

**Notice of meeting of  
Decision Session - Cabinet Member for Leisure, Culture & Social  
Inclusion**

**To:** Councillor Crisp (Cabinet Member)

**Date:** Tuesday, 13 March 2012

**Time:** 4.00 pm

**Venue:** The Guildhall, York.

**AGENDA**

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**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 12 March 2012**, if an item is called in before a decision is taken, or

**4.00 pm on Thursday 15 March 2012**, if an item is called in after a decision has been taken.

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

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Written representations in respect of items on this agenda should be submitted to Democratic Services by **Friday 9 March 2012 at 5.00 pm**.

**1. Declarations of Interest** (Pages 3 - 4)

At this point in the meeting, the Cabinet Member is asked to declare any personal or prejudicial interest that they might have in the business on the agenda.

**2. Minutes** (Pages 5 - 6)

To approve and sign the minutes of the meeting held on **14 February 2012**.

**3. Public Participation-Decision Session**

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **Monday 12 March 2012 at 5.00 pm**.

Members of the public may register to speak on :-

- an item on the agenda
- an issue within the Cabinet Member's remit;
- an item that has been published on the Information Log since the last session.

Information reports are listed at the end of the agenda.

**4. St Nicholas Fields Funding Agreement** (Pages 7 - 12)

This report is brought to the Cabinet Member to seek approval for a three year funding agreement to 31.3.2015 with the Friends of St Nicholas Fields for the management, upkeep and animation of the St Nicholas Fields Local Nature Reserve.

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

No items have appeared on the Information Log since the last meeting.

Democracy Officer:

Name- Judith Betts

Telephone No.- 01904 551078

Email-judith.betts@york.gov.uk

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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 on the agenda
- Any special arrangements
- Copies of reports

Contact details are set out above.

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## About City of York Council Meetings

### Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

**A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088**

### Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

### Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an

interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অর্ধাতে তথ্য জানানোর জন্য সব ধরণের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোভাষী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

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اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ میا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

*Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550*

## **Holding the Cabinet to Account**

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or Cabinet Member Decision Session) agenda. The Cabinet will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Cabinet meeting in the following week, where a final decision on the 'called-in' business will be made.

## **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

## **Who Gets Agenda and Reports for our Meetings?**

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

## **Cabinet Member Decision Session: Leisure, Culture and Social Inclusion**

Agenda Item 1: Declarations of Interest

The Cabinet Member, Councillor Crisp, declared a personal interest as a retired member of UNISON.

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City of York Council

Committee Minutes

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MEETING	DECISION SESSION - CABINET MEMBER FOR LEISURE, CULTURE & SOCIAL INCLUSION
DATE	14 FEBRUARY 2012
PRESENT	COUNCILLOR CRISP (CABINET MEMBER)
IN ATTENDANCE	COUNCILLORS AYRE & BARTON

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**31. DECLARATIONS OF INTEREST**

The Cabinet Member was asked to declare any personal or prejudicial interests that she might have had in the business on the agenda.

She declared her standing personal interest as a retired member of UNISON.

No other interests were declared.

**32. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during the consideration of an annex to Agenda Item 5 (York Explore Phase II: Appointment of a Design Team) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1,2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

**33. MINUTES**

RESOLVED: That the minutes of the Decision Session Cabinet Member for Leisure, Culture and Social Inclusion held on 10 January 2012 be signed by the Cabinet Member as a correct record.

**34. PUBLIC PARTICIPATION-DECISION SESSION**

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

Councillor Ayre made representations to the Cabinet Member and made comments about the consultation on the Council budget and proposed funding cuts.

**35. YORK EXPLORE PHASE II: APPOINTMENT OF A DESIGN TEAM**

The Cabinet Member considered a report which sought authority to appoint the design team for York Explore Phase II following a procurement exercise.

**RESOLVED:** That the appointment of Bissett Adams as the design team for York Explore Phase II be approved.

**REASON:** To progress the stage 2 HLF bid.

Councillor Sonja Crisp, Cabinet Member  
[The meeting started at 4.30 pm and finished at 4.36 pm].



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**Decision Session - Cabinet Member for  
Leisure, Culture and Social Inclusion**

13 March 2012

Report of the Assistant Director (Communities and Culture)

**St Nicholas Fields Funding Agreement**

**Summary**

1. This report is brought to the Cabinet Member to seek approval for a three year funding agreement to 31.3.2015 with the Friends of St Nicholas Fields for the management, upkeep and animation of the St Nicholas Fields Local Nature Reserve.

**Background**

2. St Nicholas Fields is owned by the City of York Council and has been leased to the Friends of St Nicholas Fields' since the mid 1990's. During that time the organisation has built an environment centre, developed the site to meet Local Nature Reserve standards, and in 2010 they were the first community organisation in York to gain the Community Green Flag Award. A success they repeated again in 2011.
3. In managing the site the Friends have two roles – day to day up keep – enabling York residents to have year round access to the 24 acres of green space; and, to provide or facilitate an environmental education programme covering environmental and conservation issues. In return the Friends have received funding from the Council; most recently through a three year service level agreement which ends on 31.3.2012. Under the agreement the Friends were paid £26,100 per annum
4. The Friends have a 25 year lease on the site which is due to be increased to 99 years in 2012. This will give the group greater security and to enable them to fund raise from a stronger position.

**Funding offer**

5. It is proposed to offer the Friends:
  - a three year agreement from 1.4.2012 to 31.3.2015

- a payment of £13,050 for the first six months
  - a payment of £11,983 for each of the following six month periods
6. This represents a cut in the payments of 8% per annum which is in line with changes to other recipients of Council grants. The impact of this is delayed for six months until October 2012.
7. In return for the grant Friends of St Nicholas Fields will
- Operate the York Environment Centre for the benefit of York residents
  - Undertake landscape maintenance and development projects to ensure the site meets the Community Green Flag award (or any replacement) standards
  - Provide a programme of community activities designed to encourage an understanding and use of the site including conversation work, educational activities, maintenance tasks and guided walks
  - Provide a range of learning opportunities for the community from York Environment Centre
  - Contribute to wider Council green space priorities for example in Bloom, Tremendous and local food production
8. The tasks and action required of the Friends are very similar to those contained in the preceding agreements. Where new priorities have been added the Friends have already been supporting or contributing to them outside of the formal agreement. In support of these requirements there are a series of grant conditions which are provided in Annex 1.

### **Consultation**

9. The Chief Executive of the Friends of St Nicolas Fields has been briefed on the process and prospects of securing a new three year funding agreement. This included discussion about the likely funding available to support the management of this site.

### **Options**

- 10 The options available to the Cabinet Member are:
- Option 1: Agree to the proposals set out in Paragraphs 5, 7 and 8.

Option 2: To offer a different level of funding to that proposed in Paragraph 5.

Option 3: Suggest further and/or alternative requirements to those set out Paragraphs 7 and 8.

### **Analysis**

11. Option 1 is recommended because this continues to provide support for the maintenance of the site, which in turn provides a base for the wider activities and opportunities provided by the Friends. Option 2 is not recommended as this may create greater financial uncertainty for the organisation and would also be out of line with others offers being made to the third sector. Option 3 is possible but would need further discussion with the organisation to check their capacity and ability to provide more or different services.

### **Council Plan**

12. The actions set out in the report contribute to the following corporate priorities as set out in the Council Plan 2011-15.
  - Building stronger communities - by encouraging and involving residents and users in green space design and management. And, by supporting the voluntary sector and creating volunteering opportunities.
  - Protecting the environment by enhancing green space for public, wildlife and habitat benefit and making spaces more accessible.

### **Implications**

13. **Financial** – The proposed 8% reduction in funding will contribute to the directorate savings requirement and provide financial stability for the Friends of St Nicholas Fields over the next three year period.
14. **Legal and Property** - Where specific projects have property implications e.g. lease or lettings Legal and Property Services will be involved in any arrangements.
15. **Equalities** – An equality impact assessment will be undertaken prior to the formal offer of funding.
16. There are no Human Resources, Crime and Disorder, or Information Technology implications arising from this report

### Risk Management

17. Failure to continue support the Friends of St Nicholas Fields could result in the Council having to take on the day to day management and upkeep of the site. This would be an additional burden on the Communities and Neighbourhoods staff resources. It is very doubtful if the same level care could be achieved due to the amount of voluntary labour and support that the Friends draw in.

### Recommendation

18. The Cabinet Member is asked to approve Option 1 – to offer the Friends of St Nicolas Fields a three year funding agreement as set out in Paragraphs 5, 7 and 8 for the management of St Nicholas Fields Local Nature Reserve.

Reason: To meet the ambitions of the Council Plan to support communities managing their own green spaces.

### Contact Details

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>				
Dave Meigh Head of Parks and Open Spaces Communities and Neighbourhoods Tel No. 01904 553386	John Goodyear Assistant Director (Environment)				
	<b>Report Approved</b>	✓	<b>Date</b>	1.3.12	
<b>Specialist Implications Officer(s):</b> N/A					
<b>Wards Affected:</b>				All	✓
<b>For further information please contact the author of the report</b>					

**Background Papers:** None.

See [www.stnicksfields.org.uk](http://www.stnicksfields.org.uk) for information about the site and the Friends activities

Annex 1 – Grant Conditions

## Annex 1 – Grant Conditions

- The grant will be used only for the purpose stated in the application. If at any time you wish to use the grant for a purpose other than stated you must gain approval from City of York Council.
- If the organisation is found to falsify any information it will result in all or part of the funds being withdrawn by City of York Council.
- Should the organisation disband during the grant period, then City of York Council may ask for all or a proportion of the monies to be paid back.
- The organisation shall be responsible for ensuring it complies with all statutory and legal obligations (e.g. health and safety, licensing, insurance, building regulations, planning consents, equalities) applicable to the activities funded by the grant.
- The organisation shall indemnify the City of York Council in respect of claims arising out of the provision of the activity funded by the grant, with the level of the indemnity being no less than five million pounds. Copies of policy documents must be made available on request.
- The organisation will acknowledge the financial support of the City of York Council in all communications with the media. The City of York Council logo, and any other Council logo as appropriate, must be used on all printed material (e.g. posters, flyers and programmes) and online.
- The organisation will ensure that staff, visitors or volunteers who work directly with children and vulnerable adults must have an enhanced Criminal Records Bureau (CRB) check. CRB checks should be received and confirmed as satisfactory prior to any work being undertaken.
- Those whose role does not generally involve direct contact with children or vulnerable adults, but who may be alone unsupervised with children or vulnerable adults, must have a Standard CRB check. For more information [www.crb.gov.uk](http://www.crb.gov.uk)

- Provision must be made for up to date accounts to be kept by the organisation, and for those accounts to be audited annually by a competent person independent of the organisation.
- Where there is a breach of any of the conditions the City of York Council reserves the right to claim back any grant aid.
- Organisations must make arrangements for performance monitoring and evaluation of the activities funded by the grant and submit monitoring reports as prescribed by the Council's client officer.