

EXECUTIVE

TUESDAY, 21 JULY 2009

DECISIONS

Set out below is a summary of the decisions taken at the meeting of the Executive held on Tuesday, 21 July 2009. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than 4pm on the second working day after this meeting.

If you have any queries about any matters referred to in this decision sheet please contact Fiona Young.

6. SUSTAINABLE COMMUNITIES ACT 2007 – FINAL UPDATE AND PROPOSALS

RESOLVED: (i) That the information provided in the report and annexes concerning the outcome of the public consultation exercise be noted.

REASON: So that Members can be satisfied that the consultation has met the requirements of the Council motion on the Sustainable Communities Act by ensuring that the topic was discussed at all ward committees across the City.

(ii) That Officers be advised that the seven most supported proposals should be submitted to the LGA, having regard to, and bearing in mind, the risk management implications set out in paragraph 33 of the report.

REASON: In the light of the results of consultation and to ensure compliance with the 31 July deadline for submission of proposals.

7. COUNCIL HEADQUARTERS – UPDATE REPORT

RESOLVED: (i) That the contents of the report be noted, with particular regard to the outcomes of the recent consultation process.

(ii) That the results from the survey be put on the Council website and a summary communicated to the public via the 'Your City' publication.

(ii) That a further report be received in early

December 2009 on the outcomes of the evaluation of the final tender submissions.

REASON: For information, and to ensure that the results of consultation are properly communicated.

8. URBAN ECO SETTLEMENT: PROPOSAL FOR A DEMONSTRATION EXEMPLAR AT BRITISH SUGAR, YORK

RESOLVED: That, subject to the agreement of Associated British Food, the proposal at Annex 1 to the report be submitted for inclusion as part of the wider Leeds City Region bid to the Department of Communities and Local Government for Urban Eco Settlement funding.

REASON: To ensure that a proposal is put forward within the timescales given to the Leeds City Region.

9. REGIONAL FUNDING ALLOCATION PROPOSAL

RESOLVED: That Option 1 (use of the additional RFA funding for Outer Ring Road Improvements) be approved.

REASON: To ensure that the additional funding is used to deliver significant improvements to the City's transport system and to meet Local Transport Plan and Local Area Agreement targets.

10. FINAL REPORT OF THE HUNGATE AD HOC SCRUTINY COMMITTEE

RESOLVED: That the following be agreed as the Executive's response to the Scrutiny Committee's recommendations:

Scrutiny Recommendation	Executive Comment	Executive Decision
1. Carry out pre-project public consultation before commencing on any major project to identify and take account of the level of public support, in order to inform the project including the budget	It is important that there is clear communication of the reasons behind major projects. This will be assisted by the refreshed Your City which will be published from Autumn this year. However, major schemes will always	Approve

	carry with them an element of controversy	
2.Continue with its best practice approach to pre-application consultation	This acknowledges that there is existing best practice within the authority that can be applied to future application	Approve
3.Agree a code of practice with statutory consultees which seeks to ensure they provide clear, consistent, timely and documented responses to consultation, from persons in authority within their organisation	This will need to be taken forward with the statutory consultees as it was clear that confusion on the position of English Heritage, and the authority held by persons giving comment to the authority led to a position that work was undertaken on the project which was subsequently aborted.	Approve with the specific request that this is undertaken by the Director of City Strategy. This should include discussions with the relevant government departments to ensure that publicly funded organisations are held to account when advising on the planning process.
4. Always provide full and consistent feedback to all consultees no matter whether the Council is able to respond positively or negatively to the issues being raised	This concept is covered within the council's new consultation policy to give feedback when consultation is being undertaken.	Approve
5.For all major projects, ensure that the Chief Executive and Senior Directors take ownership of the project and give consistent support to the project team	It is clear that the latest work on the HQ project has benefited from having 'ownership' at Director level. This overcomes the difficulties when responsibilities straddle directorates	Approve

REASON: To ensure that any future Council projects are delivered on time and within budget.

11. FINAL REPORT OF THE EDUCATION SCRUTINY COMMITTEE

RESOLVED: That the following four recommendations of the Scrutiny Committee be endorsed subject to an amendment to the third recommendation (highlighted in bold), as follows:

- a) Instruct Officers to continue to develop the Strategic Steering Group.
- b) Broaden the Childcare Sufficiency Audit to include Extended Services with a particular focus on accessibility, affordability, inclusive provision and flexibility in adapting to the needs of the local community.
- c) **Request** all Local Authority schools in York to identify a member of staff and a governor responsible for Extended Services and Community Cohesion.
- d) Bring the findings and recommendations arising from this review to the attention of the Ofsted Sub-Committee and School and School Improvement Partners to inform their ongoing work.

REASON: In order to develop processes aimed at ensuring accessibility and a high quality of extended school provision.

12. IMPROVEMENT PLAN 2009-10 KEY ACTIONS AND MILESTONES

RESOLVED: (i) That the actions and milestones for the 2009-10 Improvement Plan, as set out in Annex 1, be noted.

REASON: So that Members are informed about the effective management of key actions to be taken to support on-going development and improvement work at the Council critical to the achievement of the Effective Organisation corporate priority.

(ii) That a named Executive Member be assigned to overseeing each action item for the next time that this matter is reported to the Executive.

REASON: To establish a clear reporting line and ensure that progress is made on the actions in the Plan.

13. TREASURY MANAGEMENT ANNUAL REPORT AND REVIEW OF PRUDENTIAL INDICATORS

RESOLVED: (i) That the 2008/09 performance of the Treasury Management activity, movements on the Venture Fund and the Treasury Management out-turn be noted.

(ii) That the addition of Nationalised Banks to the Investment Credit Criteria Policy, as set out at paragraphs 30 to 38 of the report, be approved.

(iii) That the movements in the Prudential Indicators be noted.

(iv) That the Council's proactive and prudent management of the Treasury Management portfolio in the light of the Icelandic banking crisis be noted.

REASON: For information, and to ensure an adequate number of authorised counterparties with whom the Council can invest.

**14. CAPITAL PROGRAMME OUT-TURN 2008/09
AND REVISIONS TO THE 2009/10-2013/14
PROGRAMME**

RESOLVED: (i) That the 2008/09 capital out-turn position be noted.

(ii) That the requests for slippage to and from the 2009/10 capital programme be approved.

(iii) That the re-stated 2009/10 to 2013/14 programme, as summarised in Table 4, paragraph 51 of the report and detailed in Annex 2, be approved.

(iv) That the statutory declaration of the 2008/09 capital expenditure required by Part 1 of the Local Government Act 2003 (Prudential Code), as set out in Annex 1, be approved.

REASON: To allow the continued effective management of the capital programme in 2009/10 and beyond and to fulfil statutory functions.

15. REVISED FINANCIAL REGULATIONS

RESOLVED: That consideration of this item be deferred to a future meeting.

REASON: To enable further refinements to be made to the draft Regulations before they are considered by the Executive and recommended to the next scheduled meeting of Full Council in October.

**16. LAND AT THE REAR OF ACOMB EXPLORE,
FRONT STREET, ACOMB**

RESOLVED: (i) That Option A be approved and that both sites be acquired by the Council, as detailed in the report.

REASON: To secure land at the rear of Acomb Explore as an opportunity purchase and to provide an opportunity for further rationalisation of Council properties and joint working with partner organisations in a single location.

(ii) That Officers seek to include in the purchase the adjacent small plot which would be land locked if the other two sites were developed.

REASON: To provide a larger and more integrated site.

**17. LAND AT THE REAR OF ACOMB EXPLORE,
FRONT STREET, ACOMB**

RECOMMENDED: That the Capital Programme be varied to bring forward the necessary funding for the acquisition of both sites into the 2009/10 Financial Year.

REASON: In accordance with the decision of the Executive to approve Option A and the requirements of the Council's Constitution regarding changes to the Capital Programme.

**18. REFERENCE BACK FROM FULL COUNCIL -
EQUAL PAY UPDATE**

RECOMMENDED: That Council consider and approve the recommendation made by the Executive at their meeting on 23 June 2009 in the light of the further information received.

REASON: In accordance with the resolution approved by Full Council on 9 July.

**A. SECONDARY EDUCATION PROVISION
ON THE EAST SIDE OF THE CITY**

RESOLVED: That Option A be approved and that the development of Burnholme Community College be maintained and supported by providing the additional funding required, as described in paragraphs 36-38 of the report, including £121k to be released from the Council's contingency.

REASON: Provided that the recent improvements in educational standards are maintained, and the school is able to be innovative and creative in

marketing itself, it is considered that Burnholme has a realistic chance of attracting and retaining additional students in future years.

**B. SELECTION OF A SUPPLIER FOR A
MANAGED VOICE AND DATA NETWORK**

RESOLVED: That Option 1 be approved and Supplier B appointed, on the basis of the agreed evaluation MEAT method.

REASON: To enable the Council to let a contract that will provide fast and resilient access to computer systems and to develop its network in the new Headquarters.

