steps

46. York has a buoyant economy and is, in many ways, better placed to weather any potential negative impacts than many other cities.
47. Whilst there is some possible impact across a wide range of areas, a recurring theme is the potential for increased cost within supply chains. The probability of this is extremely difficult to accurately predict, but it is likely that there would be some increase in some costs in the event of a No-Deal Brexit.
48. It is also worth noting that the Chancellor of the Exchequer forecast an £80bn gap in public finances by 2033 in this scenario. The figures are hotly contested, but this highlights the possibility of reduced public spending in the short term.
49. If a No-Deal impacted towards the more severely negative end of the spectrum of possible outcomes, it is also likely that residents would face higher levels of economic stress in the short term. This could lead to increasing demand on services.
50. The combination of all three of the above could have a significant financial impact on the council.
51. By mid-November, it will be clear as to whether the UK will secure a deal with EU. If it does, this will then be subject to a vote in Parliament. In the event that it is agreed, the council will review the nature of the deal and determine the impact on services. It will also continue to work with partners to understand the wider implications for the city as a whole. If, instead, either no deal is agreed with the EU, or a deal is not agreed by

Parliament, the council will continue to refine the activities described above and prepare for a no-deal Brexit.

52. The council's Corporate Policy team will keep a watching brief on developments and work with partners to ensure organisations are well sighted on the latest information.

Council Plan

53. The scenario of a No-Deal Brexit would impact across all areas of the council plan.

Implications

- **Financial** – Financial impacts are noted throughout this paper, but overall there is a possibility of increased costs to the council through supply chains, increased service demand and potentially reduced public spending. This will be considered within the budget preparation for 2019/20, whilst it is recognised that the situation will be clearer by the time the budget is set.
- **Human Resources (HR)** – Whilst the council does not consider that its workforce is significantly impacted as a whole, services will continue to consider the impact on individual members of staff and provide any assistance as the situation becomes clearer.
- **One Planet Council / Equalities** – No direct implications
- **Legal** – the UK's legislative framework will change significantly as EU law is brought into UK statute as part of the EU (Withdrawal) Act 2018. There are no direct legal implications currently identified through a No-Deal Brexit.
- **Crime and Disorder** – No direct implications
- **Information Technology (IT)** – A significant change in the £/\$ exchange rate could impact on the cost of hardware and software purchases, given the US dominance in this market.
- **Property** – No direct implications

Risk Management

54. The risks associated with the current approach are explained above in this report.

Contact Details

Author:

Will Boardman
Head of Corporate Policy
and City Partnerships
Tel No. 01904 553412

Chief Officer Responsible for the report:

Mary Weastell
Chief Executive

Report **Date** 09/10/2018
Approved

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report

Background Papers:

Leeds City Region Brexit resilience and opportunities
Assessment – Paper to West Yorkshire Combined Authority
<https://westyorkshire.moderngov.co.uk/documents/s9202/Item%207%20-%20Leeds%20City%20Region%20Brexit%20Reslience%20and%20Opportunities%20Assessment.pdf>

List of Abbreviations Used in this Report

Brexit – Britain's (the UK's) exit from the European Union
EU – European Union
UK – United Kingdom of Great Britain and Northern Ireland

This page is intentionally left blank



Executive**18 October 2018**

Report of the Chief Executive and Director of Corporate Services

Portfolio of the Executive Leader (incorporating Finance & Performance)

Attendance Management & Well Being**Summary**

1. This report provides an update on the activities ongoing within the authority to actively manage attendance and support well being across the Council.
2. Executive are asked to support a dedicated team for a temporary two year period to achieve a reduction in absence levels.

Recommendations

3. Executive is asked to approve:
 - 1) To support the additional resource identified to engage with an external provider, to provide a dedicated services,(selected through the Council's procurement process), on a 2 year period to reduce sickness absence.
 - 2) To authorise £180k from the Council's venture fund.

Reason: to support the Council in achieving a reduction in its sickness absence rates by a third by April 2021 and to transfer skills and knowledge during this period to internal managers.

Background

4. The Council recognises its role in being a good employer, with a range of support given to employees in respect of their wellbeing. One of the key issues for the Council is ensuring that employee's health is supported, and that staff are able to fulfil their duties

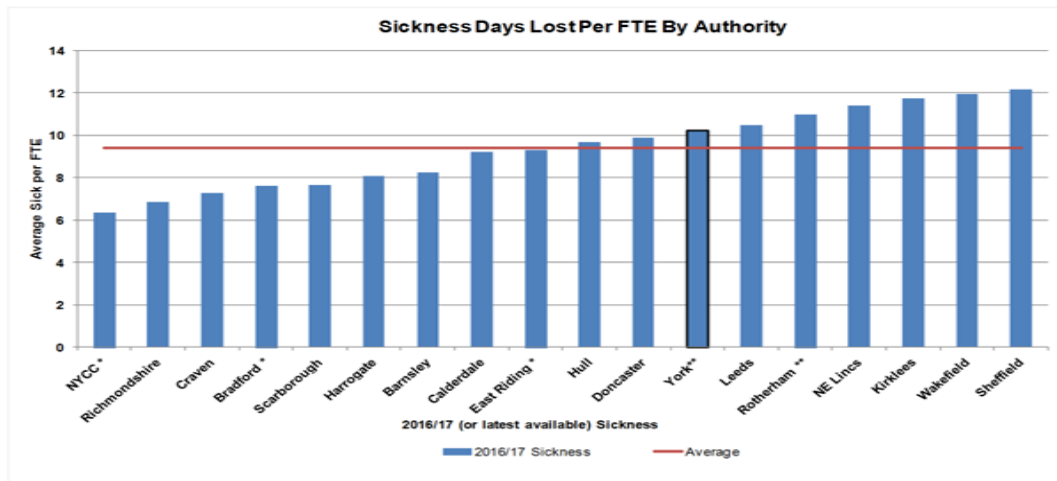
effectively. Alongside this the Council needs to ensure that absence from work is managed effectively in line with HR procedures.

5. The authority does a range of interventions relating to absence management, and has introduced some additional well-being activities to support staff returning to work sooner and actively improving life style to help maintain attendance at work. These activities include additional training for staff to identify issues sooner, disability awareness and training to managers to handle difficult conversations. Well-being initiatives commencing over the past 9 months, during lunch time and after work and led by employees include running and walking clubs, mindfulness sessions, board games, table tennis and gardening to name a few. These are well attended but we are trying to encourage more.
6. The council has an occupational health provider, employee assistance programme and osteopath services, again to support staff in returning to work sooner.
7. The Chief Executive introduced a cost control environment over a year ago, enabling an environment with additional control at the top of the authority. The cost control group (Chief Executive and Corporate Directors, supported by Head of HR and Head of Business Intelligence) identify and track the key issues affecting the costs to the authority, linked specifically to staffing, from analysing data on sickness absence, additional payments and the use of agency staff.
8. Human Resources staff provide support direct to line managers in supporting attendance management and well-being.
9. Despite the above measures, as set out below, sickness levels have increased in 17/18. As a result, as set out in this report, there is a need to tackle this increase, and to seek to bring overall sickness down, thereby reducing the costs that can arise from sickness.
10. Sickness absence figures are reported on a quarterly basis through the Finance and Performance reports. Data has been scrutinised at numerous levels across the authority from Directorates, Corporate Management team, Scrutiny Committee and portfolio holders.

11. Scrutiny committee have received reports on this issue and are continuing to monitor on a six monthly basis. They are supportive of a more proactive approach to reduce sickness absence.

Analysis

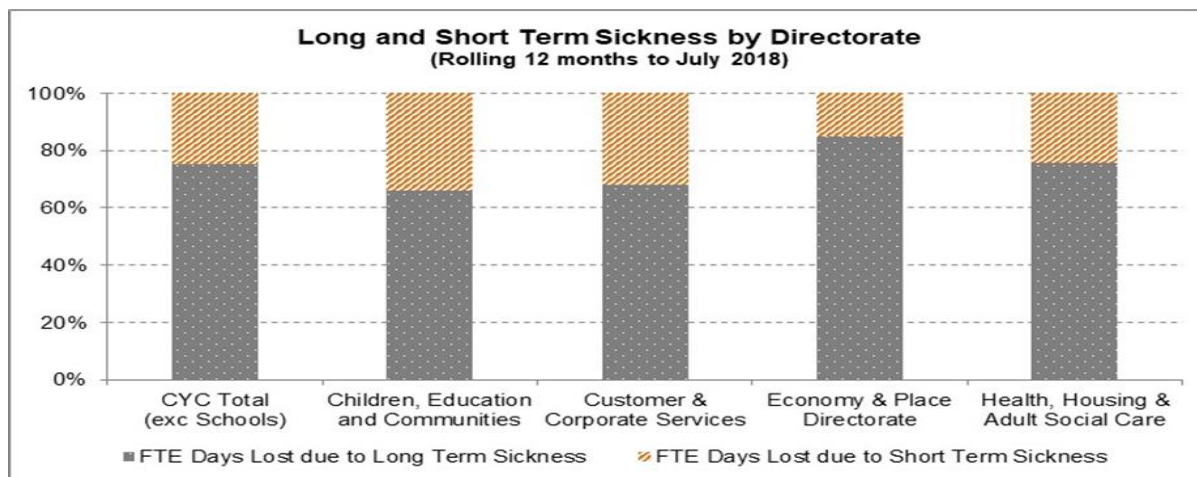
12. Sickness absence figures are increasing at CYC from 10.2 days (rolling 12 month fte) in 16/17 to 11.5 days 17/18. It should be noted that the public sector average, as reported by the Chartered Institute of Personnel and Development (CIPD, 2018 Health and Wellbeing Survey), is 8.5 days.
13. There is variation in the levels of sickness absence across Directorates. Appendix 1 shows a further breakdown. Economy and Place (E&P) and Health, Housing and Adult Social Care (HHASC) have the highest levels, with Customer and Corporate services having the lowest sickness levels overall with an average of 8.5 days. There are a number of teams in the Council where sickness is very low. However there are conversely areas where levels are around twice the Council overall average, and levels are increasing. Waste services are an example of this whereby the service area the team has high sickness rates and have seen increases over the last two years.
14. During 2017/2018 23,000 working days were lost to sickness absence.
15. The graph below shows our sickness days lost in comparison to other authorities. It should be noted that some of the authorities with lower figures are district Councils who do not have the range of services provided by York. (These are 2016/17 figures)



16. 80% of the authority’s absence is related to long term sickness. The top two reasons for long term sick are stress related (32%) and muscular-skeletal (20%), with a number of other reasons making up the remainder of long term sick.
17. It is recognised that there are many long term absences related to terminal illnesses including cancer. The council is committed to supporting all staff who find themselves off work due to any absence reason and consider numerous avenues to support an early return to work or to consider alternative options with individuals.
18. The table below shows further data across each month on long term and short term, both from days lost to number of individuals.

CYC (excluding Schools) Sickness Absence												
	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18
FTE Days Lost due to Long Term Sickness	1309	1578	1390	1408	1437	1877	1697	1612	1498	1450	1259	1343
FTE Days Lost due to Short Term Sickness	326	325	401	447	328	530	722	687	752	454	492	428
Number absent due to Long Term Sickness	96	101	108	103	94	122	108	115	92	103	101	103
Number absent due to Short Term Sickness	123	104	136	155	142	195	208	217	183	123	109	108

19. **On average in a month we have around 103 people off on long term sick and around 150 people on average reporting short term sickness.**



20. The Health and Well Being at Work Report, published by the CIPD in May 2018 (Public Sector) states that “minor illness remains the most common cause of short-term absence, while mental ill health, musculoskeletal injuries (including back pain), stress and acute medical conditions are the most common causes of long-term absence, as in previous years”.

Proposed Approach

21. We need to continue with the support and well-being activities for staff, to maintain attendance and support those staff who are sick and unable to attend work to return at the soonest opportunity with the correct support available.
22. It is proposed to set a target to reduce sickness absence by around a third across the authority, to align our figures more closely with the Public Sector average of around 8.5 days and regionally to be in the lower quartiles.
23. Whilst this is ambitious, and may not be possible for areas who already have low sickness, it is not unrealistic in respect of some of the areas with the highest sickness levels, and data from external providers who offer dedicated resource demonstrate reductions in the first year of around a third.
24. Managers will continue to take responsibility and own attendance management within their teams and across Directorates. Managers

will be clear of the target we have set and will be accountable for performance against that target. It is proposed that the Corporate Director and Head of HR will have quarterly meetings with Heads of Service to assess their performance on attendance management.

25. Over £100m has been saved since 2008, this has inevitably significantly reduced staff numbers, and management capacity, and in some areas the balance of the management structure may need to be reviewed.
26. The provision of relevant training packages and direct support through HR Advisers will continue in guiding managers in applying consistently the policy and procedure.
27. The attendance management policy and procedure will be reviewed to ensure consistent application across the authority, and reflect the role of the centralised well-being team if it is agreed to be established.
28. Feedback from other authorities suggests that a common approach being considered or recently put in place, is the use of a dedicated team, including occupational health provision integrated into the team, to focus on attendance.
29. This dedicated team will work with the managers to manage attendance and support staff back to work at the earliest opportunity. They will take calls and log appropriate information. Where applicable an occupational health practitioner will then make contact in the first few days to assess the likelihood of a return and signposting the member of staff to appropriate services. This earlier intervention is to reduce the long term absence.
30. The dedicated team will support the manager in a full occupational health referral where required, transferring skills to the manager to ensure they get the best advice. The team will also work with the manager where staff have hit trigger points in line with the policy and ensure appropriate action is taken, fairly and consistently.
31. External companies can provide this approach and in speaking with one provider they have evidence to support their approach to

reduce absence on average by 37% in the first 12 months. It is more likely an external provider can speed up the delivery and achieve results sooner rather than later.

32. In considering this approach we feel that this will be beneficial at CYC and will support the reduction in absence to meet our ambitious target within the next two years.
33. That central dedicated well-being team will be able to continue to support managers in managing attendance with a more hands on approach.
34. This provision can be provided through two options :-
 - Option 1 - An in-house dedicated team where we employ staff to carry out this role,
 - Option 2 - Through a company who specialises in this provision and has demonstrated success in reducing absence levels and transferring skills and experience to the managers in managing absence.

Financial Implications/Investment Case

Analysis of the two options for the central team

35. The below table shows the advantages and disadvantages of the two proposals for consideration.
36. We are recommending the use of the external provider for two years, primarily due to the fact that this will provide a company with proven experience in this work, and the necessary resource base to get the work up and running early and to ensure capacity/skills during the course of the two year period. This will result in a reduction in sickness absence sooner than internal provision.

In-house Team – Advantages	External Provision - Advantages
- They will be embedded within the HR team which will encourage collaboration and	- The chosen provider may be willing to take a contract with 100% risk. In this scenario CYC

<p>joint working.</p> <ul style="list-style-type: none"> - CYC staff may prefer to contact an in-house team over an external one due to worries about confidentiality. - CYC managers may prefer an in-house team based in West Offices/Hazel Court as they will be able to discuss issues with them face to face. 	<p>will either see sickness reduce or have no cost to pay.</p> <ul style="list-style-type: none"> - CYC will be contracting a company with proven experience of working within organisations to reduce sickness, and will have tested the market. - CYC staff may prefer to discuss sensitive information with an external provider if they are assured it will remain confidential. - 24/7, 365 service provision. - Reduction in absence figures achieved sooner - Service Level Agreements in place. - Enhanced Management Information available. - External provider to provide guidance and training to managers to ensure quality of information, referrals and back to work interviews are at a high level to continue to reduce absence.
<p>In-house Team – Disadvantages</p>	<p>External Provision – Disadvantages</p>
<ul style="list-style-type: none"> - Office hours 9-5 Monday to Friday excludes weekends and bank holidays 	<ul style="list-style-type: none"> - By having an external provider, CYC may experience a disconnect between line managers, HR and the external

<ul style="list-style-type: none"> - Potential for gaps in resource - Some management Information systems require establishing - May not be able to recruit suitably skilled and experienced staff 	<p>team especially if contact is only maintained via phone and email.</p>
---	---

37. The venture fund balance is £1.93 m; this proposal meets the requirements of the fund in investing to save.

Consultation

38. Trade unions are supportive of a fair and transparent approach to reduce our absence levels. If approval is given for an external provider then the council’s procurement processes will be followed. If an internal team is to be established then the council’s HR policies and procedures will be followed.

Council Plan

39. A reduction in sickness absence figures by a third will support the council’s plan to focus on frontline services, to ensure all residents, particularly the least advantaged, can access reliable services and community facilities.

Implications

40. **Financial**

- An internal well-being team will comprise of 2 fte at grade 8, Well Being Officers, 1 fte grade 6 Well Being Support, and Occupational health provision of 1 day per week.
- The cost of this is approximately £90,000 per annum.
- Early assessment of the market suggests an annual figure of around £90,000 (based on approximately £2.95 per employee

per month) for the provision of an externally provided service to do this.

- The total cost to run this programme for a period of two years is therefore estimated at £180,000 under both options.
- It is suggested that the funding for this comes from the Venture Fund which is available to support invest to save schemes. Beyond 19/20 the position will be reviewed, with potentially costs to be included in the Councils budget funded from savings within Directorates subject to full appraisal of the scheme. Venture fund schemes are required to repay the loan advance over an agreed period of time. Subject to the success of the scheme, and the savings achieved, a repayment from savings will be approved by the S151 officer.
- It is expected that during the two year period, the absence rates will reduce and therefore the number of people being managed through attendance management procedures will fall. Managers during this time will be up-skilled and therefore being able to actively manage attendance going forward.
- The costs outlined above need to be set against the current costs of sickness absence.
- A broad estimate suggests the actual true cost of absence to be in the region of £1m per annum is primarily in areas where the sickness absence is the highest around 15-20 days. Reducing this by 20% would save £200,000 and by 30% £300,000. Whilst achieving an overall reduction of 20-30% may be a challenge, it is felt achievable in these areas where sickness does lead to actual costs of replacement of staff. There would also be significant non cashable efficiency gains in those areas where absence simply is not filled.

41. Human Resources (HR)

HR will be responsible for establishing and implementing the approach as agreed with the Executive. HR policies will be followed.

42. Equalities

This approach through a dedicated team is hoped to achieve consistency and fairness in the management of sickness absence.

43. Legal

If an external provider is procured a contract would be in place to ensure all parties are protected and transfer of sensitive data is managed in accordance with GDPR.

44. Information Technology (IT)

In both options we will need to work with IT during implementation to ensure the systems support the management information required.

Risk Management

45. There is a risk of not supporting this approach. Sickness absence rates may continue to increase and therefore have a direct impact on cost and frontline delivery of services. This proposal is aimed at mitigating this risk and putting in place skills, practices and procedures to maintain this in the future.

Contact Details

Author:

Trudy Forster
Head of HR
Tel: (01904) 553984

Chief Officers responsible for the report:

Ian Floyd
Deputy Chief Executive and Director of
Customer & Corporate Services

**Report
Approved**



Date 5/10/18

Mary Weastell, Chief Executive

**Report
Approved**



Date 5/10/18

Specialist Implications Officer(s)

None

Wards Affected:

All



For further information please contact the author of the report

Background Papers

None

Annexes

None



Executive

18 October 2018

Report of the Assistant Director (Communities and Equalities)

Portfolio of the Executive Member for Culture, Leisure and Tourism

Proposed temporary uses of part of Castle Car Park**Summary**

1. This paper seeks approval for two temporary uses of part of Castle Car Park during 2019.

Recommendations

2. The Executive is asked to:
 - Agree the proposed use of part of the car park subject to planning permission and other relevant statutory approvals and, in the case of the Viking Hall proposal, the additional measure set out in paragraph 38.
 - Delegate to the Assistant Director Legal and Governance the drawing up of the necessary leases

Background

3. Lunchbox Theatrical Productions Limited (LTP) sited the pop-up Rose Theatre on part of Castle Car Park between May and September 2018. LTP have approached the Council with a proposal for a further season in 2019.
4. The Council has also been approached by Bifrost Entertainments with a proposal to site a Viking Hall on part of the car park between 18 January and 3 May 2019.

The Proposals**The Rose:**

5. Over the summer the Rose attracted 80k visitors to the four plays staged. In addition, the Shakespearean village adjacent to the theatre which provided free wagon entertainment and an Elizabethan garden attracted a further 20k visitors. 67% of the

visitors were from Yorkshire, 21% were from elsewhere in the UK and 12% were international. 9k school children attended the shows with 3k attending free thanks to the Rose Bursary Scheme.

6. The productions received excellent coverage in national newspapers and other media including through social media. This coverage reinforced York's position as an excellent visitor destination with first class cultural product. Audience feedback was also excellent, the experience being rated 4.9 on Trip Advisor.
7. Within the city Make It York and the BID report good feedback from businesses. The revised parking arrangements worked well and footfall in the city is reported to have been generally up. Venues including Clifford's Tower have reported visitor number exceeding target over the summer. The Castle Museum, on the other hand, reported a drop in visitor numbers. It will be important to address issues of visibility of the museum if the Rose is to return in 2019 to make sure that casual visitors are not deterred from visiting. The Theatre Royal was very positive about working with the Rose reporting that it gave staff, volunteers and the young people that work with them a new perspective on how theatre can be manifested in York.
8. The new proposal would replicate the 2018 event with the theatre showing 4 new plays, the "taste village" and a variety of small scale entertainment taking place throughout the season. 80k to 90k visitors are anticipated. The relevant dates for 2019 are 26 May - 10 September 2019 inclusive of set-up and take-down.

The Viking Hall:

9. Bifrost Entertainment Ltd. propose the installation of a Viking themed theatrical experience with a Viking Great Hall and courtyard theatre creating an immersive performance space with a capacity of approximately 100 people per show. The installation would also include a Viking themed homestead featuring food and beverage outlets, box office, sheltered and unsheltered seating, entertainment and demonstration stage and the potential for a craft and skills market.
10. With the working title, Vikings: The Shield Wall Sagas, this experiential theatre will plunge visitors into the most exciting periods of history, delivering a unique and immersive, theatrical experience, with 360 degree sets, live actors, and special effects.
11. The project has a capacity to attract a total of 44,800 patrons over the 11 week performance period. During peak season (February &

Easter half term) the theatre would run 7 days a week. During the 4 week off peak period the attraction will operate over 3.5 days.

12. The build period would begin on 21 January with launch on 8 February. Schools weeks would be offered w/c 11 February and 1 April. Load out would commence on 29 April with the site being released on 3 May.

Fit with Castle Gateway

13. The Castle Gateway masterplan was approved by the council's Executive in April 2018, providing a long term spatial plan for the regeneration of the area. At the heart of the masterplan is the closure of Castle Car Park to create a new area of high quality public realm - a beautiful setting for the city's heritage assets that reflect the historical context and significance of this area of regional and national importance. This space would meet the public's aspirations to be able to sit, relax, eat, drink and enjoy, and would also host different events throughout the year.
14. The first stage in delivering the masterplan is to provide alternative car parking in a multi-storey car park (MSCP) at St George's Field, which will in turn allow the closure and redevelopment of Castle Car Park. Work is currently underway to prepare a planning application for the MSCP for submission. In the meantime, it is important to promote Castle Car Park on a temporary basis as an events space. This will help to break the public perception of the area as a car park, attract interest from potential future commercial events partners, and build confidence in the delivery of the masterplan. It will also allow further monitoring of the impact on parking. The initial analysis of the 2018 Rose Theatre suggests that car parking was displaced to other council owned car parks at St George's Field and Piccadilly, which is a positive outcome and is conducive with the long term masterplan car parking strategy.
15. The successful hosting of the Rose Theatre in 2018 has already begun to positively challenge the perception of what Castle Car Park could be, and we are seeking to build on that success next year through a programme of events to be hosted on the car park throughout the year. The use of the space by more formal large scale visitor attractions, through the proposed return of the Rose Theatre and the immersive Viking experience, would reinforce the future vision for Castle Car Park whilst covering the council's car parking income and attracting both residents and visitors to this resurgent part of the city.

Options

16. The Executive may agree or refuse these proposed uses of part of the Castle Car Park.

Analysis

The Rose:

17. Around 135 car parking spaces will again be needed to accommodate the pop-up theatre (out of the 318 available) with a further 18 spaces needed by the council to rearrange the remaining car park layout safely.
18. LTP reimbursed the Council for the full cost of the spaces they used. The revised parking arrangements worked well with significant displacement of parking numbers to St George's and Piccadilly. As a result, with the reimbursement from LTP, the Council enjoyed a significant increase in overall parking income.
19. The proposal for 2019 is based on a principle of creating a fair share of the anticipated additional income, allowing LTP to recoup their substantial investment in the project whilst creating a guaranteed return for the Council. LTP will pay the Council at a rate of £1,047 per day. Based on the 2018 experience this will compensate the council for its actual loss of income in the Castle Car Park. The Council will enjoy the benefit of any income derived from disbursed parking in other Council car parks.
20. The arrangement will also include a guarantee for the Council that, should the Council's income for the Castle Car Park for the lease period fall below that of the equivalent lease period this year, i.e. £242,189, LTP will pay the Council compensation to cover the shortfall. This compensation will be capped such that the maximum amount LTP will pay in total will be equivalent to last year's average day rate, i.e. £1,656 per day. A force majeure provision will be included to protect LTP with regard to this compensation in the event of an occurrence outside of their control that forces closure of all or part of the car park for any period during the lease term.
21. The Council will again need to remove a small number of additional spaces in order to operate the remodelled car park safely. The resulting loss of income will be covered by parking dispersed to other car parks.
22. Further work will be undertaken to improve awareness of Piccadilly Car Park, including by, improving signage through the transport capital programme.

23. It is therefore recommended that this proposal is accepted.
24. There may also be potential for the Rose to return again in 2020. If this is the case, officers will work with LTP to develop a proposal in light of the availability of suitable sites.

The Viking Hall:

25. Around 100 car park spaces will be needed to accommodate the Viking Hall. Bifrost will reimburse the Council the full level of income received from the spaces at that time of year since there is much less scope for dispersal during the winter period. The total amount to be paid for the 15 week period will be £136,500.
26. The proposal offers an innovative proposal for an attraction targeting a family audience during the spring - Easter period. It has the potential to provide a significant new attraction within York's overall offer and to complement the existing Viking Festival.
27. Although Bifrost is a young company their management team has significant production and creative experience. Their business plan is based on selling 50% of the capacity with break-even at 22% of capacity. As this is a new type of venture and therefore involves a higher degree of commercial risk the Council has sought additional guarantees about the basis on which the production would go ahead and how payments to the Council would be scheduled (see Risk Management section below).
28. It is therefore recommended that this proposal is accepted.

Implications

Financial:

29. **Rose Theatre:** The proposed rent of £113,076 (108 days@£1,047 per day) represents the actual lost income from Castle Car Park over the equivalent period in 2018.
30. The proposed daily rate of £1,047 is lower than that received in 2018 (£1,656). This reflects the fact that the actual reduction in income at Castle car park over the period in 2018 was lower than originally assumed. The council will continue to receive the benefit of displaced income across other local car parks. In 2018 Piccadilly and St George's car parks out performed budget between June and August by c£60k.
31. There is also agreement that should actual revenues fall in 2019 compared to 2018 this will be reimbursed by LBT.

32. **The Viking Hall:** The proposed £136.5k rental payment over the 105 day period reflects the income that will be lost from the car park calculated on the basis of income received in the equivalent period in 2018. The higher daily rate of £1,300 per day (compared with the Rose) reflects the fact that there is no evidence relating to disbursement for this particular event or at that time of the year.
33. With regard to business rates both attractions will be assessed separately for business rates. LTP and Bifrost will pay any additional rates over and above those that CYC would otherwise have been assessed to pay for the normal use as a car park.
34. **Property:** The council will enter into leases with LTP and Bifrost Entertainments. The leases will provide that the occupiers are responsible for any damage caused to the car park and that the facility will be handed back to the council in a state by which it can use the site again as a car park
35. There are no other implications.

Council Plan 2015-19

36. The proposals in this paper support the Council Plan aim of *A Prosperous City for All* where:
 - Local businesses can thrive
 - Efficient and affordable transport links enable residents and businesses to access key services and opportunities
 - Everyone who lives in the city can enjoy its unique heritage and range of activities.
 - Visitors, businesses and residents are impressed with the quality of our city

Risk Management

37. 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 the inability to meet business objectives and failure to meet stakeholders' expectations, which could in turn damage the Council's image and reputation. Measured in terms of impact and likelihood, the risk score has been assessed at less than 16.
38. With respect to the Viking Hall proposal the Council will manage the risk by:

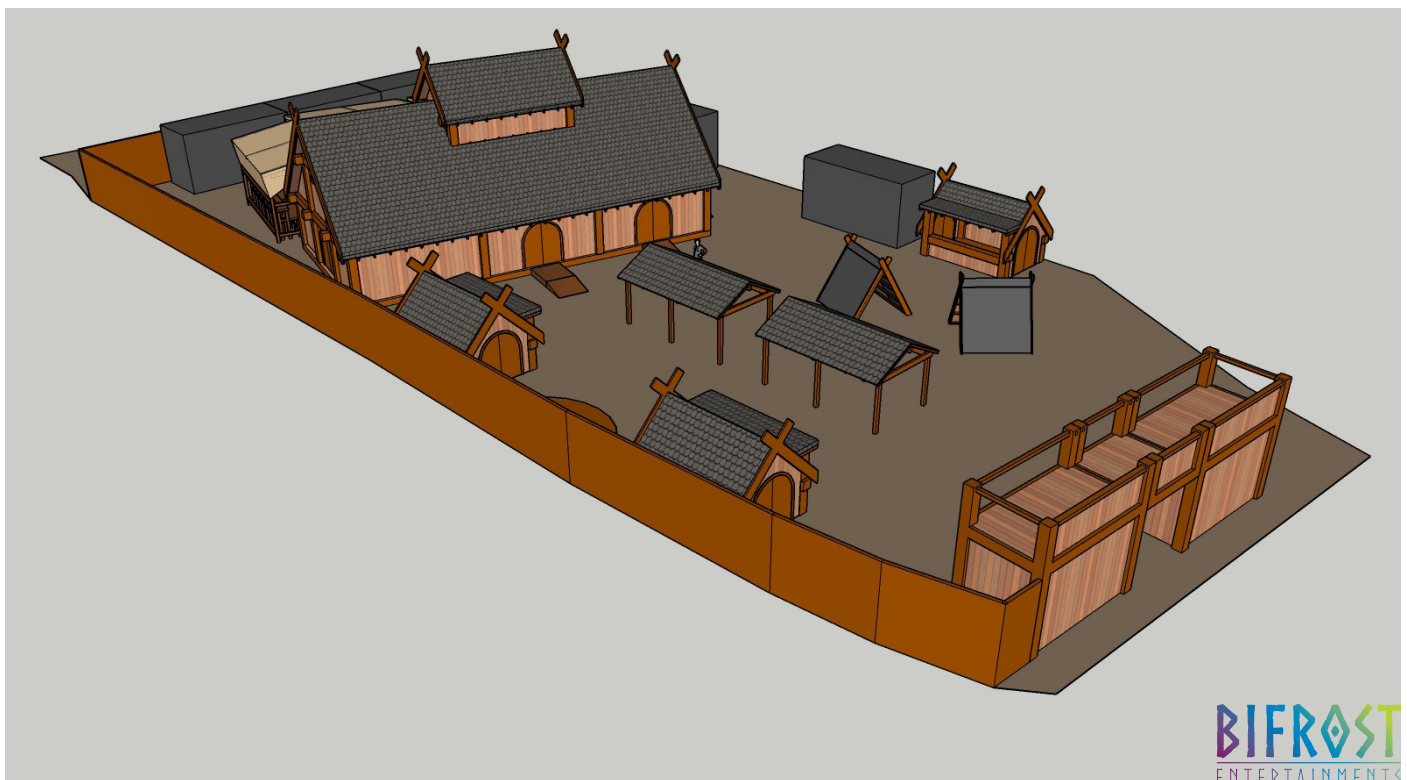
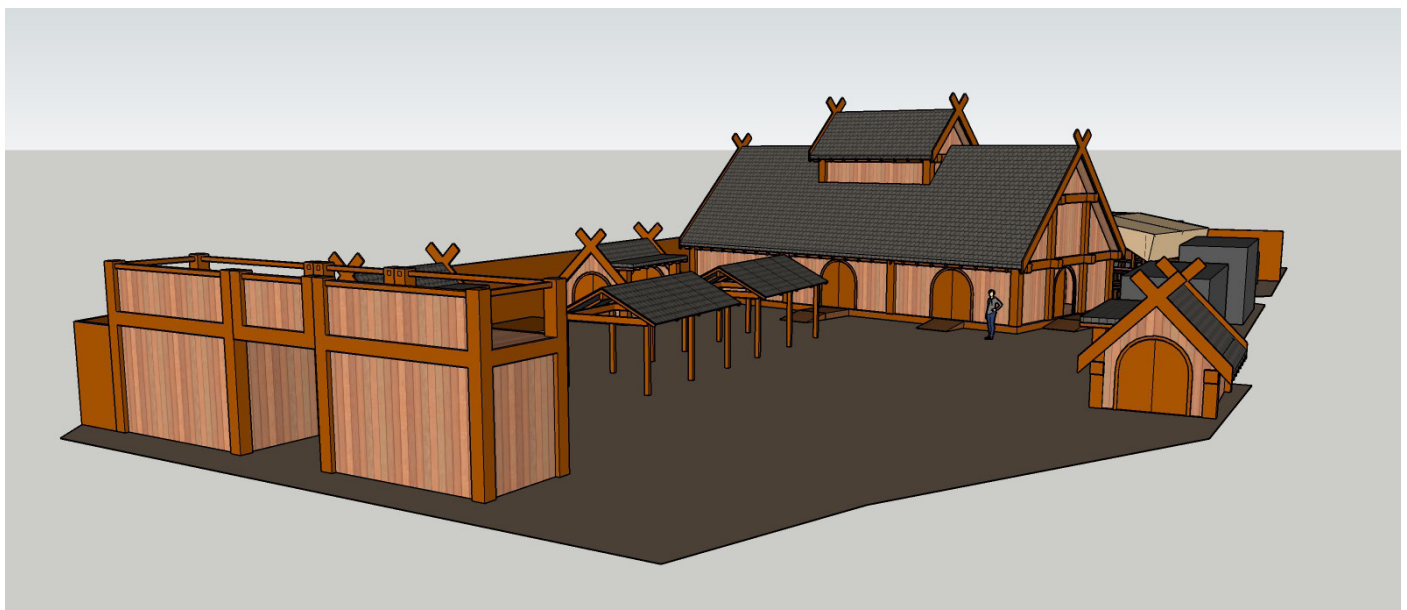
- Scheduling the payment from Bifrost in stages: 40% (£54,600) in advance of the arrival on site, 30% (£40,950) payment on 22 February, 30% (£40,950) on 1 April
- An extra £10k to be paid up front as a deposit to be held for the duration of the occupancy with the Company Director acting as a personal guarantor. Obtaining proof that commercial loans and other funding are in place for the development.
- Obtaining proof that commercial loans and other funding are in place for the development.

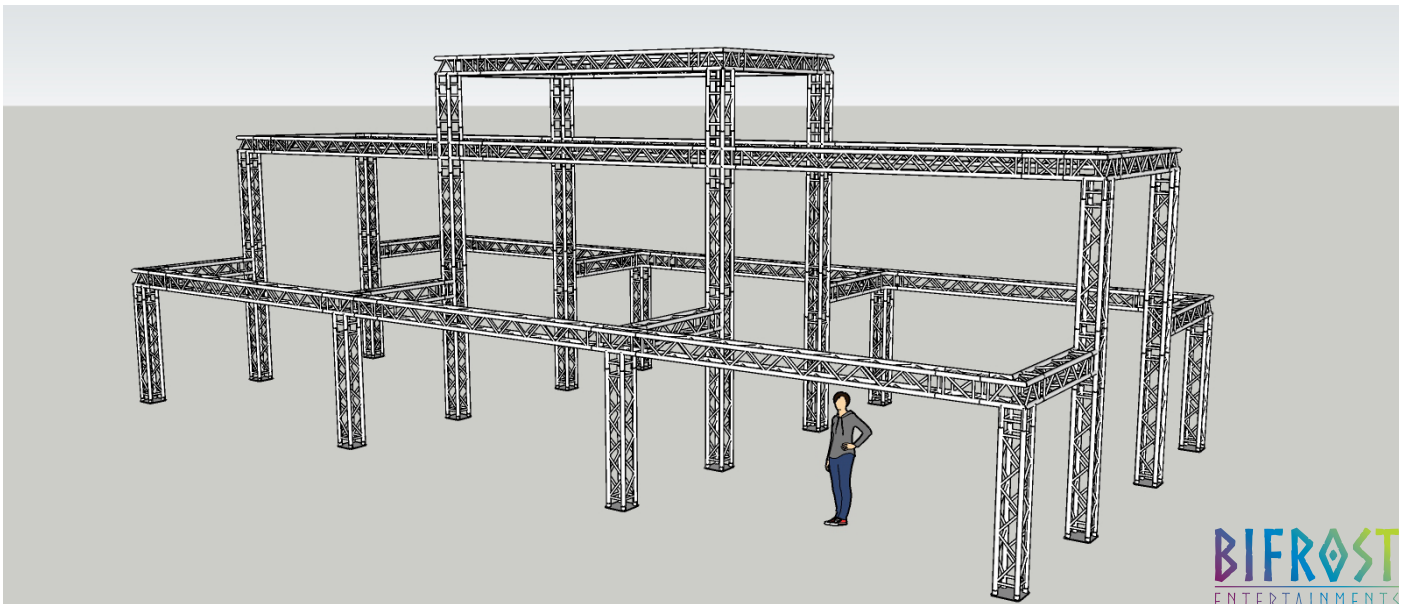
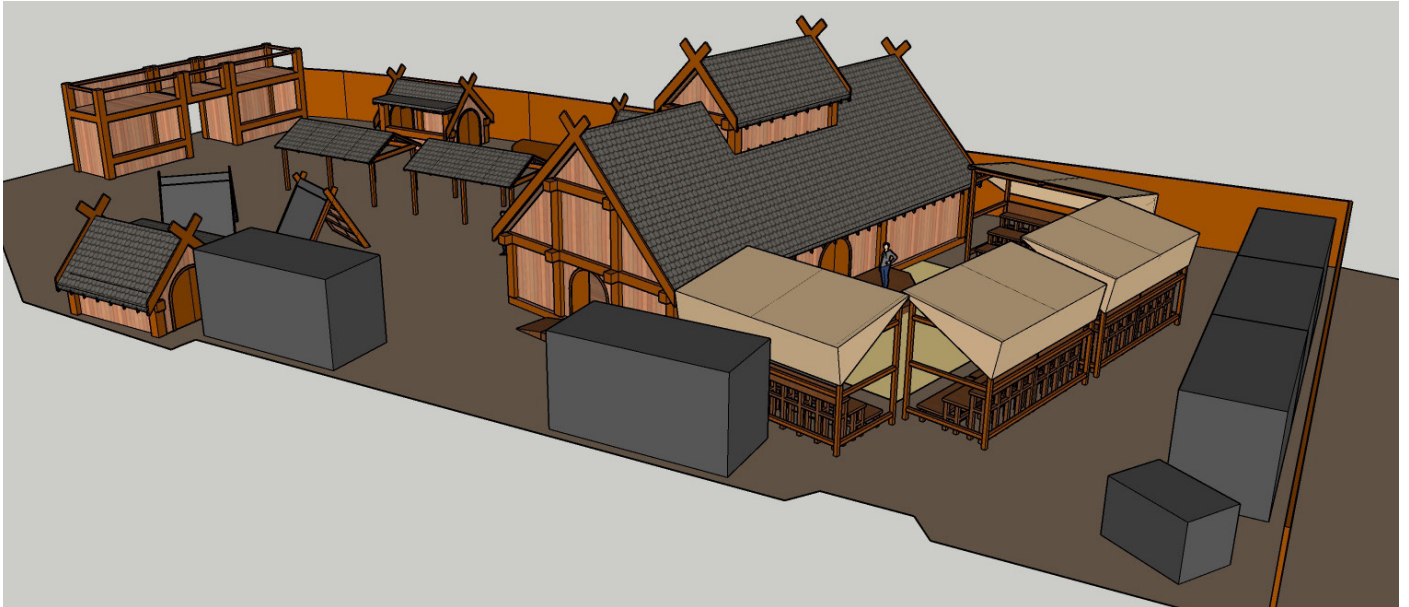
Annexes

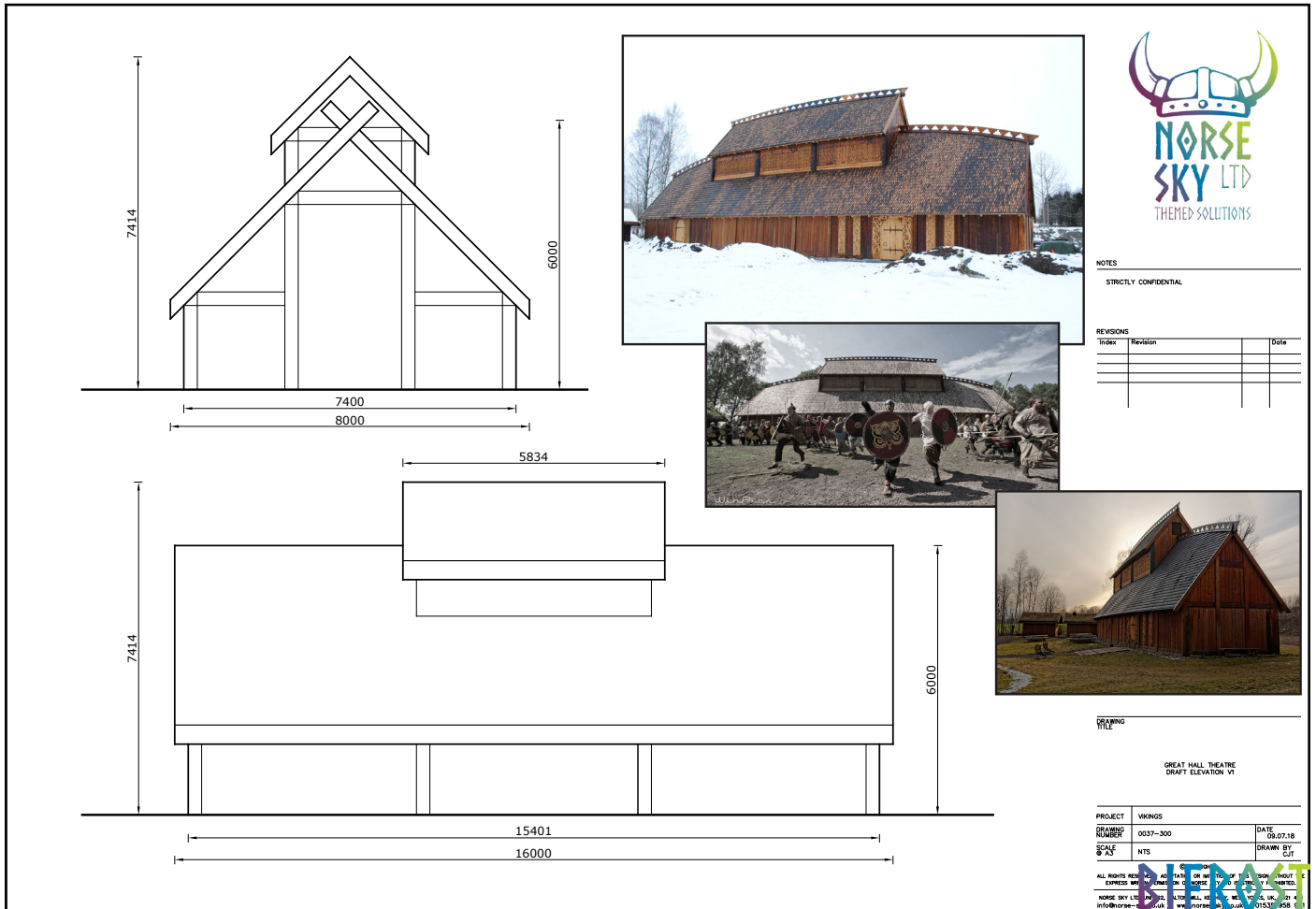
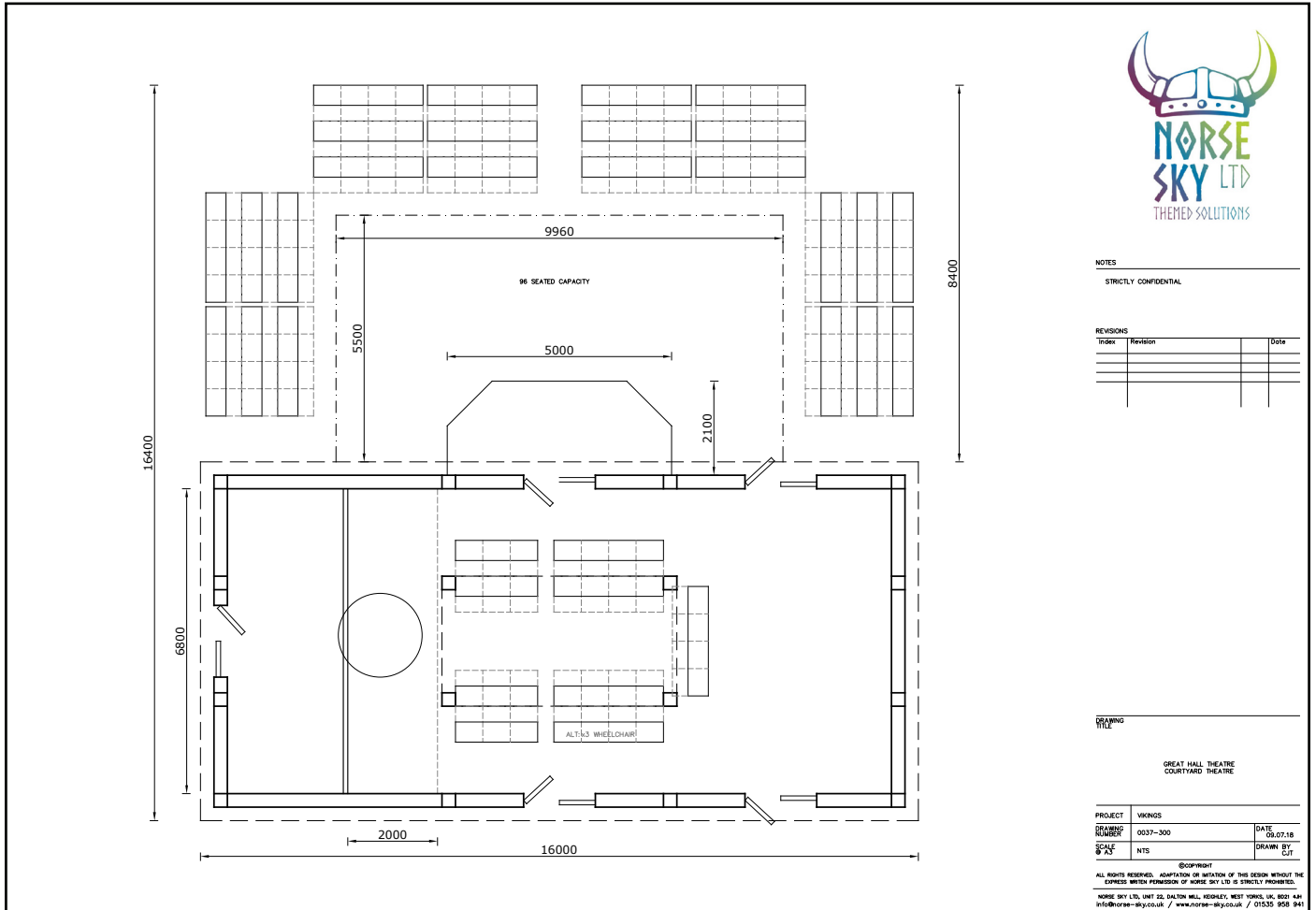
1. Artist's impression of the Viking Hall

Author:	Chief Officers responsible:		
Charlie Croft Assistant Director (Communities and Equalities)	Neil Ferris Director of Economy and Place Jon Stonehouse Director of Children, Education and Communities		
Report Approved	✓	Date:	4 October 2018
Specialist implications officers:			
Patrick Looker Finance Manager	Andy Kerr Commercial Project Manager		
Gerard Allen Senior Solicitor	Graham Titchener Head of Parking Services		
Nick Collins Head of Commercial & Operational Asset Mgt			
Wards Affected:	Guildhall		
For further information please contact the author of the report			

This page is intentionally left blank







This page is intentionally left blank



Executive**18 October 2018**

Report of the Assistant Director – Housing & Community Safety

Portfolio of the Executive Member for Housing & Safer Neighbourhoods

Duncombe Barracks, Burton Stone Lane**Summary**

1. Part of the Duncombe Barracks site on Burton Stone Lane has been offered to the council for purchase from the Reserve Forces and Cadets Association (RFCA). This report sets out the opportunity a purchase of the site presents for delivering - subject to planning approval – a mixed tenure housing development including 40% affordable housing and a future income for the council from rents and sale receipts.

Recommendations

2. The Executive is asked to:
 - a) Recommend to Council a capital budget of £2.55m for the purchase of Duncombe Barracks and the detailed survey and design work necessary to bring forward the site to a full planning application.
 - b) Approve Option 1 in the report; to purchase of the site (subject to contract) prior to residential planning consent being obtained and with preliminary ground investigations and surveys undertaken prior to completion of the purchase.
 - c) Approve the site being added to the scope of the Housing Delivery Programme as approved by the Executive in July 2018.

Background

3. In December 2016 the Cabinet Office, through its One Public Estate team, brought to the attention of the Council that 1.67 acres of the Duncombe Barracks site had been registered as surplus to requirements by the MoD. A site plan is attached at Annex 1 of this report

4. In September 2017 the local Reserve Forces' and Cadets' Association for Yorkshire and the Humber (RFCA) advised the council that it could have first option to purchase the site.
5. The Duncombe Barracks site is brownfield and therefore the type which the government is keen to see developed to help address local housing needs. It is in a sustainable urban residential location with great access to the city centre, local services, facilities and public transport routes. It is difficult to acquire land on the open market in York, and the opportunity to develop the site for mixed tenure housing would relieve pressure on green belt housing proposals in the city and also provide much needed affordable housing at higher than planning policy levels.
6. A Single Independent Valuation (SIV) was commissioned by the council to determine a planning policy compliant residual land value including 20% on-site affordable housing. The SIV has been used as the basis for the price agreed (subject to contract) with the RFCA. The RFCA have indicated that they are willing to sell the site subject to planning consent or unconditionally.
7. A budget of £2.55m is needed for the purchase and the detailed design work necessary to bring forward the site to a full planning application. A breakdown of this budget is set out in a confidential Annex 2 to this report.
8. Persimmon Homes have been undertaking a consultation on their proposals for the redevelopment of Bootham Crescent when York City Football Club moves to the new Community Stadium at Monks Cross in 2019. The Bootham Crescent site is adjacent to the Duncombe Barracks and it will be an expectation of the local planning authority that opportunities for connectivity between the two sites (such as pedestrian and cycle access) are fully considered.

Housing Need in York

9. York's 2016 Strategic Housing Market Assessment (SHMA) identifies a need for an additional 573 affordable homes each year for the next five years, especially for smaller family (2 and 3 bed) housing. There are currently around 1,100 applicants on the York housing waiting list in 'high' or 'very high' housing need.
10. The limited supply and high cost of house prices and rents in the city is having a marked impact on the ability of York's low to middle income households including first time buyers, young families and key workers in the health, education and care sectors to continue living in, or moving to,

the city. This in turn is having a negative impact on the city's economic and social ambitions with key employers including the local hospital trust experiencing difficulties in the recruitment and retention of staff due to housing costs.

Current position

11. The Single Independent Valuation (SIV) of Duncombe Barracks is based on a notional development of 37 homes and takes into account a policy compliant level of 20% on-site affordable housing. The valuation includes assumed planning contributions and site costs relating to demolition, decontamination, archaeology and specialist foundations. If it transpires these costs are higher than assumed in the SIV the price paid for the site will be reduced proportionately.
12. The budget request for £2.55m includes the maximum cost of purchasing the site subject to final contract terms being agreed with the RFCA. It also includes a budget for the detailed design work needed to bring forward a proposed development to a detailed planning application. Any deviation from this capital budget will require further approval from Members.

Options and analysis

13. Option 1 –Purchase the site **prior** to obtaining planning consent. Undertake ground investigations and surveys on ground contamination and condition, existing utilities and archaeology in advance of completing the purchase.
14. Option 2 – Purchase the site **subject** to obtaining residential planning consent. Undertake ground investigations and surveys on ground contamination and condition, existing utilities and archaeology in advance of completing the purchase.
15. Option 3 – Withdraw the council's interest in purchasing the site.

Analysis

16. The Duncombe Barracks site is a time limited and rare opportunity for investment by the council to purchase land off-market and, subject to planning approval, deliver a mixed tenure housing development. Securing ownership of the site in the most timely and appropriate way will give certainty to this opportunity.

17. For both Option 1 and Option 2 it is a recommendation of this report that site surveys are commissioned to provide due diligence information on ground contamination and condition, demolition costs, existing utilities and archaeology in advance of purchasing the site. These surveys will mitigate risks for the council but would also be abortive costs should the purchase subsequently fall through. The survey outcomes will be shared with the RFCA in order to determine any adjusted land valuation at the point of purchase.

Option 1

18. There are advantages to purchasing the site prior to obtaining planning consent including:
- Securing the council's ownership of the site at the earliest opportunity thereby minimising any risk that the site owner may withdraw from the sale and seek to advertise the site for sale on the open market.
 - Enabling an earlier spend of Right to Buy receipts for the portion of the site cost that is identified for qualifying social/ affordable rented homes. Otherwise these receipts may need to be returned to Government unspent.
 - Enabling a thorough appraisal - de-risked by not being constrained by a time limited conditional sale - of all delivery options including traditional and modern methods of construction and the range of layout and housing mix possibilities to ensure the optimum use of the site to meet priority housing needs and planning requirements.
 - Enabling the RFCA to receive a receipt for the land in the most timely fashion; recognising this is a public land disposal and that the receipt will be reinvested in the services provided by the RFCA.
 - Enabling the site to be added to the scope of the council's Housing Delivery Programme agreed by the Executive in July 2018 which sets a clear ambition for accelerated housing delivery in the city to meet the council's housing and wider social ambitions. Early purchase of this site will give clarity for a strategic approach to be taken in all aspects of the development programme.
 - Providing earlier certainty for and engagement with local residents regarding the future use of the site.

19. Officers have worked on initial sketch feasibilities of 36 homes. A development of this number would be in line with the 50 units per hectare target of the council's recently submitted Local Plan, for the "York Urban Area" zone in which the site falls. If a lower density development is required then mitigation measures could include changing the type and mix of property types and/or changing the mix and balance of tenures.
20. Obtaining site survey information on ground conditions, contamination, demolition costs, specialist foundations, existing utilities and archaeology prior to the purchase of the site will reduce financial viability risks.

Purchasing the site without planning permission is not risk free, but given the nature of the site, the opportunity to purchase off-market and the indicative proposals for housing outlined in this report it is not unreasonable to proceed on this basis. Nevertheless, it is acknowledged that the council's usual practice is not to purchase land without planning consent and this option would be a deviation from that.

21. The purchase of the site will be subject to agreeing Heads of Terms and a Contract of Sale with the Reserve Forces' and Cadets' Association. The contract will need to be agreed and drafted by solicitors for both parties.

Option 2

22. There are advantages to purchasing the site subject to obtaining planning consent including:
 - Providing a higher degree of certainty that a development of housing of a scale, tenure and type that is financially viable can be delivered.
 - Minimising the council's 'at risk' expenditure to that incurred in survey, design and planning costs necessary to bring forward a planning application.
23. Purchasing the site subject to planning consent is not without risks. The period before a sale completes is likely to be at least 12 months and this could increase a risk of the site owner seeking to withdraw from the sale although the Conditional Sale Contract should minimise this likelihood.
24. There will be a longstop date in the Conditional Sale Contract by which time planning consent must be obtained. Whilst this must be a realistic

timescale for working up a full design, undertaking consultation and reaching planning committee, inherently *any* deadline does introduce an element of risk that if it cannot be met the site owner will have a right to withdraw from the sale.

25. Planning approval may be refused or permitted for fewer or more homes. In this instance it might be possible for either party to seek to renegotiate the land price. The council would have to consider all options including withdrawing from the purchase.
26. The purchase of the site will be subject to agreeing Heads of Terms and a Conditional Contract of Sale with the Reserve Forces' and Cadets' Association. The contract will need to be agreed and drafted by solicitors for both parties.

Option 3

27. If the council decided not to purchase Duncombe Barracks the site would be offered on the open market with the likely outcome that a private developer would purchase the site. The maximum affordable housing that could be expected in that instance would be 20% under current planning policy.

Council Plan

28. The proposal to deliver an affordable housing led scheme on the Duncombe Barracks site will meet a number of the council's corporate priorities 2015-19 including:
 - Residents can access affordable homes while the greenbelt and unique character of the city is protected
 - Everyone is supported to achieve their full potential
 - All York's residents live and thrive in a city which allows them to contribute fully to their communities and neighbourhoods
 - Every child has the opportunity to get the best possible start in life

Implications

29. The implications arising from this report are:

Financial

30. The Duncombe Barracks scheme is one of a number of sites that the council is seeking to bring forward into a major housing delivery programme. These sites are:
- a. Lowfield Green
 - b. Burnholme
 - c. Former Askham Bar Park and Ride
 - d. Former Manor School
 - e. Hospital Fields Road and Ordnance Lane
 - f. Former Clifton Without school
 - g. Woolnough House
31. The ambition is to utilise HRA capital resources including Investment Reserve, Right to buy receipts and current debt headroom along with bids to extend the HRA debt cap, Homes England funding, Equity sales from shared ownership sales and capital receipts from market sales to fund this major programme.
32. An update to the HRA Business Plan will be brought to the Executive in due course and will set out how this programme overall can be funded subject to individual business cases being approved on a scheme by scheme basis. The key issue will be managing the cash flow of the developments within the scope of the Housing Delivery Programme to ensure that the investment is affordable and can be managed without adversely impacting the ongoing management of the HRA.
33. It is proposed that the purchase and development of Duncombe Barracks is funded from the HRA investment reserve. In November 2017 Members approved the latest HRA Business Plan which created a new investment reserve of £20m over the period 2018/19. To date Members have approved the following allocations from this reserve.

	£'000
Approval Nov 2017	20,000
Lincoln Court (March 2018)	-1,200
Purchase former HRA Homes (Nov 17)	-810
Lowfield (Net) (July 2018)	-4,500
Scheme Development (July 18)	-700
Uncommitted	12,790
Approval sought – Duncombe Barracks	-2,550
Revised balance	10,240

34. An indicative financial appraisal has been carried out for a scheme of 36 homes comprising a mix of social rent, shared ownership and market sale (Annex Two). This shows that the scheme can be delivered providing 40% affordable housing at a net overall cost to the HRA of circa £2.5m.
35. A full financial appraisal based on a detailed scheme layout will be needed to confirm the final housing/ apartment/ tenure mix and affordable housing provision. This will determine the final budget required for the scheme and the funding breakdown including level of Right to Buy receipts and Investment Reserve that is required.

Human Resources

36. None

Equalities

37. The One Planet York Impact Assessment form is attached at Annex Three.

Property

38. Property implications are covered in the main body of this report.

Legal

39. The Council has statutory provisions authorising it to purchase land, including a general power to purchase land under Section 120 of the Local Government Act 1972.
40. Ownership of the Site is registered at the Land Registry. A preliminary check of Land Registry records indicates that the Site does not appear to be subject to any registered restrictions or other encumbrances/ third party rights except for a covenant that the land would not be used for any noxious, offensive or dangerous trade or business nor used as a pub/inn nor as a bakery, slaughterhouse/ abattoir nor for manufacturing.
41. It is recommended that any offer to the MoD makes clear that it is subject to the results of due diligence checks (such as ground investigations and surveys) as being satisfactory.

Risk Management

Planning

- 42. The housing scheme envisaged for this site is within the range of the submitted Local Plan density targets for 'York urban area'. However there remains a risk of either not obtaining planning permission or not obtaining permission for the scale of development envisaged. This would most likely reduce the number of affordable homes delivered through the programme. To mitigate this risk ground investigations and surveys will be undertaken prior to the purchase.

- 43. With any purchase of the site there will also be risks inherent in any development including rising development costs and changes in housing market conditions. Mitigations could include changing the type/mix of homes, changing the mix and balance of tenures and securing additional funding. These risks and mitigations will be clearer at the point where a report requesting a capital budget for funding the development was brought to the Executive.

Contact Details

Author:

Paul Landais-Stamp
Housing Strategy Manager
01904 554098

Chief Officer Responsible for the report:

Tom Brittain Assistant Director Housing and
Community Safety

Derek Gauld
Housing Development
Manager
01904 551470

Specialist implications officers.

Financial
Patrick Looker
Finance Manager
01904 551633

Legal
Gerard Allen
Senior Solicitor
01904 552004

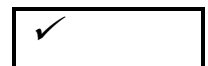
**Report
Approved**



Date 9/10/18

Wards Affected:

All



For further information please contact the author of the report

Annexes

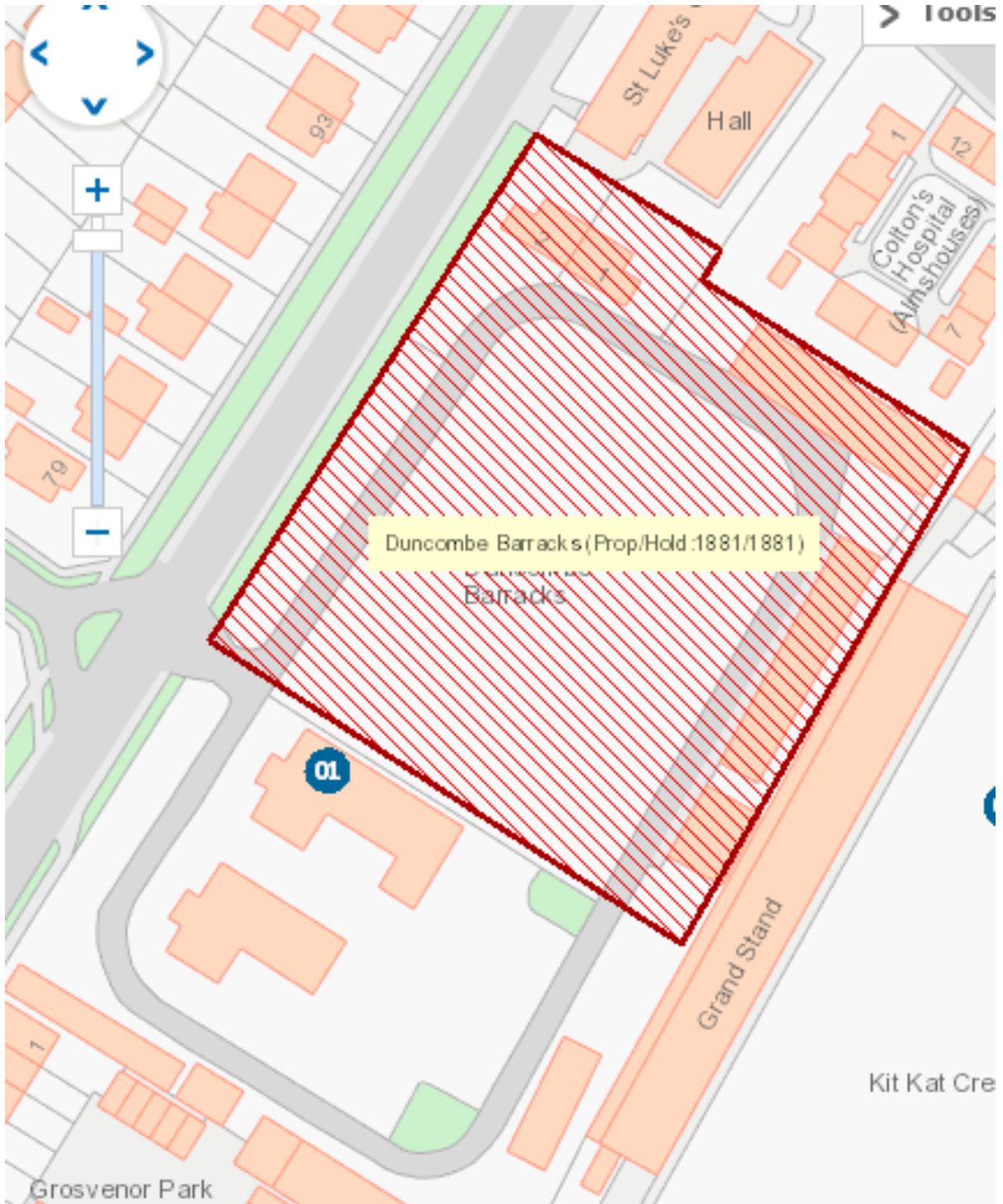
1. Site Plan
2. Financial appraisal summary (confidential)
3. One Planet Council Impact Assessment Form

Background papers

Refresh of Housing Revenue Account Business Plan. Executive 15 November 2017.

Housing Delivery Programme. Executive 12 July 2018

Annex One – Duncombe Barracks site plan



This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

The 'Better Decision Making' tool has been designed to help you consider the impact of your proposal on the health and wellbeing of communities, the environment, and local economy. It draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services by considering the equalities and human rights implications of the decisions we make. The purpose of this tool is to avoid decisions being made in isolation, and to encourage evidence-based decision making that carefully balances social, economic and environmental factors, helping us to become a more responsive and resilient organisation.

The Better Decision Making tool should be used when proposing new projects, services, policies or strategies, or significant amendments to them. The tool should be completed at the earliest opportunity, ideally when you are just beginning to develop a proposal. However, it can be completed at any stage of the decision-making process. If the tool is completed just prior to the Executive, it can still help to guide future courses of action as the proposal is implemented.

The Better Decision Making tool must be attached as an annex to Executive reports. A brief summary of your findings should be reported in the One Planet Council / Equalities section of the report itself.

Guidance to help you complete the assessment can be obtained by hovering over the relevant question.

Please complete all fields. If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

Introduction

Service submitting the proposal:	Housing Strategy and Development
Name of person completing the assessment:	Andrew Bebbington
Job title:	Housing Development Officer
Directorate:	Health, Housing and Adult Social Care
Date Completed:	11/09/2018
Date Approved (form to be checked by head of service):	02/10/2018

Section 1: What is the proposal?

1.1	Name of the service, project, programme, policy or strategy being assessed? Duncombe Barracks site purchase for an affordable housing-led scheme
1.2	What are the main aims of the proposal? Accelerate development of a high quality, sustainable housing site Deliver much needed affordable housing for rent and sale
1.3	What are the key outcomes? An housing scheme which provides for a mixed and sustainable community, and contributes towards meeting the ongoing high level of affordable housing need in the City of York

Section 2: Evidence

2.1	What data / evidence is available to support the proposal and understand its likely impact? (e.g. hate crime figures, obesity levels, recycling statistics) The Strategic Housing Market Assessment 2016 demonstrates that there is a very significant need for affordable and market housing to be built in the City in sustainable locations. The site is capable of delivering ambitions set out in the council's Local Plan (submitted to the Secretary of State in May 2018), meeting the density targets and located in an area with good local amenities and pedestrian and public transport links.
2.2	What public / stakeholder consultation has been undertaken and what were the findings? The extensive Local Plan consultation undertaken earlier this year has reinforced the local need and demand for a high quality affordable and market housing offer.

	Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)
2.3	The proposal is a part of the council's City-wide strategy to lead the development of affordable housing above planning requirements, and its work with Registered Providers to meet these ambitions. This will benefit all groups who experience disadvantage in accessing suitable housing in the City.



Section 3: Impact on One Planet principles

Please summarise any potential positive and negative impacts that may arise from your proposal on residents or staff. This section relates to the impact of your proposal on the ten One Planet principles.

For 'Impact', please select from the options in the drop-down menu.
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

Equity and Local Economy

Does your proposal?		Impact	What are the impacts and how do you know?
3.1	Impact positively on the business community in York?	Positive	Investment in local construction industry; homes for workers in the City across the income scale
3.2	Provide additional employment or training opportunities in the city?	Positive	Employment and training opportunities will be created by the construction of the homes
3.3	Help improve the lives of individuals from disadvantaged backgrounds or underrepresented groups?	Positive	A minimum 40% of the properties will be affordable housing for households in the City with low and middle incomes

Health & Happiness

Does your proposal?		Impact	What are the impacts and how do you know?
3.4	Improve the physical health or emotional wellbeing of residents or staff?	Positive	Adequate housing is widely recognised to be an essential contributor to physical and mental health
3.5	Help reduce health inequalities?	Positive	As noted above, the affordable housing in the development delivers targeted benefit to disadvantaged communities
3.6	Encourage residents to be more responsible for their own health?	Neutral	
3.7	Reduce crime or fear of crime?	Positive	A high quality scheme will 'design out' crime and anti-social behaviour and will provide an environment where residents feel more secure in their own homes
3.8	Help to give children and young people a good start in life?	Positive	The affordable family housing included in the scheme will be available for families whose current housing circumstances are inadequate, particularly benefitting the children in those households

Culture & Community

Does your proposal?		Impact	What are the impacts and how do you know?
3.9	Help bring communities together?	Neutral	
3.10	Improve access to services for residents, especially those most in need?	Neutral	
3.11	Improve the cultural offerings of York?	Neutral	
3.12	Encourage residents to be more socially responsible?	Neutral	

Zero Carbon and Sustainable Water

Does your proposal?	Impact	What are the impacts and how do you know?
---------------------	--------	---

3.13	Minimise the amount of energy we use and / or reduce the amount of energy we pay for? E.g. through the use of low or zero carbon sources of energy?	Positive	The new homes will be built to a high quality environmental standard which minimises energy use
3.14	Minimise the amount of water we use and/or reduce the amount of water we pay for?	Neutral	

Zero Waste

Does your proposal?		Impact	What are the impacts and how do you know?
3.15	Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?	Neutral	

Sustainable Transport

Does your proposal?		Impact	What are the impacts and how do you know?
3.16	Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?	Positive	The development is located in close proximity to the city centre and other local amenities, encouraging the use of walking and cycling
3.17	Help improve the quality of the air we breathe?	Neutral	

Sustainable Materials

Does your proposal?		Impact	What are the impacts and how do you know?
3.18	Minimise the environmental impact of the goods and services used?	Neutral	

Local and Sustainable Food

Does your proposal?		Impact	What are the impacts and how do you know?
3.19	Maximise opportunities to support local and sustainable food initiatives?	Neutral	

Land Use and Wildlife

Does your proposal?		Impact	What are the impacts and how do you know?
3.20	Maximise opportunities to conserve or enhance the natural environment?	Neutral	
3.21	Improve the quality of the built environment?	Neutral	
3.22	Preserve the character and setting of the historic city of York?	Neutral	
3.23	Enable residents to enjoy public spaces?	Positive	The open space on the site is currently in private ownership, public open and amenity spaces in the development will be accessible to local residents

3.40	Additional space to comment on the impacts		

Section 4: Impact on Equalities and Human Rights

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on **advancing equalities and human rights** and should build on the impacts you identified in the previous section.

For 'Impact', please select from the options in the drop-down menu.
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'

Equalities

Will the proposal **adversely impact** upon 'communities of identity'?
 Will it **help advance equality** or **foster good relations** between people in 'communities of identity'?

		Impact	What are the impacts and how do you know?
4.1	Age	Positive	The combination of family homes and accessible apartments will foster a multigenerational community and provide housing opportunities to all age groups
4.2	Disability	Positive	The high quality homes will offer opportunities to better meet the need of residents with a disability
4.3	Gender	Neutral	
4.4	Gender Reassignment	Neutral	
4.5	Marriage and civil partnership	Neutral	
4.6	Pregnancy and maternity	Neutral	
4.7	Race	Neutral	
4.8	Religion or belief	Neutral	
4.9	Sexual orientation	Neutral	
4.10	Carer	Neutral	
4.11	Lowest income groups	Positive	The high proportion of affordable homes on the site will be targeted at households with lower/middle income levels
4.12	Veterans, Armed forces community	Neutral	

Human Rights

Consider how a human rights approach is evident in the proposal

	Impact	What are the impacts and how do you know?
--	--------	---

4.13	Right to education	Positive	Opportunities to access family housing in the development will support children's educational rights
4.14	Right not to be subjected to torture, degrading treatment or punishment	Neutral	
4.15	Right to a fair and public hearing	Neutral	
4.16	Right to respect for private and family life, home and correspondence	Positive	New housing for market and affordable provision supports this right
4.17	Freedom of expression	Neutral	
4.18	Right not to be subject to discrimination	Neutral	
4.19	Other Rights	Neutral	

4.20	Additional space to comment on the impacts



Section 5: Planning for Improvement

5.1	What have you changed in order to improve the impact of the proposal on the One Planet principles? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)
	Maximising the amount of affordable housing on the scheme achieves a positive impact across many of the dimensions of the One Planet Council decision marking tool

5.2	What have you changed in order to improve the impact of the proposal on equalities and human rights? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)
	As noted above

5.3	Going forward, what further evidence or consultation is needed to ensure the proposal delivers its intended benefits? e.g. consultation with specific vulnerable groups, additional data)
	Provision of affordable housing is a national central government priority with a significant evidence base demonstrating the range of benefits from successful delivery of additional, well designed affordable homes

5.4	Please record any outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal? (Expand / insert more rows if needed)
-----	---

Action	Person(s)	Due date

In the One Planet / Equalities section of your Executive report, please briefly summarise the changes you have made (or intend to make) in order to improve the social, economic and environmental impact of your proposal.

This page is intentionally left blank