
MEETING	Executive
DATE	30 January 2007
PRESENT	Councillors Steve Galloway (Chair), Jamieson-Ball, Macdonald, Orrell, Reid, Runciman and Waller
APOLOGIES	Councillors Sue Galloway and Sunderland

144. 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. Cllr Reid declared a personal and prejudicial interest in agenda item 6 (Future of the City Archives Service: Progress Update), as a member of an organisation which had commented on the archives issue. She left the room during consideration of this item and also during the comments made on the item under Public Participation / Other Speakers. Cllr Waller declared a personal and prejudicial interest in agenda item 8 (Reference: Financial Support to Voluntary Organisations), as a member of the Board of the York CAB. He left the room during consideration of this item.

145. Minutes

RESOLVED: That the minutes of the Executive meeting held on 16 January 2007 be approved and signed by the Chair as a correct record.

146. Exclusion of Press and Public

RESOLVED: That the press and public be excluded from the meeting during any discussion of Annex B to agenda item 6 (Future of the City Archives Service: Progress Report), on the grounds that it contains information relating to the financial or business affairs of particular persons, which is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

147. Public Participation / Other Speakers

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme. However, there had been a request to speak from a trade union representative, in relation to agenda item 6 (Future of the City Archives Service: Progress Report). With the permission of the Chair, Andrea Dudding, of UNISON, addressed the meeting on this item. She commented that the Archives staff were happy that they had been properly consulted on the proposals in the report. She then outlined the reasons why UNISON supported the

provision of an in-house solution and urged Members to provide the current service with sufficient resources to enable this to be achieved.

148. 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.

149. Future of the City Archives Service: Progress Update

Members considered a report which provided an update on the recent procurement exercise for provision of the City's archives services.

The procurement process had been undertaken in accordance with the recommendations of the Leisure and Heritage Scrutiny Board, considered by the Executive in January 2006. Tenders had been received from:

- The University of York Borthwick Institute
- Iron Mountain (UK) Ltd.
- Audata Ltd. and Océ (UK) Ltd.
- Nexus Property Solutions Ltd.

At stage 1 of the process, the tender from Nexus had been rejected as it did not comply with requirements. The remaining tenders had then been taken forward to Stages 2 and 3 (financial appraisal and quality assessment) and scores awarded. Under this process, the Borthwick's bid had attained the highest score. However, since its annual cost was far in excess of the current budget provision, it was not affordable, so the contract could not be awarded.

The relevant EU procurement regulations did not permit post-tender negotiations. Therefore the principle options available were as follows:

Option 1 – re-examine the specification of the service and determine whether it was possible to specify a level of service likely to be procured at a lower cost, then to re-tender the service;

Option 2 – develop proposals for a revised in-house service.

Option 1 was recommended, on the basis that an in-house solution had previously been examined and rejected and that it had been a fundamental conclusion of the Scrutiny Board that the vision set out in their report could only be met in partnership with other bodies.

In response to the comments made under Public Participation / Other Speakers, Officers confirmed that the reason for rejecting the in-house solution had been the lack of the capital sum required to bring the existing premises up to standard. However, the issue could be re-examined in a broader context, and taking into account the Scrutiny Board's requirement for partnership working. Members stressed that no additional funding was available from the Council's budget but that any ideas on how to overcome this problem in order to provide a viable in-house solution would be welcome.

RESOLVED: (i) That it be confirmed that none of the submitted tenders meet the test of affordability and that none can therefore be accepted.

(ii) That Officers be asked to re-examine the specification for the archives service and report back to the Executive, detailing the options for continuing to provide a quality, affordable archives service within the City.

(iii) That Officers also re-appraise any new opportunities that may now be available to continue to provide the service, either 'in-house' or with alternative York partners.

REASON: To try to achieve a satisfactory and affordable solution for future management and provision of the City archives.

150. Ward Committee Budgets

Members considered a report prepared in response to a Council motion proposed by Cllr Ruth Potter on 5 October 2006 and referred to the Executive under Standing Order 11(ii). The motion had asked “...*that budgets for ward committee funding be restored, making good cuts in this year's budgets.*”

Due to the need to achieve savings targets, the revenue budget for the 2006/07 budget year had been set at £733,570, which was £163,890 less than the 2005/06 allocation. However, the additional “one-off” allocation made by the Leader in July had effectively reduced this cut to £93,890. At their meeting on 16 January, the Executive had agreed to make an additional £70k available for ward committee budgets, subject to sufficient budget underspends being available at the end of the year (Minute 137, Resolution (xii) refers). If these funds were available, then the base revenue budget for 2007/08 would remain at the level set for 2006/07.

The following options were presented for consideration:

Option 1 – restore the entire £163,890 reduction on a recurring, or non-recurring basis;

Option 2 – restore partially the reduction;

Option 3 – maintain the existing budget, giving a 2007/08 budget of £733,570.

Members expressed surprise that the proposer of the motion had not stated how an additional allocation to ward committees could be funded. They also noted that complaints had been received from residents of Heworth Ward that ward committee funds had not been allocated in accordance with the priorities voted for by residents.

RESOLVED: (i) That it be recognised that the allocation of funding, for all activities, forms a part of the budget process.

(ii) That the intention to sustain ward committee budgets in the forthcoming year at the same level as applies in 2006/07 be noted.

(iii) That the mover of the motion be asked to explain from where she would find funding for any additional allocation of resources to ward committees.

(iv) That the Director of Resources be requested to investigate the claims that the actions taken by the Heworth Ward Committee in allocating the 2006/07 devolved budget were inappropriate.

REASON: To ensure that ward committees are adequately funded, in the context of the Council's overall budget, and that the funding is properly allocated in accordance with Constitutional procedures.

151. Reference: Financial Support to Voluntary Organisations

Members considered a report which presented a recommendation referred to Executive by the Executive Leader at the meeting of the Executive Members for City Strategy on 15 January 2007.

The recommendation related to an application for financial support from the Chief Executive's voluntary sector funding budget. This was an application from the York CAB for a new 3-year service agreement. It had been referred to the Executive, in accordance with the requirements of the Council's delegation scheme, because it involved funding in excess of £50k. The application was for an award of £148,697 plus DRR, but it was recommended that an award of £126,618 plus Discretionary Rate Relief (DRR) be granted, in accordance with the existing 3-year agreement with York CAB.

Officers responded to Members' questions about the proposed rent rise for the building occupied by York CAB. The rent had been due for review in 2006/07 but this had been deferred to 1 April 2007 pending completion of refurbishment works. Following the rent review, the Corporate Landlord had determined that a reasonable market rent for the building from 1 April onwards would be £19,610 – an increase of approximately £5k. Although this was considered a very competitive rate compared with similar premises in the City, it was recognised that it might be difficult for a voluntary organisation to accommodate such an increase. However, it would be inappropriate to provide a hidden subsidy to CAB by not charging an economic rent for the building and it was suggested that further consideration instead be given as to whether additional grant funding could be provided, subject to the Council's financial outturn position at year end.

RESOLVED: (i) That the recommendation of the Executive Leader, to award a new 3 year service level agreement of £126,618 plus DRR to the York CAB, be approved.

REASON: In accordance with Constitutional requirements and the funding criteria for providing support to voluntary organisations.

(ii) That the level of grant be reviewed in a few months time, once the Council's out-turn for the current financial year is clear.

REASON: To enable additional funding to be provided, if possible, in view of the recent increase in rental for the premises occupied by York CAB.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 2.30 pm].