
MEETING	EXECUTIVE
DATE	20 JANUARY 2009
PRESENT	COUNCILLORS WALLER (CHAIR), STEVE GALLOWAY, SUE GALLOWAY, MOORE, REID, RUNCIMAN AND VASSIE

149. 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.

Cllrs Reid and Moore announced that, as members of the Planning Committee, they would they would withdraw from the room during consideration of agenda item 5 (Proposed Big Wheel in North Street Gardens) under the provisions of the Planning Code of Good Practice, so as not to prejudice their consideration of any future planning application in respect of that item.

150. MINUTES

That the minutes of the Executive meeting held on 23 December 2008 and the Executive (Calling In) meeting held on 6 January 2009 be approved and signed by the Chair as a correct record.

151. PUBLIC PARTICIPATION / OTHER SPEAKERS

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme. Further requests to speak had been received from a Union representative and two Council Members.

a) Item 5 – Proposed Big Wheel in North Street Gardens

John Heawood spoke against the proposal, on the basis of the size of the wheel and its unsuitability for a site within the City walls. He urged Members either to reject the proposal now or to defer a decision pending consideration of other potential wheel operators and proper consultation with York residents.

Cllr Taylor spoke against the proposal, in his capacity as Heritage Champion, on the grounds that the site was unsuitable for a wheel of this size. He suggested that the Council work with WTA to seek an alternative site or look at alternative attractions, such as a tethered balloon.

Philip Crowe spoke against the proposal, on the grounds that it conflicted with the new Sustainable Community Strategy and would not contribute to the City's economy.

Lynn Aaron spoke in favour of the proposal, as the landlady of the nearby Yorkshire Hussar and a resident of North Street, on the grounds that the wheel would boost the local economy and improve security in the area.

Letters and e-mails received from members of the public and local businesses in respect of this item, comprising five in favour and three against the proposals, were also circulated to Members.

b) Item 9 – Review of Public Bus Services in York

Cllr Gillies spoke in relation to the concessionary travel proposals, urging Members to support the option to replace the anonymous token system with an auditable stored taxi card system (Option D on page 139 of the report).

c) Item 10 – Shared Service – Business Case

Heather Mackenzie spoke on behalf of UNISON. She raised a number of concerns regarding the transfer of Council staff to the shared service company and sought clarification in respect of the terms and conditions of the new contracts, particularly the reduction of annual leave to pay for a performance related pay scheme, and the effect of the transfer on equal pay claims.

152. EXECUTIVE FORWARD PLAN

Members received and noted details of those items that were currently listed on the Forward Plan for the next two meetings of the Executive.

153. PROPOSED BIG WHEEL IN NORTH STREET GARDENS

Members considered a report which presented a proposal to site a new observation wheel - the 'Yorkshire Wheel' - in North Street Gardens.

The operators, World Tourist Attractions Ltd. (WTA) had previously worked in partnership with the National Railway Museum (NRM) to operate an observation wheel on the NRM site. Although successful, WTA had decided to re-locate for commercial reasons and now required a city centre site for a new wheel, in order to provide the views required for an exciting visitor experience. Other sites in the city centre had already been considered and ruled out and WTA believed that North Street Gardens was the only remaining viable site for the wheel, which would be purpose built for York and similar to wheels installed by WTA in Windsor, Greenwich and Belfast. Photographs showing wheels in other locations were annexed to the report, together with photographs and plans of the proposed site and a preliminary landscape assessment of North Street Gardens.

Members were invited to comment on WTA's proposal, with particular regard to whether the Yorkshire Wheel would fit in with the City's leisure policy, promote the visitor economy and enhance the leisure amenity of North Street Gardens as a public open space.

Members debated the matter and noted the comments of the Shadow Executive on this item, the comments made under Public Participation and the contents of the letters and e-mails circulated before the meeting.

Cllr Steve Galloway then proposed a set of recommendations based upon the rejection of WTA's proposal. Cllr Vassie then put forward an alternative recommendation, namely that the WTA's proposal be accepted. On being put to the vote, Cllr Vassie's recommendation was declared LOST. Cllr Galloway's recommendations were then put to the vote and declared CARRIED and it was therefore

RESOLVED: (i) That an agreement not be entered into with WTA to site the observation wheel in North Street Gardens.

(ii) That the Executive reasserts its previous position that attractions of this sort are welcome in the City but need to be sited sensitively and without either prejudicing existing amenity provision or threatening the City's visual heritage.

REASON: This location is not considered suitable for the development, due to the potential damage to the historic environment, the limited size of the site and concerns about flooding and accessibility.

(iii) That Officers be requested to consider, as part of the City Centre Local Development Framework build process, what guidance might be offered to developers who request acceptable options for siting substantial structures of this type and / or other major leisure / visitor attractions.¹

REASON: To ensure a fair and consistent approach.

(iv) That Officers facilitate meetings to progress a new permanent visitor attraction to the City.²

REASON: So that potential attractions that may benefit the City can be properly considered and consulted on.

Note: Cllrs Moore and Reid withdrew from the room during consideration of the above item and during the relevant part of the Public Participation item, as indicated under 'Declarations of Interest'.

Action Required

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| 1. Pass this request on to officers involved in the LDF process and liaise where required | CB |
| 2. Make the necessary arrangements to facilitate these meetings | CB |

154. COMMUNITY STADIUM - UPDATE REPORT

Members considered a report which provided an update on progress towards a Community Stadium for York and proposed an approach for the delivery of the initial stages of the project, and an outline project structure.

Further to the decisions made by the Executive on 9 September 2008, a project manager had been appointed and had started work on 17 December, thus providing an opportunity to progress the project ahead of schedule. The Project Manager, Tim Atkins, was present at the meeting. The Community Stadium Partnership Group had met for a second time and reached agreement on the approach to the structure, communications protocol, site selection, development of the business case, joint working and specialist support. It would meet again in February to formalise the delivery framework and protocols.

Details of a proposed project structure, including the proposed membership of the Partnership Board, Partnership Group and Internal Officer Team, were set out in paragraphs 7 to 12 of the report. Information on work in progress to prepare a draft project plan, develop a detailed business case and ensure a clear communications strategy and risk management strategy for the project was contained in paragraphs 13 to 20. Members would be informed in future update reports whether any further resources were needed to progress the project, in addition to the sum set aside in May 2008 to fund the project manager.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the progress made on the Community Stadium Project to date be noted.

(ii) That the approach set out in paragraphs 7 to 20 of the report, and the outline project structure, be agreed so that it can be referred to the Partnership Group at its next meeting, in February 2009.¹

(iii) That the Council be represented on the Project Board by the Executive Member for City Strategy.²

REASON: To enable the partnership to work effectively and to drive the project forward.

Action Required

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| 1. Proceed with this work and refer project structure to the Partnership Group | SS |
| 2. Appoint the Executive Member to the Project Board | SS |

155. REGIONAL SPATIAL STRATEGY (RSS) 2009 UPDATE - RESPONSE TO SPATIAL OPTIONS CONSULTATION

Members considered a report which sought their approval for a proposed response to the Spatial Options consultation carried out by the Regional Assembly (RA) as part of the Partial Review of the Regional Spatial Strategy (RSS) for Yorkshire and the Humber. The consultation period ran to the end of January.

The review, entitled *'The Housing Challenge, Yorkshire and Humber Plan – Update 2009'*, was intended to examine how the region could accommodate housing growth, resulting from the Government's 2007 Housing Green Paper. A copy of the response already submitted by the Council to the RA's initial Call for Evidence document was attached as Annex A to the report.

The Spatial Options consultation document considered three questions:

- (1) How much housing provision should be planned for the future?
- (2) How should it be distributed?
- (3) What options are there to accommodate this growth in each of the seven 'sub-areas'?

These key questions were discussed in paragraphs 9 to 34 of the report and a proposed response to the consultation was summarised in Annex B. Members were invited either to approve the response as drafted (Option 1) or seek amendments to the draft response (Option 2).

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: That the proposed response to the Spatial Options consultation set out in the report and summarised in Annex B be approved for submission to the Regional Assembly by the end of January.¹

REASON: The response reflects Members' view, and that of other authorities across the region, that the RSS should not be reviewed at this early stage.

Action Required

1. Submit the response to the Regional Assembly

SS

156. AFFORDABLE HOUSING INITIATIVES

Members considered a report which asked them to endorse the current review of affordable housing policy in York through the Local Development Framework (LDF) and to note the affordable housing initiatives being prioritised by the Housing and Adult Social Services department, following discussions with house builders and other stakeholders.

The report followed on from the resolutions made at the Executive meeting on 18 December 2007 and the meeting of the Executive Member for City Strategy and Advisory Panel (EMAP) on 14 January 2008. Members had agreed that affordable housing provision should be reviewed through the

LDF process and had requested that cross-party dialogue be entered into with developers. Meetings held as a result included a round table session with the four Group Leaders, individual meetings with house builders and planning consultants and a half day seminar / workshop attended by over 40 key housing stakeholders.

The outcome of these meetings would inform the drafting of the LDF Core Strategy Preferred Options affordable housing policy to be considered by the LDF Working Group in February 2009, as well as the Council's wider approach to meeting affordable housing needs in the City. Details of the workshop, facilitated by Icarus on 7 November 2008, were contained in Annex 1 to the report, copies of which had been made available on the Council's website and in the Members' Library. Notes from the meetings with developers and consultants were attached as Annex 2.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the outcomes of the Developer meetings and the Affordable Housing Workshop be noted.

(ii) That Officers be supported in using the comments received in the Developer meetings and the Affordable Housing Workshop, along with comments received during the Issues and Options stage of the Core Strategy, to inform the Preferred Options Policy to be taken forward through the LDF, as agreed by the Executive in December 2007.

(iii) That the affordable housing initiatives currently being prioritised by Housing and Adult Social Services following the discussions with house builders and from the affordably housing workshops, as well as new initiatives which will develop alongside the new Housing Strategy to be published in 2009, be noted.

REASON: In accordance with the previous recommendations of the Executive and the Executive Member for City Strategy and to ensure that potential new initiatives are fully explored.

157. REVIEW OF PUBLIC BUS SERVICES IN YORK

Members considered a report which set out a review of the current bus services operating in York and the supporting initiatives in place and presented recommendations for progressing options in several areas, based upon potential savings, efficiencies and service improvements.

The report had been prepared in response to the items contained in the 'Policy Prospectus' for 2008/09 and a motion approved by Full Council in September 2008 to investigate the extension of the YOzone card. It looked in detail at the following areas and presented key messages and options in respect of each, as summarised below.

Commercial Bus Services

These high frequency, high quality services were delivered on a commercial basis. The Council thus had little direct role in their provision but could, in addition to continued work under the existing voluntary partnership, choose to:

- Reduce Council expenditure on bus stop infrastructure
- Introduce a formal Quality Partnership on an identified corridor or route, under the Local Transport Act 2008.

Subsidised / Tendered Bus Services

Spending on these services was forecast to increase to £750k in 2009/10, which was £110k over budget. The report commissioned from Halcrow on the subsidised bus network had recommended that some services be withdrawn completely, some re-worked into a more regular, simplified timetable and others withdrawn and replaced by demand responsive transport, shared taxi services or taxi buses. A table of services to be considered for withdrawal was presented in Table 5, in Paragraph 87 of the report.

Dial and Ride

It was proposed to support the inclusion of three new accessible minibuses for the service in the Capital Programme for 2009/10. The current service level agreement was due to expire and Members were asked to decide between:

Option 1 – to re-tender the service using an open EU process and

Option 2 – to instruct Officers to investigate the possibility of re-negotiating a new service level agreement with York Wheels (recommended).

Members were also asked to consider:

- Whether the fares for Dial and Ride (D&R) should be reviewed
- Whether (and what) concessionary rates should apply to D&R
- The potential use of D&R vehicles for peak local bus journeys, in place of home-to-school journeys.

Park and Ride

A decision must be made within the next 18 months on whether to go out to tender for the operation of the new services for the A59 and Wigginton Road or whether to operate them as part of the existing contract. Approval was sought to produce a further report on the upgrading of on-bus ticket machines and to explore the introduction of off-bus ticketing facilities.

Concessionary Travel Scheme

Details of current arrangements were contained in Annex A to the report. Introduction of the ENCTS bus pass in April 2008 had raised the cost of funding bus pass concessions to an estimated £4.2 million in 2008/09 and contributed to a decrease in the take-up of national transport tokens.

Members were asked to decide whether to:

- Retain the current operating hours for bus pass acceptance and
- Withdraw any alternative to the bus pass to the over 60s, but increase the value of tokens for eligible disabled people to £50

Or to

- Restrict token distribution to the over 75s eligible disabled

- Increase the value of tokens to £40 for this year and replace the anonymous token system with an auditable stored value taxi card system from 1010/11
- Simplify the system for under 60s disabled, replacing the purchase of tokens arrangement with the issue of a fixed sum of £75 for the year
- Distribute tokens from The Guildhall and key parish venues, requesting nursing homes to collect their allocations from either of these.

YOzone Card Scheme

Details of current arrangements were contained in Annex A to the report. Approval was sought to investigate options for the launch of an 'all operator' Yozone bus pass for those aged 16-19, following Members' endorsement of proposals to extend discounted bus travel to include students in further education.

Public Transport Information

Details of current arrangements were contained in Annex B to the report. It was recommended that the improvements made to publicity literature during 2008 be built upon by continuing to deliver the best printed bus information and publicity within available resources. The alternative was to provide additional staff resources to achieve better delivery of printed information. Further recommendations to improve telephone, internet and real time passenger information (RTPI) were outlined in paragraphs 208 to 226 of the report.

Bus Stop Infrastructure

The strategic direction for on-street bus infrastructure was set out in Annex C to the report. Members were invited to note this information and to support Officers' efforts to improve and maintain the bus stop infrastructure in York.

Air Quality

Latest figures showed that 47% of the total York bus fleet had reached the EURO III standard for cleanliness of engines, as compared to the LTP2 target for 2011 of 89%. The minimum standard for tendered services was EURO II. Officers would continue to monitor the development of hybrid buses and, through the Quality Bus Partnership, encourage bus operators to invest in cleaner vehicles. However, it was recommended that the minimum standard for all tendered local bus services be raised to EURO III from 2011.

Having noted the comments of the Shadow Executive on this item and the comments made by Cllr Gillies under Public Participation, it was

RESOLVED: (i) That the options presented in the various sections of the report be noted.

(ii) That, in relation to **Commercial Bus Services**, continued efforts should be made to improve passenger waiting facilities and bus priority measures across the City,

with effort focused on commercial routes, and that current investment levels in these areas should be sustained.¹

(iii) That **subsidised services** be retained, to run to September 2011, that the lowest tenders be accepted for continuation of existing services, as tabled, but that consideration of the proposals to discontinue subsidised bus services (shown in table 5, paragraph 87) be deferred until the Council's budget position is clear and alternative travel options have been clarified and, to that end, that Officers be requested to report further on the shared taxi / taxi bus options mentioned in the report.²

(iv) That approval be given in principle to undertake a trial utilising a new **Dial & Ride** vehicle to deliver peak commuter journeys for a rural village.³

(v) That the inclusion in the LTP capital programme of one new, fit for purpose minibus, to be used for both Dial & Ride and rural, peak time scheduled services, be agreed.⁴

(vi) That Officers be instructed to investigate the possibility of re-negotiating a new service level agreement with the current provider, York Wheels.⁵

(vii) That approval be given to increase the Dial & Ride fares from £2.50 to £3.50 for a day ticket and from £1.25 to £1.75 for a single ticket and to devolve future fare increases to the Officer in Consultation process.⁶

(viii) That the production of a further Officer report, on the partnership working, cost and potential options involved for the upgrade of **Park & Ride** one-bus ticket machines to make them ITSO smartcard compatible, be supported.⁷

(ix) That, in the interests of speeding up boarding times both in town and at site, Officers be asked to report further on the options for extending the use of off-bus ticketing facilities.⁸

(x) That, in relation to **Concessionary Travel**, approval be given to retain the current operating hours for bus pass acceptance and to withdraw any alternative to the bus pass for the over 60s, but to increase the value of tokens to £50 for eligible disabled people.⁹

(xi) That Officers be requested to investigate further and report on the costs and advantages of replacing the anonymous token system with an auditable stored value taxi card system from 2010/11 and on the system for the under 60s disabled, which allows them to purchase additional tokens.¹⁰

(xii) That, in the light of the above decisions, Officers be instructed to consider ways of optimising the issue of transport tokens including, where economical, home delivery and bulk collection by nursing homes. ¹¹

(xiii) That Officers be instructed to investigate the options available to the Council for the launch of an 'all operator' **Yozone** 16-19 product and to produce a subsequent report outlining the implications. ¹²

(xiv) That Officers be requested to investigate the feasibility of remotely accessing **Public Transport Information** data within the Metro 'COSA Trackbuilder, to improve Traveline telephone and internet data quality. ¹³

(xv) That approval be given to tender the travel information telephone service and retain the existing local telephone number (01904 551400). ¹⁴

(xvi) That approval be given, with the agreement from bus operators, to purchase a licence for the Real Time Passenger Information 'Bus Operator Reports' product and run alongside on-street bus monitoring for one year before fully transferring to this stream of information. ¹⁵

(xvii) That, in respect of **air quality**, approval be given to raise the minimum standard of engine rating on all tendered local bus services to EURO III from 2011. ¹⁶

REASON: In order to continue to develop bus travel, in partnership with the bus industry, to ensure that bus patronage in the City continues to rise.

Action Required

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| 1. Continue improvements to waiting facilities and bus priority measures | SS |
| 2. Accept lowest tenders for continuation of services and schedule report on Forward Plan re shared taxi / taxi bus options | SS |
| 3. Make arrangements to undertake trial | SS |
| 4. Include new minibus in LTP capital programme | SS |
| 5. Investigate re-negotiation of SLA with York Wheels | SS |
| 6. Implement fare increase as agreed | SS |
| 7. Schedule report on Forward Plan re on-bus ticket machines | SS |
| 8. Schedule report on Forward Plan re off-bus ticketing facilities | SS |
| 9. Make these changes to the bus pass / travel token scheme | SS |
| 10. Investigate potential of stored value taxi card system and schedule report on Forward Plan | SS |
| 11. Consider improvements to issue arrangements for travel tokens | SS |

12. Investigate options for 16-19 YOzone card and schedule report on Forward Plan	SS
13. Make arrangements for the twice-yearly printing of bus maps	SS
14. Investigate the feasibility of this option	SS
15. Make arrangements to tender the travel information telephone service	SS
17. Purchase a licence for this product as agreed	SS
16. Implement the EURO III standard as agreed	SS

158. SHARED SERVICE - BUSINESS CASE

Members considered a report which provided details of the final Business Case for the shared service between City of York Council (CYC) and North Yorkshire County Council (NYCC) in respect of internal audit, counter fraud and information governance services.

The two councils had been working in partnership since September 2007 to develop the shared service, which was intended to provide greater resilience, capacity and flexibility for both councils, as well as the delivery of increased efficiencies. An Outline Business Case and timetable had already been approved by the Executive Member for Corporate Services in March 2008. The Project Board had now completed the detailed Business Case for Phase II, which had been made available to Members and on the Council's website as Annex 1 to the report.

Members were invited to consider the following options:

Option 1 – proceed with the full implementation of the company, wholly owned by both councils. This was recommended, as the most appropriate long term structure for the shared service.

Option 2 – ask Officers to examine the alternative structural options, which had previously been rejected.

In response to the issues raised on this item under Public Participation, Officers reported that NYCC had that morning approved the arrangements for the shared service in full awareness of UNISON's concerns. Staff and unions had been kept informed of developments throughout the process. The company would be council owned, with both CYC and NYCC holding an equal number of shares. It would operate in accordance with the principles and governance arrangements as indicated under 'Legal Implications' at paragraph 21 of the report.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That approval be given to proceed with the implementation of the wholly owned company (Option 1) as the appropriate long term organisational structure for the shared service (Option 1), in accordance with the details set out in the report and the attached Business Case.¹

REASON: To enable the implementation of the appropriate long term structure for the shared service (Part II of the strategic plan).

(ii) That the appointment of the Executive Member for Corporate Services and the nominated Officers to the Board of Directors of the shared service company be agreed.²

REASON: To ensure appropriate governance and accountability for the shared service company.

(iii) That the shared service be authorised to carry out functions relating to housing benefit and council tax benefit, using Section 70 of the Deregulation and Contracting Out Act 1994 and the Contracting Out (Functions of Local Authorities: Income-Related Benefits) Order 2002.³

REASON: To ensure that staff employed by the shared service company can properly undertake future investigations into benefit related fraud.

(iv) That the Council be authorised to enter into a Premises Licence with the shared service company for the future use of office accommodation.⁴

REASON: To enable the Council to provide fully serviced accommodation to the shared service company.

(v) That the Council be authorised to enter into an agreement for an overdraft facility with the shared service company.⁵

REASON: To ensure that the shared service company has adequate funds to cover its working capital requirements.

(vi) That Officers report to a future Executive meeting on the staffing issues that remain to be determined.⁶

REASON: To ensure that these matters are satisfactorily addressed.

Action Required

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| 1. Implement arrangements for the wholly owned shared service company | SA |
| 2. Appoint the Executive Member and nominated Officers to the Board of Directors | SA |
| 3. Make the necessary arrangements for the shared service company to perform these functions | SA |
| 4. Enter into Premises Licence with the shared services company | SA |
| 5. Enter into agreement for an overdraft facility for the shared services company | SA |
| 6. Schedule report re staffing issues on Forward Plan for a future meeting | SA |

159. SECOND PERFORMANCE AND FINANCIAL MONITOR FOR 2008/09

Members considered a report which provided details of the headline performance issues from the second performance monitor period up to 31 October 2008 and presented the latest projection of the Council's revenue out-turn for 2008/09.

With regard to performance issues, improvements had been made in respect of 62% of key performance indicators so far this year, with 65% on target. However, the LAA indicators were causing some concern, with only 52% of those reported showing improvement at this point. Details were provided in Annex 1 to the report and in paragraph 17. Key improvements were noted in the following areas:

- York schools (now ranked 3rd nationally)
- The timeliness of children's social care assessments
- Adult social care self directed support
- Collection rates for household waste and recycling
- Meeting the affordable homes target
- Reducing road traffic accident casualties
- The timeliness of invoice payments
- Corporate health.

Areas of concern included

- The looked after children population
- The size of the NEET (not in education, employment or training) population
- The effect of the economic downturn on home owners and businesses.

With regard to financial issues, the current projection was for a net underspend of 1,528k in the year on the General Fund budget. The level of reserves for CPA purposes was forecast to stand at £9,225k. It was noted that the sum of £2,576k set aside in the Venture Fund was fully committed on the Administration Accommodation and [Easy@york](#) projects. There was also a potential call on reserves of £200k as a result of the York High School fire. Members were asked to consider:

- Requests for supplementary estimates submitted by the Executive Member for Leisure, Culture and Children's Services (detailed in paragraph 26 and Annex 2) and
- A request from the Executive Member for City Strategy to use the capital element of the additional Housing and Planning Delivery Grant (£135k) to fund structural maintenance (detailed in paragraph 39).

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the performance issues identified in the report be noted.

REASON: So that corrective action on these issues can be addressed by Corporate Management Team and directorates.

- (ii) That approval be given to fund the following supplementary estimate requests from the contingency fund:
 - a) £72k for court costs fees for child protection cases, as set out in paragraph 26 and Annex 2 to the report.
 - b) £70k for legal fees, as set out in Annex 2
 - c) £40k for fostering costs (of the total £80k requested), with an update report on the full costs of fostering, the importance of which is appreciated, to be brought to a future meeting.¹
- (iii) That the remaining supplementary estimate requests in Annex 2, amounting to £84k, not be approved.

REASON: In accordance with the Executive's Constitutional powers to make decisions on the level and granting of supplementary estimates.

- (iv) That the request of the Executive Member for City Strategy to use the capital element of the additional Housing and Planning Delivery Grant (£135k) to fund structural maintenance currently charged to revenue, as set out in paragraph 59, be agreed.²

REASON: In accordance with budgetary and performance monitoring procedures.

Action Required

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| 1. Make the agreed adjustment to the budget and schedule report re fostering costs on Forward Plan | SA |
| 2. Make the agreed adjustment to the budget | SA |

160. CAPITAL PROGRAMME - MONITOR TWO

Members considered a report which presented the likely out-turn position of the Council's 2008/09 Capital Programme, based upon information to November 2008, and sought approval for certain adjustments to the programme.

The current approved programme amounted to £63.93m, financed by £45.854m of external funding, leaving a cost to the Council of £18.085m. The predicted out-turn against this programme was £60.537m, representing a net decrease of £3.393m, comprising adjustments to schemes and the re-profiling of budgets (including the Administration Accommodation Scheme) to future years. Details of the variances in each portfolio area were set out in Table 2, at paragraph 6 of the report. There had been £31.432m capital spend up to the end of November 2008, representing 49% of the approved budget. This compared to 44% at the same time last year.

Paragraphs 10 to 34 of the report summarised key exceptions and implications on the programme in each portfolio area, as reported to Executive Member and Advisory Panel (EMAP) meetings. The revised three-year programme resulting from these changes was summarised in Table 12, at paragraph 35. Approval was sought for the re-stated programme and for slippage on the 2008/09 programme. Members were also asked to recommend the funding of a shortfall of £120k on the Disabilities Facilities Grant Scheme and retention costs of £6k at Acomb Library from capital receipts.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the 2008/09 revised budget of £60.537m, as set out in the report at paragraph 6 and Table 2, be approved.

(ii) That the net slippage of £20.8m for the Administrative Accommodation project to 2011/12 and future years, net slippage of £1.474m for the rest of the capital programme, and adjustments of -£624k in 2008/09, £804k in 2009/10 and £662k in 2010/11 be approved.¹

(iii) That the re-stated three-year capital programme for 2008/09-2010/11, as set out in paragraph 35, Table 12 and detailed in Annex A be approved.

(iv) That the capital receipt projections for 2008/09-2010/11, as summarised in Table 13, be noted.

(v) That Council be recommended to approve the funding of the shortfall on the Disabled Facilities Grant (£120k) and retention costs at Acomb Library (£6k) from capital receipts.²

REASON: To enable the effective management and monitoring of the Council's capital programme.

Action Required

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| 1. Adjust the budget on the ledger | SA |
| 2. Include this recommendation in capital budget report to Executive / Budget Council in February 2009 | SA |

161. FINAL REPORT OF THE HEALTH SCRUTINY COMMITTEE - DEMENTIA REVIEW

Members considered a report which presented the findings and recommendations of the Health Scrutiny Committee following their Dementia Review. The review had examined the experience of older people with mental health problems (and their families and carers) accessing general health services for secondary care, in order to identify areas for improvement.

The Chair of the Committee, Cllr Fraser, was in attendance to answer any queries on the review or report. Cllr Moore indicated that he had also been involved in the review at its early stages, as a member of the Health Scrutiny Committee before his appointment to the Executive.

The Committee's final report, attached at Annex 1, had been approved by the Scrutiny Management Committee (SMC) on 17 December 2008. The SMC had suggested that, once the recommendations in the report had been approved by the Executive, a copy be sent to the Chief Executive of the NHS, the Secretary of State and all participants in the review. The recommendations arising from the review were summarised in paragraph 8 of the cover report.

Having noted the comments of the Shadow Executive on this item, it was

RESOLVED: (i) That the contents of the Health Scrutiny Committee's final report be noted with thanks.

(ii) That the recommendations set out in the final report be approved.¹

(iii) That the following actions arising from the report be agreed:

- a) That all agencies involved in the care of older people be requested to sign up to the DoH document 'Your care, your dignity, our promise'.²
- b) That the final report be forwarded to the Joint Integration Commissioning Group to inform the discussions on future commissioning strategy for those suffering from dementia.³

REASON: In order to respond appropriately to the findings of this scrutiny review.

Action Required

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| 1. Arrange for the recommendations in the final report to be implemented | GR |
| 2. Request relevant agencies to sign up to this document | GR |
| 3. Send report to the JICG | GR |

162. MEMBER DEVELOPMENT

Members considered a report which sought approval to sign up to the Improvement and Development Agency (IDeA) / Local Government and Humber (LGYH) Member Development Charter, and to implement the necessary changes to achieve charter status and improve Member development in the Council.

Member development had been highlighted through the Comprehensive Performance Assessment (CPA) as an area that required improvement in York. It currently formed part of the role of the Senior Member Support

Officer, who held a £10k budget for this purpose. Most other authorities had had a dedicated officer to oversee member development. The last specific programme of activities had run during 2007, since when activities had been organised on an ad hoc basis. A further programme was intended for 2009.

It was recommended that a strategic and evaluative Member-led scheme be developed, based upon an annual programme of development appraisals for all Members. Activities would be decided by an all-party Member Development Working Group and the scheme would continue to be led by Democratic Services. Feedback to inform planned work would be provided at the end of each event and via development appraisals. Annex 1 to the report showed how the scheme would operate. An example of a development appraisal form was provided at Annex 2.

RESOLVED: That approval be given to:

- a) Sign up the IDeA Member Development Charter;¹
- b) Implement the outline Member Development Scheme, as set out in paragraphs 21-40 of the report;²
- c) Delegate to the Member Development Working Group responsibility to decide a Member Development Programme, appropriate training and development activities and budget.³

REASON: In order to improve Member Development at the Council.

Action Required

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|---|----|
| 1. Sign up to the IDeA Charter | KS |
| 2. Implement the Member Development Scheme | KS |
| 3. Make arrangements to delegate these matters to the Working Group | KS |

163. URGENT BUSINESS - THE BARBICAN AUDITORIUM

Members considered a report which provided an update on the position with regard to the Barbican Auditorium following the Council's termination of the conditional development agreement with Absolute Leisure Limited (ALL).

The Chair had agreed to consider this matter under urgent business in view of the need to gain the views of the Executive at an early stage, before bringing a more detailed options report to a future meeting.

The report outlined the events leading up to termination of the agreement with ALL on 9 January 2009, in consequence of the failure of ALL to complete the contract and commence building works on 5 January 2009. Officers reported at the meeting that they had now gained possession of the building and were thus in a position to take the immediate steps described in paragraph 10 of the report. These included external improvements, a condition survey, determination of revenue costs and

seeking advice on legal and procurement processes and the current and future markets for entertainment uses.

Members would need to re-consider their objectives for the building in the light of the advice received. The main options likely to be considered were to:

- Re-market the building as originally envisaged
- Market the building with a new brief
- Procure an operator or establish a trust to operate the building on behalf of the Council
- Bring the facility back into a usable condition for the Council to operate
- Market and sell the building for non-entertainment use.

Potential options would be developed and brought back to Members within six weeks. In the meantime, as the Council currently had no budget for the Barbican, funding was required to meet the costs of heating, maintenance, security and specialist advice.

RESOLVED: (i) That the contents of the report be noted and the work to be undertaken by Officers approved.

(ii) That a further report be requested for early March, when Officers will be able to provide a more detailed analysis of the long-term and interim options described in this report.¹

(iii) That the requirement of £120k revenue funding for 2009/10 be included in the current budget setting process.²

REASON: To deal with the immediate issues arising from termination of the agreement with ALL and to enable Members to consider long term options for the Barbican Auditorium.

Action Required

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| 1. Schedule options report on Forward Plan for Executive meeting in March 2009 | CB |
| 2. Ensure that this sum is included in the budget reports to EMAP / Executive / Budget Council | CB |

164. CHAIR'S REMARKS - DIRECTOR OF NEIGHBOURHOOD SERVICES

The Chair noted that this was the last Executive meeting to be attended by Terry Collins, Director of Neighbourhood Services, who was leaving the Council to take up a new post in Durham. He wished to place on record the Executive's thanks to Terry for his work in York and to welcome Adam Wilkinson as the new interim Director.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 4.20 pm].