
MEETING	EXECUTIVE
DATE	7 SEPTEMBER 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY, REID AND RUNCIMAN

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

49. 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.

Councillor Reid declared a personal prejudicial interest in relation to Agenda item 11 (Capital Programme – Monitor 1) as the Council's representative on Yorwaste and left the room during discussion and voting thereon.

50. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex 3 to agenda item 12 (Sale of Parkside Commercial Centre, Terry Avenue), 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 revised by The Local Government (Access to Information) (Variation) Order 2006).

51. MINUTES

RESOLVED: That the minutes of the Executive meeting held on 20 July 2010 be approved and signed by the Chair as a correct record.

52. PUBLIC PARTICIPATION/OTHER SPEAKERS

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

With the consent of the Chair, Heather McKenzie of UNISON, addressed the meeting in relation to agenda item 8 (More for York – Procurement Workstream Update). She welcomed the saving that had been identified

but raised concerns in relation to some of the costings reported and the utilisation of V4. She expressed appreciation for the consultation undertaken to date but concern that no discussion had been carried out in relation to the creation of a commercial hub. She requested the preparation of a procurement agreement between the union and CYC to set out the level of involvement at each stage as recommended by the governments code of practice. She referred to a tabled document in this respect, which provided a framework for discussion through the corporate Joint Consultative Committee and the Chief Executive.

53. EXECUTIVE FORWARD PLAN

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

Officers updated that the Waste PFI – Award of Contract report, scheduled for the meeting on 21 September, would now be slipped to the November meeting.

54. MINUTES OF WORKING GROUPS

Members received a report which presented the minutes of the following meetings of Executive working groups:

- Social Inclusion Working Group (SIWG) – meeting on 30 June 2010
- Mansion House & Mayoralty Advisory Group – meeting on 7 July 2010
- Young People’s Working Group – meeting on 21 July 2010

It was noted that the minutes of the Local Development Framework Working Group held on 5 July 2010 would be included in a separate report on the Affordable Housing Viability Study, to be brought to Executive on 5 October.

Members were asked to note the minutes and consider the following specific recommendations:

- SIWG – to change the group’s name to the Equality Advisory Group (Minute 4) and to appoint two additional members from the York Independent Living Network
- YPWG – to amend the group’s remit and amend the Constitution to include a requirement to present an annual report to Council (Minute 4).

Having noted the comments of the Labour Group Spokespersons on this item, particularly in relation to the Young People’s Working Group recommendations, it was

RESOLVED: (i) That the minutes at Annexes A to C be noted.

(ii) That the specific recommendations made by the Social Inclusion Working Group and the Young People's Working Group, as set out in paragraphs 7 to 15 of the report, be approved. ¹.

REASON: In accordance with the Council's Constitution in relation to the role of working groups.

Action Required

1. Prepare report for Audit & Governance Committee on constitutional changes.

DS

55. OPERATION OF THE CITY OF YORK CCTV SYSTEM

Members considered a report which outlined opportunities for expanding the Closed Circuit Television (CCTV) system operating in the City and sought approval to finalise funding arrangements for new camera installations and to adopt a revised Code of Practice (CoP) for System Operation. The revised CoP was annexed to the report.

Details of the current system and expansion plans were set out in paragraphs 5 to 18 of the report. It was planned, as part of the Council Headquarters project, to relocate the CCTV control room to purpose-built accommodation in the new HQ building. This would offer the opportunity to undertake a 'technology refresh', replace expired components, improve the monitoring layout, provide more operator stations and allow dedicated space for the review of recorded footage and traffic monitoring. In addition, migration of the CCTV camera network to a private fibre optic network to be provided around the City was due to commence in 2011, subject to the successful completion of a trial project this summer.

Details of the funding and resources issues around expansion of the system were provided in paragraphs 23 to 27 of the report. Expansion of coverage of the highway network for traffic monitoring purposes would be achieved by inclusion of funding for CCTV provision in all major highway improvement schemes. The need to ensure that costs of additional cameras were fully funded by their promoters should be adopted as policy.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: (i) That the draft Code of Practice for System Operation annexed to the report be adopted as the formal 'City of York Council CCTV System Code of Practice' for those using the system, and that agreement to abide by it be a prerequisite for all staff engaged in operation of the system. ¹.

REASON: To ensure that the operation of the CCTV system continues to conform to national guidance, and is compatible with the requirements of users (such as the police, for evidence purposes).

(ii) That the principle that promoting parties fund the installation and ongoing operation of the cameras they promote, as outlined in the report, be adopted as policy. ².

REASON: To ensure a clear protocol covering procedures for requesting and funding new camera installations is in place that can be easily understood by third parties requesting new cameras.

Action Required

1/2. Implement use of Code of Practice and promoting partner funding of installations.

DC

56. MORE FOR YORK - PROCUREMENT WORK STREAM UPDATE

Members considered a report which provided an update on the progress of the More for York procurement work stream in delivering savings and identified the potential for increased savings in the future.

The procurement work stream had already made good progress, achieving far more than its target savings, as set out in Annex A to the report. It was suggested that additional efficiencies, with the potential to achieve annual net savings of up to £5m in the next two years, could be achieved by creating a Commercial Hub to control all procurement activity. The proposal was to establish a core internal team to undertake the regular procurement activities and to supplement this resource by bringing in specialist managers on a temporary basis to lead on certain categories of spend.

The idea of collaborating with other authorities in the autumn to create a shared commercial hub would be explored over the autumn. In the meantime, so as not to lose momentum, it was proposed to use V4, a top provider in this area, to bring in a team from September 2010 to review existing contacts, implement demand management programmes and deliver £1.25m savings before April 2011.

Members thanked the procurement team for their contribution to the success of the recent 'Meet the Buyer' event held in the Guildhall.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: (i) That the proposal to establish a Commercial Hub be agreed. ¹.

(ii) That the appointment of V4 to undertake procurement work between September 2010 and March 2011 be agreed. ².

(iii) That this be funded through a variation to the investment fund already set aside for More for York.

REASON: To improve the long term effectiveness of the Procurement function and generate savings of £1.25m in 2010/11.

Action Required

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| 1. Proceed with the creation of a commercial hub. | TC |
| 2. Appoint V4 to undertake procurement work. | TC |

57. QUARTER 1 FINANCE & PERFORMANCE MONITOR FOR 2010-11

Members considered a report, which provided details of the headline and performance issues arising from the performance monitor for the first quarter of the 2010-11 financial year, covering the period 1 April to 30 June 2010.

In view of the Government's decision to abolish the Comprehensive Area Assessment (CAA) and remove some of the National Performance Indicators (NPIs), the Council had started to review its NPIs and performance management framework. The report therefore included only those NPIs, which provided useful context for local performance, plus other local data demonstrating progress in key service areas. Details of performance issues were set out in paragraphs 4 to 40. It was noted that good improvements had been made in relation to: waste recycling; street cleanliness; violent crime incidents; independent living through Adult Social Care; affordable homes; road accidents / injuries; and educational attainment in literacy and numeracy at key stage 2. Further work was needed to reduce cycle theft incidents and continue the improvement trends on staff sickness.

Details of finance issues were contained in paragraphs 41 to 65 of the report. Current projections indicated that the Council faced financial pressures amounting to £4,042k. Work was ongoing to identify actions to address this position. Members were asked to consider a request for £20k from contingency to fund a post in Economic Development supporting inward investment in the City, previously funded by Yorkshire Forward. Approval was also sought to include three new Key Corporate Risks in the Council's risk register, as recommended by Audit & Governance Committee – Government Spending Policy, Corporate Performance Management Framework and Climate Change.

Officers reported details of revised figures for Park and Ride passenger numbers as referred to in para. 29 of the report, which had been republished online. The paragraph and graphs had been amended to reflect revisions to the May 2009 figures for Park and Ride journeys in York and updated with the figures for July 2009/10. The amended figures had shown that the decline in passenger number had been much smaller, especially with the increased figures for July 2010.

Members also questioned details of the Adult Social Care figures and the pressures on mental health residential care and direct payments. Officers confirmed that full details would be provided in the second quarter monitor. In response to members requests Officers confirmed that they would provide a monthly report to the Executive Member of the demand pressures in this area.³

Having noted the comments of the Labour Group Spokespersons 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 taken by Members and directorates.

(ii) That the finance issues identified in the report, in particular the current forecasted pressures, be noted, and that it be acknowledged that work is ongoing to reduce these in time for the Monitor 2 report to the Executive on 16 November 2010.

REASON: So that the Council's expenditure can be contained within budget, where possible, by the end of the financial year.

(iii) That, in accordance with Financial Regulations, approval be given to release £20k from contingency to fund the inward investment post referred to in paragraph 54 of the report.¹

REASON: To enable the continuation of the Council's role in promoting inward investment in the City.

(iv) That the three new Key Corporate Risks set out in paragraph 70 of the report be approved.²

REASON: So that the monitoring of these risks is presented to Members on a regular basis.

Action Required

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| 1. Use contingency to fund post. | AC |
| 2. Include Key Corporate Risks in quarterly reporting. | PL |
| 3. Provide Executive Member with monthly report on the demand pressures in Adult Social Care. | KC |

58. TREASURY MANAGEMENT MONITOR 1 AND PRUDENTIAL INDICATORS 2010/11

Members considered a report which provided an update on the Treasury Management performance for the period 1 April to 31 July 2010, as compared against the budget presented to Council on 25 February 2010.

The report highlighted the economic environment during the first quarter of the 2010/11 financial year. It reviewed performance in relation to short term investments, long term borrowing, the Venture Fund and the Treasury Management Budget, against this background. As detailed in paragraphs 27 to 29, the projected out-turn on the approved budget was £11,618k, an estimated underspend of £150k.

The Council's approved Prudential Indicators (affordability limits) were attached at Annex A to the report. It was noted that these had not been breached during the first four months of 2010/11.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: (i) That the performance of the Treasury Management activity be noted.

(ii) That the projected underspend of £150k on the Treasury Management budget be noted.

REASON: To ensure the continued performance of the Council's Treasury Management function.

59. CAPITAL PROGRAMME - MONITOR 1

[See also under Part B minutes]

Members considered a report which presented the likely out-turn position of the Council's 2010/11 capital programme, based upon the spend profile and information up to June 2010.

An out-turn of £81.532m was predicted against the current approved budget of £81.979m; a net decrease of £447k resulting from adjustments to schemes in the programme, as outlined in paragraph 5 of the report. Capital spend to date amounted to £12.334m, or 15% of the total approved budget. Key exceptions and implications for the programme in each portfolio area were highlighted in paragraphs 9 to 40 of the report. The revised overall programme resulting from these changes was summarised in paragraph 41. It was noted that a temporary funding shortfall of £3.098m remained due to reduced asset valuations in the current economic climate; this continued to be managed by using discretionary prudential borrowing.

Approval was sought for:

- the net adjustments to the programme set out in the report and detailed in Annex A
- the use of contingency funding to cover an overspend on the Explore York Library Learning Centre and match fund the Travellers – James Street Wall flood initiative and
- the addition to the 2010/11 programme of a £1m loan to Yorwaste.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: (i) That the 2010/11 revised budget of £81.532m, as set out in paragraph 5 of the report (Table 2), be noted.

(ii) That the re-stated capital programme for 2010/11 – 2014/15, as set out in paragraph 36 (Table 10) and detailed in Annex A, be noted.

(iii) That approval be given to use contingency to fund the £15k for the Travellers – James Street Wall flood initiative and the £30k for Explore York Library Learning Centre.¹

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

Action Required

1. Use contingency to fund these schemes.

RB

60. SALE OF PARKSIDE COMMERCIAL CENTRE, TERRY AVENUE

Members considered a report which presented the bids received for the freehold of the Parkside Commercial Centre, following the recent marketing of the site, and sought approval to sell the premises to the preferred bidder.

Offers had been invited by informal tender for the existing use of the site for light industry and storage or for other uses such as office, leisure etc. Due to its location within the flood plain, the site was not considered suitable for residential development. In total five bids had been received and the three highest bidders had been invited to provide additional supporting information.

The bidders in question were:

- Bike Rescue, the current occupiers (Bid A)
- The Caravan Club (Bid B – 2 proposals submitted)
- HHB Investments Ltd (Bid C – 2 proposals submitted)

Details and an analysis of the bids were provided in exempt Annex 3 to the report. It was recommended that the site be sold to HHB Investments, subject to planning consent.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RESOLVED: (i) That the offer from HHB Investments Ltd to purchase the property for the figure stated in exempt Annex 3 (Bid C, proposal 2) be accepted, subject to planning consent, to proceeding with the design and planning application quickly, and to a deduction for any abnormal construction costs associated with the site.¹

(ii) That, if the above sale does not proceed due to refusal of planning permission or for any other reason, approval be given to accept bids in the following order: Bid C (proposal 1), Bid B and Bid A, subject to any planning consent being obtained.²

REASON: To maximise the receipt for the site, in order to support the approved capital programme.

Action Required

1/2. Proceed with sale of property subject to points as detailed.

PF

PART B - MATTERS REFERRED TO COUNCIL

61. CAPITAL PROGRAMME - MONITOR 1

[See also under Part A minutes]

Members considered a report which presented the likely out-turn position of the Council's 2010/11 capital programme, based upon the spend profile and information up to June 2010.

An out-turn of £81.532m was predicted against the current approved budget of £81.979m; a net decrease of £447k resulting from adjustments to schemes in the programme, as outlined in paragraph 5 of the report. Capital spend to date amounted to £12.334m, or 15% of the total approved budget. Key exceptions and implications for the programme in each portfolio area were highlighted in paragraphs 9 to 40 of the report. The revised overall programme resulting from these changes was summarised in paragraph 41. It was noted that a temporary funding shortfall of £3.098m remained due to reduced asset valuations in the current economic climate; this continued to be managed by using discretionary prudential borrowing.

Approval was sought for:

- the net adjustments to the programme set out in the report and detailed in Annex A
- the use of contingency funding to cover an overspend on the Explore York Library Learning Centre and match fund the Travellers – James Street Wall scheme and
- the addition to the 2010/11 programme of a £1m loan to Yorwaste.

Having noted the comments of the Labour Group Spokespersons on this item, it was

RECOMMENDED: (i) That Council approve the net adjustments of £447k in 2010/11 and £641k in 2011/12, as set out on a scheme by scheme basis in the report and contained in Annex A. ¹.

(ii) That Council approve an addition to the capital programme in 2010/11 of £1m, in the form of a loan to Yorwaste, in which the Council owns a 22.7% stake. ².

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

Action Required

1/2. Refer to Council.

FY

Cllr A Waller, Chair

[The meeting started at 2.10 pm and finished at 2.50 pm].