



Notice of meeting of

Executive

To:	Councillors Steve Galloway (Chair), Aspden, Sue Galloway, Jamieson-Ball, Reid, Runciman, Sunderland, Vassie and Waller
Date:	Tuesday, 12 June 2007
Time:	2.00 pm
Venue:	The Guildhall, York

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10:00 am on Monday 11 June 2007, if an item is called in *before* a decision is taken, *or*

4:00 pm on Thursday 14 June 2007, if an item is called in *after* a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

1. **Declarations of Interest**

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of the following:

Annex B to Agenda Item 9 (Leisure Facilities Strategy Update – Yearsley Swimming Pool) on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

[Note: As the date for the submission of tenders has now past, it is no longer necessary to exclude the press and public from the meeting during consideration of Annex B to Agenda Item 9 (Leisure Facilities Strategy Update – Yearsley Swimming Pool).]

3. Minutes (Pages 1 - 6)

To approve and sign the minutes of the meeting of the Executive held on 24 April 2007.

4. Public Participation

At this point in the meeting, members of the public who registered their wish to speak regarding an item on the agenda or an issue within the Executive's remit can do so. The deadline for registering is **5:00 pm on Monday 11 June 2007.**

5. Executive Forward Plan (Pages 7 - 8)

To receive an update on those items that are currently listed on the Executive Forward Plan.

6. Minutes of Social Inclusion Working Group (Pages 9 - 18)

This report presents the minutes of a recent meeting Social Inclusion Working Group and asks Members to consider the advice given by the Working Group in its capacity as an advisory body to the Executive.

7. Future Political Management Arrangements at the City of York Council (Pages 19 - 34)

This report asks the Executive to consider and endorse an Agreement entered into by the Leaders of the four political groups represented on the Council following the elections in May 2007, and to commission appropriate action to implement that Agreement.

8. Former Lendal Bridge Sub-Station - Secure Cycle Park (Pages 35 - 46)

This report informs members of the responses received from two parties interested in operating the former Lendal Bridge Sub-Station as a secure cycle park and the results of their investigation into grant funding and a business plan.

9. Leisure Facilities Strategy Update: Yearsley Swimming Pool (Pages 47 - 58)

This report asks the Executive to approve a scheme to undertake repairs at Yearsley Swimming Pool.

10. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972

Democracy Officer:

Name: Simon Copley

Contact details:

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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City of York Council

Committee Minutes

MEETING	EXECUTIVE
DATE	24 APRIL 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), SUE GALLOWAY, JAMIESON-BALL, MACDONALD, ORRELL, REID, RUNCIMAN, SUNDERLAND AND WALLER
IN ATTENDANCE	COUNCILLORS D'AGORNE, HALL (FOR AGENDA ITEMS 1-3 & 5), POTTER (FOR AGENDA ITEMS 1- 3, 5 & 8) AND SCOTT (FOR AGENDA ITEMS 1-3 & 5)

205. Declarations of Interest

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillors Sue Galloway, Macdonald and Reid withdrew from the room for agenda item 8 (Responses to Statutory Notices Placed Proposing Development of Land for Affordable Houses at Dane Avenue, Morrill Close and Chapelfields Road), under the provisions of the Planning Code of Good Practice, as they would be considering the planning applications for the sites as members of the West & City Centre Area Planning Sub-Committee.

206. Minutes

RESOLVED: That the minutes of the Executive meeting held on 10 April 2007 be approved and signed by the Chair as a correct record.

207. Public Participation and Other Comments

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

Edwina Hughes, a parent at St Mary's CE Primary School, Askham Richard, spoke regarding agenda item 5 (Education Scrutiny Committee – Final Report on Home to School Transport Contracts in York) (minute 209 refers), in support of the Scrutiny Committee's recommendations and particularly recommendation 1, to fit seat belts in the school bus used to transport children to St Mary's. She circulated two letters of support from local residents.

Written representations had also been received from three other residents, Askham Richard Parish Council, the Governors of St Mary's CE Primary School and Cllr Janet Hopton, in support of the Scrutiny Committee's recommendations, particularly recommendation 1.

Representations were received from Cllr David Scott, the Young People's Champion, regarding agenda item 5 (Education Scrutiny Committee – Final Report on Home to School Transport Contracts in York) (minute 209 refers). He urged the Executive to require immediate provision of seat belts on transport to St Mary's CE Primary School, Askham Richard and to seek guarantees from other primary school transport providers that they would continue to use buses with seat belts. He also argued that the recommendations should be extended to cover secondary school transport as a matter of urgency.

Representations were received from Cllr Ruth Potter regarding agenda item 8 (Responses to Statutory Notices Placed Proposing Development of Land for Affordable Houses at Dane Avenue, Morritt Close and Chapelfields Road) (minute 212 refers). She presented a petition on behalf of the residents of Morritt Close, objecting to the proposed housing development there, and outlined their concerns and their request that any development of the site should be for older people's bungalows.

208. Executive Forward Plan

Members received and noted an updated list of items included on the Executive Forward Plan at the time the agenda for this meeting was published.

209. Education Scrutiny Committee - Final Report on Home to School Transport Contracts in York

Members received a report which presented the final report of the Education Scrutiny Committee regarding home to school transport contracts for primary schools in York. The final report, which contained 5 recommendations and was attached as Annex A, had been endorsed by the Scrutiny Management Committee (SMC) at its meeting on 26 March 2007, for referral to the Executive. SMC had also acknowledged that the Executive may consider whether to apply the recommendations contained in the report to secondary schools as well as primary schools in line with any future legislative requirements arising from the Education & Inspection Bill.

Cllr Charles Hall, the Chair of Education Scrutiny Committee, attended the meeting to present the report and respond to speakers' comments (minute 207 refers).

Members expressed concern that the issue of safety on school buses had not led central government to stipulate minimum standards for school bus design or to ensure that the costs of providing safe transport were recognised in the grant entitlement of local authorities. They expressed the view that, in the absence of such standards and adequate funding, the Council would be placed in the undesirable position of having to reduce service standards elsewhere in the education service in order to pay for seat belts and other improvements.

It was noted that the Council had already instructed officers to undertake a comprehensive review of its transport procurement policies and this was now being undertaken by consultants. It was anticipated that economies would be found and that these may offer a possible option for meeting part of the costs of improving school bus services.

RESOLVED: That the Scrutiny Committee be thanked for their work and their recommendations be dealt with as outlined in the table below:

No.	Recommendation in Full	Executive Response
1	<p>Council officers to be instructed to negotiate with the transport provider for St Mary's School, Askham Richard in order for seat belts to be provided on all vehicles. If this is not possible at a reasonable cost then they will re-let the contract from September 2007.</p>	<p>The Executive endorses the Scrutiny Committee recommendation and instructs officers to address this issue as part of any proposals arising out of the current Kendric Ash review of the Councils transport contracts</p>
2	<p>The Council will ensure that minimum standards for all future home to school transport buses include:</p> <ul style="list-style-type: none"> a) Lap seatbelts to be fitted to all vehicles, with the long term aim of these being 3 point seatbelts. b) CCTV to be installed in all vehicles and functioning at all times c) Contractors to ensure that all drivers have had a CRB check within the last three years before commencing this work and thereafter in line with current Council policy. <p>EU2 emission standards or greater to be required on all contract vehicles</p>	<p>The Executive endorses the Scrutiny Committee recommendation and instructs officers to address this issue as part of any proposal arising out of the current Kendric Ash review of the Councils transport contracts. The Executive accepts that it may be necessary to phase in these new contract requirements over a period of time to allow for any necessary conversions to be undertaken and for funding sources to be found.</p>
3	<p>The council will ensure that where possible contracts are to be let for more than 5 years, ideally 8 - 10 years in order to allow contractors to invest in higher quality</p>	<p>The Executive notes the Scrutiny Committee recommendation and asks officers to report back on the advantages and any possible disadvantages of letting longer transport contracts</p>

No.	Recommendation in Full	Executive Response
	vehicles	
4	The council will recognise good practice in other local authorities and encourage schools and contractors to use measures such as good behaviour contracts (see paragraph 32), designated seats and the use of bus prefects to discourage unruly behaviour by pupils.	The Executive endorses the Scrutiny Committee recommendation
5	The Council will endeavour to ensure that the same high standards are in place for bus contracts covering all educational establishments.	The Executive endorses the Scrutiny Committee recommendation and instructs officers to address this issue as part of any proposals arising out of the current Kendric Ash review of the Councils transport contracts

REASON: To improve safety and introduce higher quality buses.

210. Hungate - York Bedding Company CPO

Members received a report which sought approval to move forward with a Compulsory Purchase Order (CPO) in order to proceed with the comprehensive regeneration and development of the Hungate area.

The report presented three options to proceed with the development:

- Option 1 - To continue without the York Bedding Company site;
- Option 2 – To continue to seek acquisition of the site through negotiation;
- Option 3 – To proceed to CPO in order to acquire the land.

Members highlighted the importance of the Hungate development to the future economic prosperity of the city and the need to press ahead with it as soon as possible.

RESOLVED: That a Compulsory Purchase Order pursuant to Section 226 (1) (a) of the Town and Country Planning Act 1990 be made on the York Bedding site at Hungate, York and officers be authorised to take all necessary steps to prepare the CPO.

REASON: In order to acquire the outstanding parcel of land necessary to enable development to proceed, with all the Council's costs incurred by the developer of Hungate.

211. Should York be a World Heritage Site?

Members received a report which presented the findings of the Lord Mayor's World Heritage Working Group and asked the Executive to consider the options for action.

The report presented three options for consideration:

- Option A – That the Council does not pursue inclusion on the UK Tentative List of sites, from which nominations to the United Nations Educational, Scientific and Cultural Organisation (UNESCO) for World Heritage status would be made;
- Option B – That the Council accepts the recommendations of the Working Group to pursue World Heritage status;
- Option C – That the Executive asks the Working Group to:
 - a) consult with the Without Walls group and the wider community on this subject;
 - b) wait for and assess the publication of the Department for Culture, Media and Sport (DCMS) assessment of costs and benefits and practical guidance for potential sites,
 - c) revise their report accordingly,and then receives a further report from officers, in the light of this work, on whether or not to pursue World Heritage status and what should be the boundary of the World Heritage site.

- RESOLVED:
- (i) That the Lord Mayor be thanked for the work carried out by her and her York World Heritage Working Group and that Option C be adopted;
 - (ii) That any public consultation be undertaken by the City of York Council and should include both the local business and residential communities in order to improve public awareness and support for the proposal, and a clearer explanation of the implications for development in the proposed area be provided, together with a review of whether the full city walls area was the most appropriate boundary for a World Heritage Site.

REASON: It would be appropriate to consult the community and await the publication of guidance from DCMS on this issue and then to receive a further report and make a decision on whether to pursue World Heritage status once this additional information is available.

212. Responses to statutory notices placed proposing development of land for affordable houses at Dane Avenue, Morritt Close and Chapelfields Road

Members received a report which requested confirmation of the approval to sell the sites at Dane Avenue, Morritt Close and Chapelfields Road for affordable housing, subject to the terms and conditions agreed at the Executive meeting on 13th March.

The report presented two options for consideration:

- Option 1 – to confirm approval for the development of the three sites for affordable housing on the terms and conditions agreed at the Executive meeting on 13th March;
- Option 2 – to reconsider the previous approval of the Executive on 13th March.

Officers had begun investigating whether there should be a more comprehensive redevelopment scheme for the wider area in relation to Morritt Close, as requested by the Executive on 13th March, and provided a report back on progress so far.

Officers were requested to meet with the petitioners from Morritt Close (minute 207 refers) to outline the proposals for redevelopment and to explain what was being done to address their concerns, particularly those relating to security.

It was also reported that representations had been received from several residents on Chapelfields Road who would like, as part of the provision of housing on the former Adventure Playground site, to have a rear access option available for their homes. Officers were asked to ensure that the road layout accommodated this request.

RESOLVED: (i) That Option 1 be approved;

(ii) That officers be requested to contact the signatories on the Morritt Close petition and explain what is being done to address their concerns (and in particular to highlight the actions agreed by the Executive at its previous meeting);

(iii) That officers be requested to ensure that the road layout design for the Chapelfields development accommodates local residents wishes to have a rear access to their properties.

REASON: To confirm approval for the development of the three sites for affordable housing on the terms and conditions agreed at the Executive meeting on 13th March, and to respond to the views and comments of local residents.

213. Chair's Comments

The Chair thanked Members of the Executive and officers for their hard work and support over the last four years.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 3.05 pm].

EXECUTIVE FORWARD PLAN

Table 1: Items scheduled on the Forward Plan which were due to be submitted to this week's meeting

Report	Author	Current Position	Likely Revised Date
Thin Client/ Competition Strategy	Simon Wiles	Deferred for further work (previously deferred from 27/3/07)	10/7/07
Efficiency Programme – including Strategic Procurement	Liz Ackroyd	Deferred for further work (previously deferred from 13/2/07)	10/7/07
Local Public Service Agreements (LPSA2)	Simon Hornsby	Deferred for further work	10/7/07
Update on Equal Pay Issues	Steve Morton	Deferred for further work	10/7/07
easy@york Update Report	Tracey Carter	Deferred for further work	10/7/07

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 26 June 2007

Report	Author	Current Position	Likely Revised Date
Revenue Outturn Report	Janet Lornie	On schedule	N/a
Capital Outturn Report	Tom Wilkinson	On schedule	N/a
Treasury Management Outturn Report	Tom Wilkinson	On schedule	N/a
The Statement of Accounts	Janet Lornie	On schedule	N/a
Corporate Procurement Strategy	Liz Ackroyd	Deferred from November 2006	N/a
Procurement Guidance Manual for Practitioners	Liz Ackroyd/ David Walker	To go to Corporate Services EMAP only (8/6/07)	N/a
Production of Foie Gras: Notice of Motion from Cllr Blanchard referred from Full Council on 25 January 2007	Terry Collins	Deferred from 27/3/07	N/a
Minutes of Local Development Framework Working Group & Economic Development Partnership Board	Dawn Steel	On schedule	N/a

Draft Sustainable Development Strategy for CYC	Kristina Peat	Deferred from 24/4/07	N/a
Waste PFI Update	Sian Hansom	On schedule	N/a
Parking Review	Peter Evely	Deferred from 27/2/07	N/a
Notice of Motion – Kent Street Site	Neil Hindhaugh	To be submitted under the provisions of Standing Order 11 and with the agreement of the Group Leaders	N/a

Table 3: Items scheduled on the Forward Plan for the Executive Meeting on 10 July 2007			
Report	Author	Current Position	Likely Revised Date
Admin Accommodation Project Update Report	Maria Wood	Deferred from 13/3/07	24/7/07
Thin Client/ Competition Strategy	Simon Wiles	Deferred from 27/3/07	N/a
Local Public Service Agreements (LPSA2)	Simon Hornsby	Deferred from 12/6/07	N/a
Update on Equal Pay Issues	Steve Morton	Deferred from 12/6/07	N/a
Efficiency Programme – including Strategic Procurement	Liz Ackroyd	Deferred from 13/2/07	N/a
easy@york Update Report	Tracey Carter	Deferred from 12/6/07	N/a



Executive**12 June 2007****Report of the Head of Civic, Democratic and Legal Services****Minutes of the Social Inclusion Working Group****Summary**

1. This report presents the minutes of a recent meeting of the Social Inclusion Working Group and asks Members to consider the advice given by the Working Group in its capacity as an advisory body to the Executive.

Background

2. The revised Constitution agreed by Council on 27 April 2006 created a number of Working Groups whose role is to advise the Executive on issues within their particular remits. The Groups are:
 - Social Inclusion Working Group (equalities issues)
 - Young People's Working Group (young people's issues)
 - Local Development Framework (LDF) Working Group (matters relating to the Local Development Framework)

The Constitution also includes a Protocol on Councillor Working Groups, which sets out rules and guidelines for the establishment and operation of Working Groups.

3. To ensure that the Executive is able to consider the advice of the Working Groups, it has been agreed that minutes of the Groups' meetings will be brought to the Executive on a regular basis. The Executive has also agreed to receive minutes of the meetings of the Economic Development Partnership Board, which acts as an advisory body to the Council and to the Local Strategic Partnership.
4. Consideration of the minutes of the above bodies has been scheduled on the Forward Plan for the Executive, as follows:
 - 12 June – Social Inclusion Working Group and Young People's Working Group
 - 26 June - LDF Working Group & Economic Development Partnership Board
 - 11 September – Social Inclusion Working Group and Young People's Working Group

- 25 September - LDF Working Group & Economic Development Partnership Board
- 4 December – Social Inclusion Working Group and Young People's Working Group
- 18 December - LDF Working Group & Economic Development Partnership Board
- 11 March – Social Inclusion Working Group and Young People's Working Group
- 25 March - LDF Working Group & Economic Development Partnership Board

In accordance with the Forward Plan, this report presents the minutes of the Social Inclusion Working Group meeting on 21 March 2007 (Annex A). The Young People's Working Group (YPWG) has not met since 25 October 2006. The minutes from that meeting were presented to the Executive on 5 December 2006. Therefore, there are no minutes from the YPWG attached to this report.

Consultation

5. No consultation has taken place on the attached minutes, which have been referred directly from the Working Group. The minutes are still in draft form, pending approval at the Group's next meeting, on 10 July 2007. It is assumed that any relevant consultation on the items considered by the Group was carried out in advance of their meeting.

Options

6. Options open to the Executive are either to accept or to reject any advice that may be offered by the Working Group, and / or to comment on the advice.

Analysis

7. There are no resolutions within the attached minutes which require the specific endorsement or approval of the Executive. However, Members may wish to note in particular:
 - a. the Group's decision to support proposals for the effective involvement of young people in their work (minute 30), and
 - b. the Group's decision to support the setting up of a Strategic Working Group to examine the best way of collecting data about sexuality (minute 32).

Corporate Priorities

8. The aims in referring these minutes accord with the key principles of improving the Council's organisational efficiency.

Implications

9. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider the minutes and determine their response to the advice offered by the Working Groups:

- **Financial**
- **Human Resources (HR)**
- **Equalities**
- **Legal**
- **Crime and Disorder**
- **Property**
- **Other**

Risk Management

10. There are no risk management implications associated with the referral of these minutes.

Recommendations

11. Members are asked to consider the minutes attached at Annex A and to decide whether they wish to respond to any of the advice offered by the Social Inclusion Working Group.

Reason:

To fulfil the requirements of the Council's Constitution in relation to the role of Working Groups.

Contact details:

Author:
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Chief Officer Responsible for the report:
Suzan Hemingway
Head of Civic, Democratic and Legal Services

Report Approved



Date 31.05.07

Specialist Implications Officer(s) None

Wards Affected:

All



For further information please contact the author of the report

Annexes

Annex A – Minutes of the meeting of the Social Inclusion Working Group held on 21 March 2007

Background Papers

Agendas and associated reports of the above meeting (available on the Council's website).

MEETING	SOCIAL INCLUSION WORKING GROUP
DATE	21 MARCH 2007
PRESENT	COUNCILLORS CUTHBERTSON (VICE-CHAIR), FAIRCLOUGH, SUE GALLOWAY, KING, POTTER AND SCOTT
	NON VOTING CO-OPTED MEMBERS: JACK ARCHER - OLDER PEOPLE'S ASSEMBLY SUE LISTER - OLDER PEOPLE'S ASSEMBLY PETER BLACKBURN - LGBT FORUM AND KAREN ROBERTS - LGBT FORUM
APOLOGIES	COUNCILLOR JAMIESON-BALL, RITA SANDERSON - BME CITIZENS OPEN FORUM (YREN) AND DARYOUSH MAZLOUM – BME CITIZENS OPEN FORUM (YREN)

27. DECLARATIONS OF INTEREST

The Chair invited Members to declare at this point any personal or prejudicial interests they might have in the business on the agenda, in addition to the standing declarations below:

Cllr King – as a member of the Access Group
Cllr Potter – as Older People's Champion
Cllr Scott – as Young People's Champion

No further interests were declared.

28. MINUTES

RESOLVED: That the minutes of the last meeting of the Social Inclusion Working Group held on 17 January 2007 be signed as a correct record and the "easy read" version be noted.

29. PUBLIC PARTICIPATION

There were no registered speakers at the meeting under the Councils Public Participation Scheme.

30. INVOLVING YOUNG PEOPLE IN THE SOCIAL INCLUSION WORKING GROUP

Members considered a report, which detailed steps that had been taken since the November meeting of the Group to implement the recommendations for developing the effective involvement of young people in the Group.

Officers had undertaken discussions with the various forums and it was now hoped to develop a network of young people from each of the relevant communities (i.e. BME young people, disabled young people, and LGBT young people) which could then develop close links with the forum itself, and maybe send a young person's representative along to the SIWG meetings. These networks once established could also feed into events organised for schools councils in autumn ensuring that these had a strong emphasis on social inclusion and equalities. If resources were found the groups could work with a Forum Theatre company to develop a performance on social inclusion for young people at the autumn event.

The Chair confirmed that it was proposed to use the remaining £3280 Equalities Team budget for Social Inclusion for the employment of an outreach worker to provide development support for this work and to fund the cost of engaging with equality and social inclusion issues at the Schools Council events.

Cllr Scott queried the wording of para. 2.3 which stated that it had been agreed that he would, as Children and Young Person's Champion, attend meetings to advocate on behalf of young people. The role would be to articulate the views of young people as had already been expressed through consultation and involvement activity, as recorded on the consultation database.

Members supported the involvement of young people in both primary and secondary schools and the possible involvement of school drama groups to produce a forum theatre production relating to social inclusion to present to their peers.

Members also pointed out that the secondary school event at the Mansion House, hosted by the Lord Mayor, could include a social inclusion item. Concerns were raised that the Group had now been meeting for a year and no input had yet been received from any young people other than from the Young People's Champion.

- RESOLVED:
- i) That the Social Inclusion Working Group support the way forward proposed in the report for the effective involvement of young people in the Social Inclusion Working Group and the use of the remaining funds in the Equalities budget to support this work.
 - ii) That Officers report back to the Group on progress made with this work in September 2007.

REASON: To develop a more comprehensive and inclusive means of involving young people in issues of social inclusion and equality.

31. CENTRE FOR INDEPENDENT LIVING (CIL)

Members received an update report from Cllr Sue Galloway on progress with the setting up of a Centre for Independent Living in York (CIL).

Cllr Galloway reported that, following production of the report "From Client to Citizen: A CIL for York?" by Lynn Jeffries and Alison Cowen, further discussions had now been undertaken. Arising out of these discussions two differing strands had appeared, the first had been whether to just supply information from a virtual office or secondly whether to provide a true centre with practical equipment which could be tested e.g. stair lift, room chairs etc. It had therefore been decided to set up a forum, similar to the Valuing People Board, with an independent chair, to progress this further. The PCT and CYC would be unable to fund this project individually but it was hoped that funds could be attracted in partnership.

Members questioned linking up with the technologist at York University where a house had been set up on these lines. Reference was also made to the existing equipment store which demonstrated equipment and that it would be more convenient if the wheelchair centre at Clifton was to move to adjoining premises.

RESOLVED: That the update be noted and a further update be made to the Group following the setting up of the forum.

REASON: To update Members on the feasibility of setting up a Centre for Independent Living in York.

32. SEXUAL ORIENTATION MONITORING

Pete Blackburn updated Members that the Council had asked the York and District LGBT Forum on the most appropriate ways of collecting data about sexuality, details of which were circulated at the meeting. He stated that members of the Forum had felt that a 'Strategic Working Group' made up of LGBT forum representatives, council members and senior officers should be set up to examine the provision of better and more relevant services for LGBT people in and around York.

He explained that the key areas that had been identified that would make a real difference to the lives of LGBT people were:

- Education/Training
- Communication
- Awareness Raising
- Access to Services

- Health
- Community Safety
- Support for LGBT people and their families

Members confirmed that the proposal was an excellent idea and that representatives were required at a strategic level in the authority and any information collected should be done in a sympathetic manner. Concerns were raised at what the data would then be used for, any data protection issues and if the information collected could be anonymised. Officers confirmed that some of this information had been included in the Councils staff survey and that the individual had a choice whether or not to complete this section.

Peter Blackburn confirmed that Aberdeenshire Council had recently undertaken a similar survey and that he was sure that the problems raised by Members would also have been encountered by them in their survey work.

RESOLVED: That the update be noted and that the Groups support be given to the setting up of a Strategic Working Group to examine the best way of collecting data about sexuality.

REASON: To enable the Social Inclusion Working Group to analyse trends and influence improvements in equality monitoring and to highlight these issues.

33. FORWARD PLAN

Consideration was given to the circulated Forward Plan for future meetings of the Group for 2007/08, this showed items inside a circle, which were key events that may have an effect on the group's agenda. Outside the circle were the proposed meeting agenda and each agenda had been designed as a whole to relate to important events such as the corporate strategy. Issues raised by the forums had not been included as it was considered that additional items should come from the forums direct. Members were asked to give further consideration to the Plan.

The Chair reported that the next meeting of the Group was not scheduled until Tuesday 10 July in the Councils draft diary but as soon as the dates were finalised they would be forwarded to Members.

Members raised the following items for future meetings:

- Review of the Social Inclusion Working Group after a year in operation, including accommodation, room layout, access etc (July meeting if possible)
- Voice recognition service update
- Age Discrimination update
- Forum representatives to report back on any issues they wished to raise.

- Details of representatives from the Disabled Peoples Forum, Faith Group and young peoples group (July meeting if possible)
- Update on young peoples event in the Mansion House.

RESOLVED: That the Forward Plan for 2007/08 as circulated be noted as a working document subject to the addition of the above additional items.

REASON: To focus the future work of the Social Inclusion Working Group.

34. COMMUNITY FORUMS REPORTS AND FEEDBACK

The Chair reported that the community reports and feedback had previously been agreed as a regular agenda item and that its purpose was to receive notes or minutes from meetings of the forums involved in the Groups work. Unfortunately no notes or minutes had been received and a request was made for forums to send copies to Jill Pickering, preferably by email to enable them to become part of future agenda.

i) LGBT Forum

Peter Blackburn circulated a copy of details of the emerging York and District LGBT Forum and updated members on the background to the Forum. He stated that the forum currently had over 70 members and that the first edition of their newsletter, which would be produced on a quarterly basis, was near completion and would be sent to all members. He reported that arrangements were being made for a 'Pride Picnic' on 19 August 2007.

ii) International Women's Day/Festival

Sue Lister referred to problems she had encountered in organising the York Women's Festival, which had unfortunately coincided with the York Literature Festival. She expressed concerns that they had been unable to obtain funding and following an evaluation of the events it appeared that a number of workshops had had no attendees. She asked the Group for support in the arrangement of a future event.

Members referred to the Yortime website which listed details of possible funding avenues. It was pointed out that the broader issue of raising the profile of women and the various groups could be addressed through discussion at the next meeting when consideration was given to the Gender Equality Duty.

iii) Living Islam

Cllr Potter reported that she had recently attended an excellent course run by the Leeds Church Institute on what it was like being a Muslim in Great Britain. If the chance ever arose she recommended attendance at this training course.

Cllr I Cuthbertson
Chair

[The meeting started at 6.00 pm and finished at 8.35 pm].



Executive**12 June 2007****Report of the Chief Executive****Future political management arrangements at the City of York Council****Summary**

1. This report asks the Executive to consider and endorse an Agreement entered into by Leaders of the four political groups represented on the Council following the elections in May 2007, and to commission appropriate action to implement that Agreement.

Background

2. Following local elections held in May 2007, no one political group gained overall control of the Council. The Liberal Democratic Party won 19 seats, the Labour Party 18, the Conservative Party 8 and the Green Party 2.
3. Leaders of the four political groups represented on the Council met in advance of the Annual Council meeting to discuss and agree future political management arrangements for the Council. In doing so they recognised the need for the City to have a workable, durable, speedy and inclusive decision making process based on an agreed set of policy objectives and milestones, and identified a number of constitutional changes, policy reviews and changes to the allocation of seats on Council decision making bodies to facilitate this.
4. The Agreement was set out formally in a letter from Cllr Steve Galloway to the other three Group Leaders, Cllrs David Scott, Ian Gillies and Andy D'Agorne. The full text of the Agreement, together with responses from Cllrs Scott and Gillies, is appended to this report.

Consultation

5. This was a political matter and did not involve officers of the Council. Consultation took place within political groups.

Corporate Priorities

6. The Council's corporate priorities will remain the basis for officer action unless and until they are changed as a result of the policy review reports set out at Annex 2 of the Leaders' Agreement. Any review of the corporate priorities will be subject to an officer report to the appropriate Member panel or the Executive.

Implications

7. Implications arising from the policy prospectus and those constitutional changes where an officer report is required, will be included in individual review reports as they are brought forward.

Recommendations

8. Members are invited to:
 - 8.1 (Relating to the overall Agreement between party Leaders set out in the Appendix to the report)
 - a) Endorse the principles for future political management arrangements set out in Cllr Galloway's letter to Group Leaders;
 - b) Instruct the Head of Civic, Democratic & Legal Services to put in hand an early, independent review of member allowances with a view to any new rates coming into effect as soon as they have been agreed by full Council, but not backdated.

Reason: To recognise and support an effective system of political management for the Council and implement action as required by the Leaders' Agreement.
 - 8.2 (Relating to Annex 1 to the Agreement – Constitutional Changes)
 - a) Instruct the Head of Civic, Democratic & Legal Services to exercise her delegated authority to implement those changes to the Constitution set out at paragraph 1 of Annex 1 of the Agreement which command the unanimous support of all party groups;
 - b) Note the "constitutional changes to be subject to officer report and review during 2007" set out at paragraph 2 of Annex 1 to the Agreement and instruct the Head of Civic, Democratic & Legal Services to put in hand a programme of work to complete the reviews, report to full Council and implement agreed changes no later than May 2008 at the latest.

Reason: To implement agreed changes to the Constitution as required by the Leaders' Agreement.

8.3 (Relating to Annex 2 to the Agreement – Policy prospectus for a new York Council)

- a) Approve the policy prospectus set out at Annex 2 to the Agreement;
- b) Instruct Directors to note and implement the actions contained within the policy prospectus, subject to seeking appropriate Member authority as may be necessary;
- c) Instruct Directors to confirm on the Council's forward plan, dates on which the review reports specified in the prospectus will be brought forward for consideration by the Executive.

Reason: To implement Members' Agreement on policy issues.

8.4 Request that the Chief Executive provides a full update report to the Executive on actions arising from the Agreement by March 2008.

Reason: To allow Members formally to review progress.

Contact Details

Author:
Deborah Baxter
Chief Executive's Support Officer
01904 552909.

Chief Officer Responsible for the report:
David Atkinson
Chief Executive

Report Approved Date 31/5/07

Specialist Implications Officer(s) None.

Wards Affected: All

For further information please contact the author of the report Annexes

Appendix: Letter from Cllr Steve Galloway to Group Leaders. This document includes:

- Annex 1: Constitutional Changes;
- Annex 2: Policy prospectus for a new York Council.

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May 2007

To: Group Leaders, City of York Council.

Via Email

Councillor Steve Galloway
Westfield Ward

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Foxwood
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Dear Colleagues

Future political management arrangements at the City of York Council

Following the declaration of the results of the elections on 4th May we have met on several occasions to try to find a mutually acceptable way of running the decision making processes of the Council and one which seeks to respect the wishes of the electorate. In doing so we have all been conscious that any period of apparent indecision could adversely impact on the morale of Council staff, partner organisations in the City and residents generally.

We concluded that

- The City must have a workable, durable, speedy and inclusive decision making process. Any structure must be allowed to work for at least 12 months and should be based on an agreed set of policy objectives and milestones.
- The decision making process must recognise that voters did not give any party an overall majority. Hence residents may expect to see a “mix” of policies and personalities.
- The new council needs to take a fresh initiative in terms of communicating with, and consulting, its residents and stakeholders.
- There may be changes needed to the Councils Constitution which would assist in the running of a balanced Council.
- The Council must have a responsible financial management policy which will be durable. The policy must address known financial pressures on the Councils budget.
- There are some difficult financial choices to be made over coming months. These include job evaluation, waste management, increased demand for some services, pressures on the contingency provision because of the effects of the pensioners pass cost transfer, continuing pressure on both adult and children’s social care budgets, resources for the capital programme as well as the need to focus on filling key officer vacancies, maintaining service quality and getting a sound CPA score.

All Groups initially advanced an all party Executive as their preferred option.

Following discussions, Labour rejected this option citing irreconcilable "policy" differences.

Labour had also ruled out having a joint administration with LibDems citing "the lack of a credible opposition" within such a structure.

Both Labour and the Conservatives declined to cooperate together in a two party administration.

The Conservative Group indicated that they would not enter into any arrangement for the 07/08 municipal year with any other party. They do, however, want to be "constructive" and might change their position in the future in the light of experience.

Labour have ruled out forming a minority administration at this time.

The proposal we have agreed to pursue is that the Liberal Democrats, as the largest group, will form a minority administration.

Labour would form the Shadow Administration.

Any agreement would be based on all parties agreeing to support it at the Councils AGM and that it would last for at least 12 months.

There will be an early review of members allowances (which would certainly be expected to recognise the more significant role of the Minority Group Leader) and a further review of the Constitution (see annex 1). The revised members allowance rates would come into effect as soon as an independent review had been concluded and agreed by Council, but they would not be backdated.

Any revised constitutional arrangements - unless unanimously agreed - would come into effect from the beginning of the 2008/09 municipal year.

I have indicated that the formation of a minority administration is the LibDems least favoured option and that any agreement would have to be underpinned by this written exchange explaining the new processes that had been agreed, together with a written statement of objectives for the Council for the next 12 months. In essence we would commission an update of the Corporate Plan (annex 2).

I would not wish to attempt to take proposals through the Councils decision making bodies (EMAP, Exec or full Council) which did not have a chance of success (as this would represent a potential waste of officer time).

I am pleased, therefore, that the Group Leaders have agreed to be involved at an early stage in the process of commissioning officer reports. This principle can be extended to individual portfolio areas involving Group spokespersons in the dimensioning of reports.

In addition we have agreed to re-introduce the Strategic Policy Panel to which potentially controversial reports can be referred for guidance. This supplements the formal scrutiny "calling in" procedures which will remain available for use, although all 4 groups will seek to avoid unnecessary reliance on this option because of the cost and delays that it involves.

I am happy to confirm that as a matter of principle we are prepared to accept the majority view expressed at these forums and will implement their agreed policies. It is my hope, however, that it will usually be possible on key issues to form a consensus on the best way forward for the City.

This agreement acknowledges that the current

1. Council Corporate Plan
2. 07/08 revenue budget &
3. 07/08 capital budget

will remain the basis for officer actions unless and until they are changed as a result of reports commissioned under this agreement (see annex 2) or as a result of subsequent further discussions or changed circumstances. Any changes will be subject to an officer report to the appropriate panel or Executive.

I acknowledge that residents will expect to see some early refinements to Council policies as a consequence of the election results. For example, against a background of generally buoyant car parking revenue, we have agreed to scrap residents evening car parking charges as soon as is practical.

We have all mutually agreed that we will commission a City of York Climate Change strategy report and a review of the City's leisure and swimming strategy is being placed in the Forward Programme.

I am quite clear that we will want to incorporate an initiative on improving consultation and communication arrangements with York residents

Some changes are proposed to committee numbers and are incorporated in attached (annex 3) which details the chairing and place allocations that we have agreed for the Councils decision making committees and panels. *[NB Annex 3 is not attached for the purposes of the Executive report on 12 June 2007].*

I would be grateful if you would write and confirm that this document represents the mutually agreed conclusions of our discussions.

When I have your response, I will recommend the proposal to my Group for endorsement.

Subject to this, we have agreed to issue a joint press release on Wednesday at 4:00pm when Ian has returned to the City from his short break.

Until that time the contents of this correspondence will remain confidential. Upon receipt of your confirmation though, the proposal will be selectively released, on an "in confidence" basis to key officers to allow them to make the necessary arrangements for the Council AGM and set in motion the changes to process that will be necessary during the June meeting cycle. It will also be necessary for us to prioritise the "review reports" so a further Group Leaders meeting will be necessary after the AGM

I should like to thank other Group Leaders for their contribution to this process which has of necessity involved some flexibility on all sides. I will work constructively with you all during the next 12 months for the benefit of York residents as we set out on another chapter in our City's long history.

Yours sincerely

Steve Galloway

Steve Galloway

Leader, City of York Council,

Liberal Democrat Group

Dear Steve,

Re: Future political management arrangements at the City of York Council

Thank you for your open letter sent by e-mail on the 21st May 2007.

Subject to the subsequent endorsement of the Labour Group and the matters below I can confirm that I can agree that your letter is the basis for the political arrangement at the City of York Council.

I agree that all things being equal any agreement should be workable, durable, speedy and inclusive. However you will appreciate that events may occur during the next 12 months, and beyond, which may result in priorities being re-evaluated.

It is acknowledge that the Council Corporate Plan, 07/08 Revenue Budget and 07/08 Capital Budget will remain the basis of officer actions until such time as reports commission under annex 2 have been received, further discussion between the major groups circumstances change or are a result of changes already agreed.

I am pleased that a way forward can be reached in relation to changes to the Constitution. I acknowledge that some of my Group's proposed changes will need to be subject to an Officer report and review. I would hope that the consensus approach currently demonstrated by the Groups will continue and those changes to the Constitution that are subject to the review process are not unreasonably delayed. (I do however note that at this time the Liberal Democrat Group would find it difficult to see a change to the EMAP structure until the municipal year 2008/09. Subject to any compelling reason to the contrary I would not envisage this being a difficulty for my Group.)

I am pleased that my Group's proposal for the re-establishment of the Strategic Policy Panel ("SPP") can be agreed. Clearly the exact details of that need to be finalised. In terms of membership we would propose a more appropriate ratio would be 4:4:2:1. I would expect like provision for Shadow Executive members on the SPP as for the Executive members.

I am able to agree to the Policy prospectus at Annex 2. The priorities associated with the initiatives have yet to be decided upon

In relation to particular Policy initiatives I would comment as follows:-

9 a) The review of recycling should included difficult to access properties, including flats, as well as terraced streets

12 a) We need to investigate the possibility of linking any bids for government funding with adequate plans to tackle congestion and traffic growth.

b) My Group believes that appropriate consideration need to be given to restarting the Park and Ride building programme.

I look forward to working constructively with all Groups.

Yours sincerely,

David Scott

David Scott

Leader of the Labour Group

cc: Ian Gillies, Andy D'Agorne, David Atkinson

Dear Steve,

Following the letter to Ian re the 'future political management arrangements' we are happy to proceed as agreed. A point on the ring road as we understand it, is ok with you. Ian looks forward to meeting you tomorrow to personally agree this accord, which we all hope will take the city forward into a new sphere of goodwill, hope, and good government for the all the residents of our great city.

Bill Bennett

York Conservative group convenor/dept group leader

for and on behalf of Ian Gillies, York Conservative Group leader. 11:02am. 22/5/07

On the basis that the electorate have voted for a more broadly based approach to decision making in the York Council, several changes to procedures, protocols, members allowances, committee size and the Constitution are being proposed by the Group Leaders.

Where changes to the Constitution are being proposed they are divided into two sections.

In the first, there is already a broad agreement and they will be implemented quickly via the Executive process.

Changes where there may be more controversy will be subject to a review process. Any changes resulting from this review process will be implemented in May 2008 (unless it is unanimously agreed by all 4 groups that the changes should be implemented sooner)

1) Constitutional changes to be implemented as soon as possible

- a. **That the Strategic Policy Panel (SPP) be revived.** *A method is required which allows a consensus on policy proposals to be arrived at as early in the process as possible (to avoid delay and wasting officer time). It is anticipated that Group leaders/spokespersons will give a steer to officers on the required (minimum) content of potentially divisive reports before they are written. It is proposed that an SPP be constituted on the ratio 4:4:2:1 where reports can be referred for policy advice prior to their being considered by the Executive or EMAPs. It is suggested that any 3 members should be able to make such a request. It is anticipated that this will happen only with potentially controversial items where establishing a consensus or majority view might be difficult without a joint meeting involving key decision makers. The understanding will be that the Executive/Exec Member will respect the majority view voted on at the SPP. This process is not "calling in" and does not form part of the scrutiny process. The calling in process (which involves the SMC) will continue to be available but it is hoped that this will usually prove to be an unnecessary safety-net which will be used sparingly. It is anticipated that the appropriate Portfolio holder will attend the SPP meeting when an item that is their responsibility is discussed. It will be necessary therefore for a facility to be agreed where Groups can nominate up to 6 substitutes. NB. There may be an issue about being able to introduce an SPP before the Council meeting on 28th June in which case informal arrangements will have to apply in the interim (i.e. the Executive can approve a change to the constitution if unanimously agreed, but it requires a full Council meeting to appoint members to a panel – and you can't appoint members to a panel until it is established!).*
- b. **That the Chair of the Scrutiny Management Committee be a member of a major opposition party**
- c. **That the Chair of the Audit and Governance Committee be a member of a major opposition party**
- d. **That members of the Shadow Executive be permitted to be a member of the Audit and Governance Committee**

- e. **The restriction of no more than 3 recorded votes per Council meeting should be lifted** (*Understood that this is actually the status quo anyway as this amendment has already been made to the Constitution*)
- f. **That the Calling period under Part 4 Rules of Procedure – Overview and Scrutiny Procedure Rules – Para 39, Page 167 of the Constitution be amended from 2 working days to 5 working days** (*NB This refers to the, post decision, calling in time limit*)
- g. **The time limit for the Leader in presenting his report to Council be reduced from 10 minutes to 5 minutes**

2) Constitutional changes to be subject to officer report and review during 2007.

- a) Any outstanding business after the operation of the 10:00pm guillotine should be carried over to the appropriate section of the next Council meeting.
- b) Questions to the Executive member giving a written report to Council may be on the report or other area of their portfolio
- c) That the time limit and opportunities for participation in the debate on the Leaders report to Council be reviewed
- d) To establish both the West Area and City Centre Area Planning Sub committees in place of the joint West and City Centre area planning sub committee.
- e) To remove the responsibility for dealing with highways schemes from City Strategy EMAP and place it with the relevant area planning committee.
- f) To remove the determination of Public Right of Way (POW) issues from the City Strategy EMAP and either delegate this function to officers (in consultation with ward members) or return them to the area planning committees.
- g) That provision be made so that amendments to minutes or motions can be tabled at meetings of the Council (*without notice*)
- h) To allow for the Chair (*Lord Mayor*) of the Council (*ruling*) to be challenged if supported by a two thirds majority of those present
- i) That EMAPs be abolished and appropriate Scrutiny Committees be established for each portfolio/directorate

Policy prospectus for a new York Council

As part of a 12 month agreement on political management arrangements for the York Council, Group Leaders have taken the opportunity to highlight policy areas where confirmation of existing programmes may be required, where immediate changes to policy can be agreed and/or where a review of options needs to be tabled.

In the case of the **review reports** – which will be prepared by Council officials - members will have an opportunity to ask for specific issues to be addressed. No commitment is given at this stage as to what the outcome of the reviews will be, although all Groups have resolved to make a constructive input into the process. Unless changed, the current Council corporate plan and budgets will continue to form the basis for decision making within the Council.

This policy prospectus will be underpinned by a series of refinements to the Councils decision making processes, and Constitution, which will enable all members to make a contribution to policy development and service quality management.

1) Finding a consensus on the way forward for the City:

- a. We want York to be viewed as a “fair” and harmonious City. We aim to reduce relative poverty levels and involve the whole community in the City’s life.
- b. **A review report** will look at a new approach to City management involving extended public consultation arrangements, improved communications with residents (including the introduction of a monthly news-sheet), development of devolved decision making arrangements for local communities and capacity building for the voluntary sector

2) Climate change

- a. **A review report** will recommend how we can draw up an **climate change** strategy for the City including refined Council purchasing policy (e.g. helping local businesses), encouraging innovation (e.g. new types of road surface), implementing the SPG on sustainable development, reduced energy consumption (e.g. street lighting refinements), energy conservation improvements in buildings (e.g. including high standards at all new Council buildings), stimulating the use of environmentally friendly transport as well as embedding the Councils Environmental Management System and Green Travel Plan arrangements in all departments

3) Finance

- a. **A review report** will highlight how we can more effectively press the government for a fairer grant settlement for the City and achieve more investment in local transport systems.
- b. **A review report** will highlight how we can accelerate our search for efficiencies in the running costs of the Council including plans to move out of expensive rented office accommodation.

4) Jobs:

- a. **A review report** will highlight how we can allocate sufficient resources to ensure that, job creating, planning opportunities are dealt with quickly.
- b. **A review report** will indicate how a new partnership approach could assist the growth of local small businesses including refinements to the Councils purchasing policies (as part of an overall review of procurement to take account of ethical, sustainability and efficiency issues).
- c. **A review report** will look at the adequacy and success of local skill training facilities for York workers

5) Safe City.

- a. **A review report** will highlight how the Council can assist in providing more local police access points (e.g. police desks), improving patrolling arrangements in vulnerable areas and providing a more effective response to local concerns including, for example, measures aimed at reducing vehicle speeds (e.g. warning signs and pressing NYPA to install speed cameras at accident black-spots)
- b. **A review report** will update and recommend a policy strategy on the development of appropriate and responsive CCTV coverage.

6) Housing.

- a. **A review report** will recommend how we could adopt a more comprehensive approach to estate micro management, giving tenants more influence on their local neighbourhood. It will address options for the further integration of all Council services at estate and neighbourhood level to ensure a holistic approach with greater tenant participation, support for vulnerable tenants and measures to deal with bad neighbours.
- b. **A review report** will look at the availability of affordable and social housing and the effectiveness of the 50% affordability planning rule

7) Waste management:

- a) **A review report** will indicate how we can increase recycling rates to at least 45% during the next 12 months with particular reference to improving facilities for terraced properties, businesses and difficult to access properties including flats. We recognise that funding such a programme will involve difficult financial choices.
- b) A decision will be made on the replacement arrangements for the Beckfield Lane recycling facility
- c) The waste PFI project will be regularly reviewed

8) Education and Leisure

- a) Work on building three more secondary schools will start (York High, Manor and Joseph Rowntree). Eight Children's Centres will open, offering support for children and families in local communities. Development work for the new West of York pool will continue and repairs to Yearsley pool will be completed.
- b) **A review report** will consider the City's sports and swimming strategy including different management options (e.g. Trust status) and will, in particular, address the needs and opportunities for improved provision in the City centre. We will not commit expenditure at the proposed University pool, and will place a moratorium on further City leisure land sales, until this report has been considered and determined by Council.
- c) **A review report** will indicate how the provision of more woodland can be achieved as part of a refined tree management strategy.
- d) We will continue to assist York City AFC in their attempts to find a new ground, ideally in a sustainable location which is well served by public transport

9) Adult Social Services and Health

- a) **A review report** will recommend how we can recognise and address the increasing financial pressures on social care services.
- b) We will continue with a policy of providing individually tailored support plans for all clients.
- c) **A review report**, including input from users, on day care services for Adult Social Services clients with disabilities will be commissioned and the Yearsley Hydrotherapy pool and other facilities will not be closed until replacement services have been provided.
- d) We will have a robust approach to dealing with the PCT and any attempts they may make to offload costs onto the Council.
- e) Our aim remains to avoid anyone having to remain in hospital because there are inadequate alternative care facilities available (i.e. we will continue to target zero delayed discharges)

10) Transport

- a) We will press government, where appropriate with partners in the Leeds City Region, for more funding for local transport improvements (*e.g. to the outer ring road*) and will investigate the possibility of linking any bids with adequate plans to tackle congestion and traffic growth..
- b) Aim for quality, peak capacity and environmental improvements on Park and Ride services when the contract is renewed *while giving appropriate consideration to the need to restart the Park and Ride building programme.*

- c) Develop with bus operators a flexible “cashless” payment option.
- d) Aim to extend the advantages of the Metro Card to York residents.
- e) We will continue the freeze on parking charges during 2007, review the differential for resident’s parking discounts during the preparation of the 2008 budget while taking immediate action to discontinue the evening charge for Minster badge holders (i.e. local residents).
- f) **A review report** will consider ResPark arrangements and charging options.
- g) **A review report** on cycling facilities will be commissioned and this will, amongst other issues, address the adequacy of cycling/pedestrian access arrangements at York Station. A decision will be made on the future of the Lendal power station building during June 2007.



The Executive

12 June 2007

Report of the Director of City Strategy and the Corporate Landlord

FORMER LENDAL BRIDGE SUB-STATION - SECURE CYCLE PARK**Summary**

1. This report informs members of the responses received from two parties interested in operating the former Lendal Bridge Sub-station (Sub-station) as a secure cycle park and the results of their investigation into grant funding and a business plan.

Background

2. A report was brought to the Executive on 25 July 2006 to consider a sale of the Sub-station or alternatively its conversion to a secure cycle park. The property was originally earmarked for disposal to contribute towards funding of the 2006-2009 capital programme.
3. Micklegate Ward Members had supported using the Sub-station as a secure cycle park, a need for which was identified in the Local Transport Plan Cycling Strategy 2006. The Executive resolved that the Sub-station be sold for the best sum available on the open market, but the sale should be delayed for 3 months to allow a feasibility study to determine whether the Sub-station was suitable for use as a cycle park.
4. A further report to Executive on 7 November 2006 gave the results of the feasibility study:
 - The estimated cost of converting the Sub-station for cycle park use would be in the region of £106,000 and there is insufficient funding within council budgets to meet this expenditure.
 - An alternative would be prudential borrowing to be recouped from a cycle park operator over a 15-year period at a rent of £10,000 p.a., however the Council would be at significant risk if the tenant's business failed.
 - Transport Planning Unit estimated that income from cycle parking could generate circa £25,000 pa. To meet a projected rent of £10,000 pa the operator would need to generate a gross income of £80,000 - £100,000 pa. Other ancillary uses would therefore be required to boost the income. As floor space to generate the additional income was limited, however, this raised a question over the viability of the scheme.

- The proprietor of the adjacent café in West Lodge expressed an interest in using the roof of the Sub-station as a seating terrace to extend his business, which could be a further source of income. Access and planning considerations would need to be explored which may involve significant costs.
 - If the Sub-station was not sold, there would be a shortfall in the capital programme which if it had to be financed from alternative borrowing would cost an estimated £17,300 pa.
5. The Executive resolved that a decision on sale of the Sub-station be deferred for a further 6 months to enable interested parties to explore opportunities for grant funding and investigate planning, building and environment constraints and incorporate the results in a business plan.

Consultation

6. The Sub-station is an integral part of the city's flood defences, work having been carried out by the Environment Agency (E.A.) to strengthen the windows and concrete floor. The E.A. have been consulted on the future use of the Sub-station and would object in principle to a change of use to residential or to use which was not water compatible. The E.A. have however, confirmed they would not object to a cycle park subject to access being available to them during a flood event and periodically for maintenance of the flood works.
7. The Grants and Partnership Accountant has advised there is potential for grant funding to be available to Voluntary Organisations, Charities, Community Interest Companies and Local Authorities, whereas it is unlikely to be available for commercial organisations. In addition, it is likely a resolution from the council to guarantee the leaseholder will be required before funding bodies will provide a grant. The Government has announced a new funding stream for 2007/8 known as the Community Asset Fund, for projects which will renovate disused or underused Local Authority buildings for community use. It is likely that up to £500,000 will be available later in the year within the Yorkshire and Humberside region. This scheme, however, would not score highly for this funding, based on the current criteria.
8. Eight cycling organisations/shops with interests in York, plus the proprietor of West Lodge, were invited either individually or in partnership to make developed proposals to operate the cycle park. They were asked to provide details including proposed alterations and costings, amount of grant funding available, ancillary uses required and a business plan.

Proposals received

9. Two submissions have been received, one from Bike Rescue and the other is from Lewis Hull, an entrepreneur who recently became aware of the opportunity.

Lewis Hull

10. Lewis Hull considers that the location of the Sub-station is ideal for a cycle park. In addition to secure cycle parking he proposes to include servicing and repairs, the sale of cycling accessories, coffee and the hire of cycles.
11. As a commercial scheme Mr Hull states he is not aware of any grants available to convert the property. He refers to a similar scheme in Bristol which was funded on a 50:50 basis by the City Council and the Department for Transport. Other options for funding put forward include a combination of private borrowing, Department for Transport funds and other initiatives. He is also interested in purchasing the Sub-station subject to a restrictive covenant that would bind the Sub-station to a cycle park use for a fixed period of time.
12. Mr Hull proposes a basic parking fee of £2 per day and assuming a full take up of 100 parking spaces, the business would have a gross annual turnover of £150,000, based on daily revenue of £200 from cycle parking, £200 from cycle servicing and £100 from sales and repairs.

Bike Rescue

13. Bike Rescue would operate a number of services in addition to cycle parking including repairs, hot showers, lockers, sale of recycled bikes, accessories, loan of umbrellas and shopping trolleys. They are also exploring the possibility of lowering the flat roof and providing a part enclosed, part open terraced café area to be operated in partnership with the proprietor of West Lodge. They have also discussed with local cycle based operators Green Link Load Bikes and cycling paramedics, potential overnight storage provision within the Sub-station.
14. Bike Rescue state it is not possible to apply for grant funding until a parking operator has been selected, however, they have identified 7 sources of funding through Grant Finder. As a registered charity they are eligible to apply for 5 of these, with 2 being open to the Council to apply. They have already successfully obtained a £5,000 grant for Youth Work and a further £5,000 from the City Council Waste Strategy Unit for their existing bike recycling initiative.
15. Bike Rescue have suggested a basic parking fee of £1 per day, based on a successful scheme they have visited in Leicester. They have assumed a take up of 30% of parking spaces in the first year, and have projected a first year gross turnover of £97,200 (including £38,000 of grants/sponsorship) with a first year profit of £37,660. This does not take into account the cost of converting the Sub-station to a cycle park. Bike Rescue have put forward 4 options for funding the conversion:
 - The Council to fund and recoup the cost over 15 years from a rental of £10,000 pa paid by Bike Rescue.
 - Lease the Sub-station as it stands at a peppercorn rent. Bike Rescue apply for funding and carry out a gradual conversion.

- The Council funds the installation of basic services, lets the Sub-station at low rent to Bike Rescue who apply for funding to complete the conversion.
 - The Council applies for funding to convert the Sub-station.
16. Bike Rescue are existing tenants of the Council at Parkside Centre where they operate a scheme to recycle redundant bikes and divert them from the waste stream. Their charitable status gives them access to a range of potential grant funding. With their experience and charitable status, they may be in the best position of the two interested parties to deliver the cycle park scheme. Annex 1 illustrates the comparison between the two bids received.

Options

17. The following options are available:
- Option A Sell the Sub-station.
- Option B The Council funds the conversion and leases it to the selected party at a rent to be agreed.
- Option C The Council to lease the Sub-station as it stands, at a rent to be agreed to the selected party, subject to full grant funding for the conversion being obtained.
- Option D The Council agrees to carry out partial conversion and lease it to the selected party, subject to their obtaining grant funding to complete the conversion.
- Option E The Council seeks grant funding to convert the Sub-station.
- Option F Alternative premises are sought to site the cycle park.

Analysis

18. Option A – Sell the Sub-station.
- Advantage – Securing of a capital receipt to contribute to the capital programme.
- Disadvantage – The loss of a building with potential to deliver Council objectives within its cycling strategy.
- Financial Implication – Achievement of a capital receipt would contribute to the funding of the Council's capital programme.
19. Option B – The Council funds the conversion and rents out the Sub-station.
- Advantages – Improved cycling facilities for residents and tourists potentially leading to a reduction in cycle theft and an increase in the volume of cyclists.

Disadvantages – The estimated £106,000 cost of conversion is more than the £70,000 current allocation for secure cycle parking in the 2007/08 capital programme funded from the Local Transport Plan (LTP). It is difficult to compare the value for money for this scheme with other cycling schemes however, this new facility will provide a service which is likely to encourage more cycling. As a comparison a similar level of funding is being used to construct approximately 200m of cycle track on Heslington Lane. The £70,000 2007/08 budget is currently allocated to providing secure parking on a temporary basis in the Piccadilly car park subway but could be used for the refurbishment of the Sub-station which would provide a similar facility. Pending progress on other schemes, in the cycling block of the LTP, the additional £36,000 could also be funded from this source. If there is no slippage on the delivery of other schemes the conversion could be funded over two years using the allocation in 2007/08 and a proportion of the proposed cycling block allocation in 2008/09. Alternatively, the rental income could fund prudential borrowing to cover some of the cost of the scheme with the remainder funded from the LTP. If the scheme was funded from the Capital Programme a potential opportunity to obtain grant funding would be missed.

Financial Implications – The estimated cost of the works is £106,000. There is funding available within the Local Transport Plan (LTP) capital programme for cycling. £70,000 of the LTP budget is earmarked to providing secured bike parking at Piccadilly on a temporary basis. This funding could be diverted and topped up from within the LTP, although other cycle schemes across the city would have to be delayed.

Alternatively the work could be funded from prudential borrowing and repaid by the cycle store tenant through rental payments. The minimum annual cost of the borrowing would be £9,540. In order to fund these repayments it is estimated that a gross turnover of £80,000 - £100,000 would be required by the cycle store operator.

The main risk with both methods of funding is that the Council risks losing its capital investment if the scheme cannot be made in to a going concern. However, there is a revenue impact of almost £10,000 pa if borrowing is used.

The capital receipt would be forgone and not be available to fund the general capital programme.

20. Option C – The Council to lease the Sub-station at a rent to be agreed, subject to full grant funding being obtained by the tenant to convert the Sub-station.

Advantages – There is no direct cost to the Council and full advantage is taken of potential grant funding.

Disadvantages – Loss of a capital receipt. If grant funding is limited or not available the scheme will not be fully realised or may be significantly delayed. In this case there will be a revenue cost in keeping the property vacant.

Financial Implications – The Council would support the cycle provider in applying for grants to convert the Sub-station into a cycle park. A market rent could be charged for the building.

The capital receipt would be forgone and not be available to fund the general capital programme.

21. Option D – The Council funds the installation of basic services to provide electricity, water and w.c. facilities.

Advantages – Enables the start up of a basic scheme. The partial conversion could be funded using some of the £70,000 of LTP funds for secure cycle parking from the 2007/08 capital programme. This could only be justified, however, on the basis that the cycling scheme progresses. If the secure cycling scheme did not proceed then the works would not be eligible for LTP funding and the funds would need to be returned using the proceeds of the sale or from the rental income received from an alternative use. The potential of part grant funding would be explored for completion of the scheme.

Disadvantages – If grant funding is not forthcoming the Council may have to fund the remainder of the conversion. Alternatively the Sub-station could be sold with the benefit of the utility installations with the cost of the works returned to the LTP.

Financial Implications – The use of LTP funding to contribute to the conversion of the Sub-station would only be permitted if the full conversion takes place. A contribution of up to £50,000 could be made available from the LTP by diverting funding from the temporary scheme proposed at Piccadilly.

The capital receipt would be forgone and not be available to fund the general capital programme.

22. Option E – The Council seek grant funding to convert the Sub-station.

Advantages – The potential of grant funding is explored and if successful the conversion could be done with limited cost from Council budgets.

Disadvantages – The scope of potential grant funding sources is limited to those available to local authorities.

Financial Implications - The capital receipt would be forgone and not be available to fund the general capital programme.

23. Option F – Alternative premises are sought to site the cycle park.

Advantages – This would enable the Sub-station to be sold and thus contribute to the capital programme

Disadvantages – Suitable premises which are available within a reasonable distance of the City Centre are scarce. The idea of a cycle centre was first investigated by the Transport Planning Unit (TPU) almost ten years ago and

in the intervening period no suitable premises were identified until the Sub-station became available.

Financial Implications - The capital receipt would be forgone and not be available to fund the general capital programme.

Corporate Priorities

24. A review of cycle parking and security of cycles across York is currently being undertaken and a report will be taken to the City Strategy EMAP in July suggesting a potential future policy for the city. Within this report there will be a recommendation that cycle parks in several locations on the periphery of the "Footstreets" pedestrian priority area be sought to address cyclists' concerns about cycle theft and to encourage cyclists who wouldn't necessarily leave their expensive cycle locked to a cycle rack out in the open to cycle to the city centre and leave it in a more secure environment.
25. The provision of one or more cycle parks will satisfy Policy C6 of the new Cycling Strategy adopted in the recent Local Transport Plan. This policy was adopted as a direct result of the recommendations made by the City Strategy EMAP Scrutiny Panel's investigation of cycle provision in York.
26. Provision of a secure cycle park will meet several priorities as discussed in the previous report including increasing the use of environmentally friendly modes of transport (Priority 2), and improving the health and lifestyles of residents (Priority 7).

Implications:

Financial

27. The financial implications of each option are considered in paragraphs 18-23 however, the key risks relate to whether a cycle store can be operated successfully from the Sub-station. There is not any revenue funding available from the Council to support the ongoing operation of scheme meaning that the scheme operator will have to operate within the income levels that they can generate.
28. Lendal Sub-station is currently earmarked for sale to contribute to the funding of the Council's capital programme. The cost of replacing this funding with borrowing would be £17,300 pa. However, following advice from the E.A. and restrictions in relation to its use, it is unlikely that the budgeted receipt will be achieved. An overachievement of capital receipts from other asset sales does mean that the current approved capital programme could be funded without a reliance on either the sale of the Sub-station or borrowing, although any receipt raised could be reallocated to address the Council's other capital priorities through the Capital Resource Allocation Model (CRAM) process.

Human Resources (HR)

29. There are no HR implications.

Equalities

- 30. The stepped access into the building and to a second level of the ground floor would have to be suitably ramped to meet Disability Discrimination Act requirements.

Legal

- 31. There are no legal implications other than the DDA implications noted above.

Crime and Disorder

- 32. A secure cycle park has potential to reduce cycle theft. Re-use of a vacant Sub-station may reduce anti social behaviour in the vicinity of the building.

Information Technology (IT)

- 33. There are no IT implications.

Property

- 34. If the Council were to meet the £106,000 cost of converting the Sub-station and used prudential borrowing to fund it, a rent of circa £10,000 pa would need to be charged to the operators to redeem the debt. To meet this a gross turnover of £80,000 - £100,000 from the cycle park and ancillary uses would be required. With the limitation of space in the building such levels of turnover would be difficult to achieve. If the tenant's business failed there would be significant risk to the Council as it may be difficult to find another operator of the cycle park.
- 35. If an agreement to let the Sub-station subject to grant funding was made, a time limit condition would have to be set for completion of the work to a maximum 18 months.

Risk Management

- 36. The financial risk to the Council varies depending on the amount of capital the Council applies to the project. The highest risk is if the council fully funds the building works and the venture is not successful:

Option	Impact	Score	Likelihood	Score	Total
A (Sell Sub-station)	V. Low	1	Remote	1	1
B (CYC converts)	Medium	3	Low	2	6
C (Grant funded)	V. Low	1	Remote	1	1
D (CYC part fund)	Low	2	Unlikely	2	4
E (Grant funded)	V. Low	1	Low	1	1

F (Alternative site) V. Low 1 Remote 1 1

37. The lowest risk is Option C where full grant funding is obtained for conversion of the Sub-station by the operator. If the Council part funds the work, the risk has been assessed at less than 16 which means that the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

Recommendation

38. It is recommended that:

- (i) Members approve Option C to lease the former Lendal Bridge Sub-station to Bike Rescue for use as a cycle park, subject to obtaining planning permission and sufficient grant funding to fully convert the Sub-station. The agreement to lease the Sub-station and the terms and conditions of the lease to be delegated to the Corporate Landlord.
- (ii) If Bike Rescue is only successful in obtaining partial grant funding, the Council to match fund to a maximum of £50,000 from the TPU capital programme, provided this will be sufficient to convert the Sub-station to a secure cycle park. The terms and conditions of the lease to be delegated to the Corporate Landlord.
- (iii) The sale of Lendal Substation is removed from the capital receipts funding schedule and replaced by the overachievement of other capital receipts already received.

Reason: This course of action combines the best opportunity of securing a cycle park and exposes the Council to the least risk.

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Background Papers:

Submissions : From Lewis Hull dated 12/3/07, and from Bike Rescue dated 14/3/07.
Previous reports to Executive dated 25/7/06 and 24/10/06.

Annex – Annex 1 Comparison table of two bids received.

COMPARISON OF BIDS RECEIVED FROM LEWIS HULL AND BIKE RESCUE

CATEGORY	LEWIS HULL	BIKE RESCUE
	£150,000 PROJECTED TURNOVER PER YEAR CYCLE PARKING INCOME - £72,000 OTHER INCOME £78,000	£97,200 PROJECTED TURNOVER PER YEAR CYCLE PARKING INCOME - £10.800 OTHER INCOME £86,400
EXISTING CYCLE BUSINESS	X	✓
IF BIDDER IS A REGISTERED CHARITY	X	✓
GRANT FUNDING SOURCED	✓	✓
CYCLE PARKING INCOME WITHIN TPU ESTIMATES	X	✓
CONTRIBUTION TO CYC OBJECTIVES	✓	✓

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Meeting of the Executive

12 June, 2007

Report of the Assistant Director (Lifelong Learning and Culture) and the Head of Property Services

Leisure Facilities Strategy Update: Yearsley Swimming Pool

Summary

1. This report asks the Executive to approve a scheme to undertake repairs at Yearsley Swimming Pool.

Background

2. In February 2006 the Executive agreed a leisure facilities strategy using all of the capital to be received from the sale of the Barbican site to modernise swimming facilities in the city. An indicative sum of £0.5m was allocated to undertake repair and maintenance work at Yearsley Pool in order to prolong its life till at least 2012, at which point a more comprehensive refurbishment scheme will be considered.

The Scheme

3. It was originally envisaged that the repair work would be carried out over a five-year period. However, the study that Property Services subsequently carried out identified that a number of issues need to be addressed as a matter of urgency. Furthermore, many of these issues will require closure of the pool in order to be able to address them. Property Services therefore recommend that all the work is carried out in a single scheme in order to keep the cost of the work to a minimum and to eliminate the need for repeated closures which would be both costly and disruptive to customers.
4. The key issues that must be addressed are:
 - o **Roof and walls** - The existing roof covering was installed in the early 1960's. It is a sandwich of asbestos cement sheets with glass fibre insulation in between. There are also plastic laylights fitted. The materials are fixed with steel hook bolts which have corroded and some have already dropped out. The roof is draughty and offers a poor thermal resistance especially as the materials have deteriorated. The failure of the fixings renders the roof vulnerable to wind uplift which would pose a safety risk. The roof has been netted above and below for the last 2 years to reduce the risk of debris from the roof causing injury. (This was recommended in The Health and Safety Schedule of Risk prepared by Atkins in November 2004 (SORHS)). The walls are a single skin of steel with minimal insulation which has a very poor

thermal resistance This allows an unacceptable heat loss and condensation to both the walls and the structural steelwork. The structural steelwork has suffered corrosion as a result and needs repainting. The roof purlins have corroded beyond repair and require replacement. The proposal is to repair/repaint the steelwork and replace the roof and wall cladding with a material of a high thermal resistivity which exceeds the requirements of current Building Regulations.

- o **Ventilation** - The existing fresh air intake is heated with steam. The incoming air is heated from the external ambient temperature and is often inadequate to maintain the required pool hall temperature. Energy is not recovered from the exhaust air, which at the moment passes through roof-mounted fans. The new roofing and cladding will provide a much-improved thermal envelope with fewer air gaps, so the air handling plant (AHP) needs to be improved. The Construction Design and Management Regulations require a safe system of work for maintenance of equipment so the fans need to be brought to a low level. If a new AHP is being provided it will offer the opportunity of fitting a heat recovery system. This type of recovery unit will recuperate up to 70% of the heat from the exhaust air.
 - o **Plant and filters** - The existing filters were installed in the early 1950's. They are becoming corroded and frequently leak with another leak occurring last Friday afternoon. The filtration system has come to a point where a major failure could occur at any time resulting in closure of the pool whilst the equipment is replaced. The proposal includes a new pool chemical dosing system which will be safer to use and occupy less space in the plant room.
 - o **Pool side top bank floors** - The SOHRS required the poolside channels to be made flush to alleviate the trip hazard. This created ponding on the surface due to the shape of the poolside walkways. Last year a section of steel drainage channel was fitted as a trial and has demonstrated that it would be a suitable material.
 - o **Showers** - The shower areas have kerbed trip hazards beside the shower roses. The adjacent floors are generally laid flat so ponding occurs. This poses a slip hazard and allows water to stagnate. The proposal is to relay the floors to the showers with new tiles, channels to improve the drainage and remove the kerbs.
 - o **Pool grouting** - There have been complaints about the grout coming out from around the glazed bricks on the pool bottom. We propose to rake out the loose material and regrout the joints to the pool bottom.
5. In the light of these issues a shortlist of essential works has been drawn up. Those works which are required on either structural, operational, or health and safety grounds, in order to extend the life of the pool to 2012. This list is attached in Annex A.
6. At the same time there is an option to undertake some work to improve the front of the building in order to provide disabled parking spaces. This would be funded in part from the council's Disability Discrimination Act related budget. Nestlé has kindly agreed to allow access through their adjacent car park for these disabled spaces.

7. The work will take approximately 16 weeks starting on 9 July 2007. This time estimate has been tested with potential contractors and is considered prudent. There is no option to carry out a scheme of this magnitude in a shorter timeframe. It is important to carry out the work over the summer period in order to minimise disruption to SWIM YORK (our swimming lesson programme), clubs and courses.
8. A communications strategy has been drawn up to provide appropriate messages to key users and the public before and during the closure. Initiatives are in place to welcome back current users as quickly as possible on reopening. A mixture of communication methods will be used including the CYC website, letters, direct mail, phone calls, press, council publications and communication boards.
9. The scheme has now been tendered and the actual tender price will be known by the time of the meeting and will be reported to members then. The estimated cost of the work is shown in Annex B (confidential until tenders close on 4 June). A decision to proceed needs to be given to the successful contractor by Friday 15 June so that the work may commence on time.

Consultation

10. The Yearsley Action Group have been consulted about the programme of works and are fully supportive of the proposed scheme.

Options

11. The works identified in Annex A are considered to be the minimum that could sensibly be carried out in order to ensure safe operation of the pool to 2012. The main options for members therefore are to:
 - Undertake the scheme as identified
 - Not to undertake the scheme
 - Conduct a more comprehensive scheme

Analysis

12. Carrying out the proposed scheme will extend the life of the pool to at least 2012. It will also have the benefit of:
 - o **Energy choice** - At the moment Nestle are supplying us with steam at cost price. The new AHP and filter system will allow easy conversion to alternative heating. We have already put together a feasibility for new boilers, although the trends are changing towards biomass as a fuel source. This makes us much more adaptable in future if steam is not the preferred energy fuel.
 - o **Quality of provision** – The proposed works will have a positive impact for the pool user. As a customer there are many benefits, from a pleasant and comfortable pool hall temperature to safe and modern showering facilities with improved access. This will assist the site in the promotion and marketing of the facility to encourage new users.

13. If the scheme is not undertaken this would be likely to result in the need to take a management decision to close the pool on health and safety grounds within 12 months.
14. Conducting a more comprehensive scheme would require taking capital from one of the other two schemes to fund it, and would result in a longer lead time and a longer closure period. Therefore the project would be delayed until at least summer 2008.
15. Within the proposed scheme it would be possible to take out the improvements to the front of the building as these are not essential on health and safety grounds. This would save around £25k. The work is, however, recommended as it will enable us to create parking facilities for people with disabilities and meet DDA requirements.

Implications of the Closure

16. **Customer relocation** – It is not possible to offer residents a doorstep solution due to the infrastructure of other school and community pools. For example, they cannot handle public turning up on a pay and play basis. Therefore we are better placed to encourage residents to use Edmund Wilson Pool or Water World. The programming of the swimming pool timetable at Edmund Wilson has been changed to offer much more open and family swim times during the summer holidays.

Corporate Priorities

17. This project contributes to a number of corporate objectives including:
 - Work with others to improve the health, well-being and independence of York residents
 - Work with others to develop opportunities for residents and visitors to experience York as a vibrant and eventful city.

Financial Implications

Capital:

18. The strategy set out in February 2006 allowed an indicative sum of £500k plus fees for repairs to Yearsley. The estimates in Annex B show that the proposed scheme will cost more than this. The additional monies required, estimated to be £458k, can be funded from the contingency built into the overall programme as shown in the following table:

Funding	£,000s
Barbican site receipt	6,385
Legal fees	12
Kent Street site receipt	1,000
Auditorium receipt	765
Barbican claims provision	148
less Leisure Section 106 contribution	-170

Total available funding	8,140
Budget Breakdown	£,000s
Pre-2006/7 spend	249
Oaklands Pool	4,000
University Pool contribution	2,000
Yearsley original allocation	500
Procurement costs	330
Legal fees	47
Community building	200
Total	7,326
Contingency	814

19. The risk factors for the contingency are:

- £1m of the receipt, which is available for expenditure, is dependent on the sale of Kent Street Coach Park which is also subject to planning approval
- The provision of sports and swimming facilities has been earmarked within the Policy Prospectus, agreed by group leaders, for a review. The outcome of that review may impact upon the available budget for swimming pool provision. Having committed to this project, any shortfall in funding would then impact upon those other elements of planned expenditure highlighted in the table above.
- The demolition cost in respect of Edmund Wilson (around £400k) is to be funded from the eventual sale of that site. Should there be any difficulty around this then this cost could be a call on the pools capital programme

Revenue:

20. The closure period will result in an estimated one-off cost of £80k. This covers the loss of income (less running cost savings), savings from redeploying staff to other sites to replace casual employees and the estimated impact of additional income at Edmund Wilson from displaced users. Any overrun is estimated to cost around £5k per week.
21. As the original strategy agreed by the Executive in February 2006 did not envisage any significant closure of Yearsley Pool during 2007/08, no provision has been made in the Leisure & Culture budget for these one-off costs. Consequently if the works are to proceed as recommended in this report additional revenue funding of £80k will be required in 2007/08. The following options are available to fund the £80k:

a) Venture Fund Loan

22. The works to the pool include upgrading of the heating and ventilation systems to extend their useful life. This work will also improve the efficiency of the

systems resulting in savings on future energy costs. Although it is difficult to be precise about the exact level of financial saving that could result from this, it is felt that a prudent estimate would be an annual saving of around £10k.

- 23 A saving at this level would be sufficient to support a Venture Fund loan of £40k, repayable over the five years additional pool life that the capital scheme is designed to achieve.

b) Fund from Corporate Contingency

- 24 In setting the 2007/08 budget council assumed that up to £500k could be required from the general reserve to support a number of potential one-off contingency events in 2007/08. A closure of this nature was not included on that list and the usual policy is that contingency items are only supported when identified as part of the budget process. This does not, however, prevent the Executive from releasing funding where they feel the problem could not have been predicted and that the cost implications are out of the immediate control of the directorate concerned, which appears to be the case in this instance.

- 25 Reserve projections provided to the Council when the budget was set, indicated headroom of £809k between the level of anticipated reserves at the 31st March 2008 and the minimum level of reserves deemed advisable by the Director of Resources (£6,010k and £5,201k respectively). At this stage there is no reason to believe that the levels of reserves held on the 31st March 2008 will be below this figure. It should be noted, however, that this excluded any potential one-off calls for contingency items. Were all one-off contingency events to occur then the degree of headroom would reduce to £309k, or £269k (assuming a £40k Venture Fund loan) should funding be released to cover the revenue implications of closure. On this basis sufficient resources are available to support the application but any release will have an impact on the availability of funding should other significant cost pressures arise during the year.

c) Savings in Other Leisure & Culture Services

- 26 The Executive could choose not to provide corporate funding in support of the revenue implications of the closure of the pool. If this were to be the case then the directorate would need to identify in-year savings of £40k to £80k, the delivery of which would impact on the level of provision provided to users across a number of service areas.

Other Implications

27. **Human Resources (HR)** – All permanent staff have been relocated across other Sport and Active Leisure venues in the city and are in agreement with alternative places of work. Casual employees have already received communications regarding the closure period and work has been identified for them on the reopening.
28. There are no equalities, legal, crime and disorder, or Information Technology implications.

Risk Management

29. The key risks are:

- Delay in reopening the pool due to unforeseeable building works, which is common with projects to existing buildings.
- If the work is not done then there is a significant risk of the building having to close on health and safety grounds within the next 12 months.

Recommendations

30. The Executive is asked to

- agree the programme of repairs at Yearsley Swimming Pool as set out in Annex B, including a virement of £10k from the Property Services DDA scheme.
- agree to the use of contingencies, from within the swimming pools programme, to fund the additional costs of this project.
- agree to a Venture Fund loan of £40k repaid from future energy savings and a non-recurring supplementary estimate of £40k to cover the net revenue costs associated with the pool closure period.

Reason: To extend the life of Yearsley Pool to 2012.

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Report Approved ✓ **Date** 31/5/07

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Background Papers:

Leisure Facilities Strategy: Report to the Executive, 7 February, 2006

Annexes

A. Essential Works

B. Estimated costs (**Confidential Annex**)

worddoc/reports/exec/yearsley.doc

YEARSLEY POOL: ESSENTIAL WORKS **ANNEX 1**

Roof

Remove roofing and wall cladding
Blast clean, repair and paint steelwork
Reclad roof and walls with composite sheeting
Relay flat roofing over changing rooms

Ventilation

Air handling plant, ductwork and controls
Asbestos removal

Plant room

Asbestos remediation
Replace filters and pumps

Pool hall

Drainage channels and tiling
Pool grouting

Showers

Retiling

Front Entrance

Gates, Kerbs, Tarmac, drainage, cycle parking
bin store

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YEARSLEY POOL COSTING**ANNEX 2****estimated costs**

Roof			
	Remove roofing and wall cladding		
	Blast clean, repair and paint steelwork		
	Reclad roof and walls with composite sheeting		
	Relay flat roofing over changing rooms		£340,000
Ventilation			
	Air handling plant, ductwork and controls		
	Asbestos removal		£190,000
Plant room			
	Asbestos remediation		
	Replace filters and pumps		£80,000
Pool hall			
	Drainage channels and tiling		
	Pool grouting		£70,000
Showers			
	Refurbishment		£50,000
Front Entrance			
	Gates, Kerbs, Tarmac, drainage, cycle parking		
	bin store		£35,000
		sub total of billed items	£765,000
		contingency at 10.00%	£76,500
		total	£841,500
		prelims. 15.00%	£126,225
		sub total including contingency and prelims	£967,725
		contribution from DDA budget	-£10,000
		COST OF WORKS TO CAPITAL PROGRAMME	<u>£957,725</u>
		COST OF FEES 10.00%	<u>£96,773</u>

The cost of works at £957,725 compares to the original estimate of £500,000. The additional £457,725 can be accommodated within the contingency within the overall programme of £814k (see para. 18)

The fees will be funded from the £330k allocation for procurement costs within the overall programme (see para. 18)

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