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MEETING	CABINET
DATE	8 JANUARY 2013
PRESENT	COUNCILLORS ALEXANDER (CHAIR), CRISP, GUNNELL, LEVENE, LOOKER, MERRETT AND SIMPSON-LAING (VICE- CHAIR)
IN ATTENDANCE	COUNCILLORS BARTON, FITZPATRICK, HEALEY, STEWARD, TAYLOR AND WATSON
APOLOGIES	COUNCILLOR WILLIAMS

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#### **71. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. No interests were declared.

#### **72. MINUTES**

RESOLVED: That the minutes of the last meeting of Cabinet held on 4 December 2012 be approved and signed by the Chair as a correct record.

#### **73. 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, and that one Member of Council had requested to speak on an agenda item.

Andrea Dudding spoke in relation to Agenda item 6 (The Co-operative Council: A Community Benefit Society for Libraries and Archives). She reiterated information sent in a letter to Cabinet Members, on behalf of Unison, opposing the proposal to create a community benefit society for the delivery of this service. Recent cuts had left the service unable to find further efficiencies and it was not felt viable to provide future services in

this manner. Unison had not been convinced by the arguments put forward, in particular the weightings provided in the options appraisal and also the lack of certainty in gaining funding. Concern was expressed at the lack of consultation and buy in to the proposals which had left staff feeling fearful and powerless.

Cllr Brian Watson spoke in relation to Agenda item 9 (York Museums Trust Scrutiny Review Final Report) confirming his full support for the topic and the methods undertaken in the scrutiny review. He pointed out that, although a large final report anything less would not have done the subject justice. The Task Group had all worked hard to support the review with the help of officers who had provided all information requested. Finally he thanked Officers for their input and, in particular the Scrutiny Officer who had supported their work.

#### **74. FORWARD PLAN**

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

#### **75. LOCAL GOVERNMENT FINANCE SETTLEMENT UPDATE**

Members received a report which provided an analysis of the Local Government Finance Settlement, announced on 19 December 2012, with the final settlement due at the end of January, and an update on the status of the Leeds City Region (LCR) pool.

Information on the key themes of the new funding system, following changes arising from the 2011 Localism Bill, were set out in detail at paragraph 3 of the report. With the main changes to the settlement for 2013/14 being:

- A loss of £4m compared to the Formula Grant funding received in 2012/13.
- As a tariff authority York would have to levy a rate of 49%, for every £1 of growth in the city, with only 25.5p retained locally.
- The Revenue Support Grant allocation would reduce between £5m and £6m or a loss of 14-16%.
- £20m of cost savings would need to be delivered over the next 2 years.

Following agreement to the Council's participation in the designated Leeds City Region business rates pool the Department for Communities and Local Government had now approved the designated pool. Data relating to the pool was however still being released and Members were therefore asked to allow the Leader, with advice from the Director of CBSS, to make the final decision following receipt of all the information, with a report back to Committee in February.

The Cabinet Member reported on future funding difficulties and the additional cost pressures of Adult Social Care. The retention of business rates locally however would allow the potential of assisting financial growth.

RESOLVED: That Cabinet:

- i) Note the provisional Local Government Finance Settlement figures;
- ii) Agree to the Leader, on the advice of the Director of Customer & Business Support Services, deciding on how to proceed with the council's involvement in the LCR business rates pool.<sup>1</sup>
- iii) Delegate approval of the annual NNDR1 (National Non Domestic Rates) form to the Director of Customer & Business Support Services.<sup>2</sup>

- REASON:
- i) To inform financial planning decisions for the 2013/14 and 2014/15 budgets.
  - ii) So that the council's income from the business rates retention scheme is maximised.
  - iii) So that process for Council Tax and business rates are aligned and so that the council can submit business rates figures to Central Government as and when requested.

Action Required

- 1. Provide necessary advice to Leader. IF
- 2. Approve the annual NNDR1 form. IF

**76. THE CO-OPERATIVE COUNCIL: A COMMUNITY BENEFIT SOCIETY FOR LIBRARIES AND ARCHIVES**

Consideration was given to a report which examined the results of an appraisal carried out by Officers into future options for running the Council's Libraries and Archives Service, in response to a Council Plan priority. This included details of the outcome of consultation and the successful application for assistance from the Cabinet Mutual Support Programme.

Details of public consultation undertaken via a questionnaire together with the results were reported at paragraphs 9 to 18 of the report, with the feasibility study, options considered and analysis at paragraphs 19 to 26 and at Annex1.

The vision for the community benefit society would build upon the success of the existing Explore concept with the development of a range of "explore community hubs". Governance of the society would be by way of a legal document and a Board of Directors with membership of the society being open to anyone over the age of 16 years. The business case, development costs and full implications were reported at paragraphs 42 to 72.

The report concluded that the service could benefit from becoming a social enterprise subject to further investigation and development.

The Cabinet Member confirmed that this service was not viable in the long term, in its present form, following recent budget cuts. Widespread consultation had been undertaken and staff involvement had been ongoing and their comments incorporated in the report.

The Leader pointed out that York was the first authority in the country exploring this concept and that they would seek to provide the best service delivery model to provide the service. Following further discussion it was

**RESOLVED:** That Cabinet agree to:

- i) Development of a business plan for a potential community benefit society for the Council's libraries and archive services.
- ii) The establishment of a shadow board for the purpose of taking forward this work.

- iii) Further engagement with the public and with staff on the proposal.
- iv) Present a report back, following the above, to identify whether it would be in the overall interests of the Council to transfer the Libraries and Archives service to a community benefits society. <sup>1</sup>.

REASON: To identify the best delivery model for libraries and archive services in York.

Action Required

1. Develop business plan, establish shadow board and undertake further engagement prior to report back to Cabinet.

CC, FW

**77. ACCESS YORK PARK AND RIDE FUNDING APPLICATION**

Consideration was given to a report which asked Members to approve the submission of the Access York Full Approval application to the Department for Transport (DfT) to enhance the Park & Ride network, critical for the future economic prosperity and environmental wellbeing of the city.

Tenders received, although within the overall project budget allocation, were not however at a level to provide an adequate contingency allowance. In order to cover these minor adjustments to the project a funding increase was recommended. Details of the overall funding provision and the need for DfT approval prior to the end of the 2012/13 financial year, to enable work to commence in March 2013, were set out in paragraphs 6 to 23 of the report.

Depending on when Full Approval for the scheme was received the current Capital Programme profile would require variation with an additional £750k required from the Economic Infrastructure Fund in 2012/13 to ensure delivery of this project. Further information on the budget profile, acceptance of the tender and advance site clearance and utility works were set out at paragraphs 29 to 44.

The Cabinet Member confirmed that this would be the largest transport scheme undertaken in the York area for several decades, serving the A59 corridor including York Central and the British Sugar sites.

RESOLVED: That Cabinet agree to approve the following in relation to this scheme:

- i) Submission of the Full Approval Application to the Department for Transport. <sup>1.</sup>
- ii) An increase in the local contribution to the scheme of up to £750k from the Economic Infrastructure Fund and a re-profile of the Capital Programme where necessary. <sup>2.</sup>
- iii) Commencement of advance site clearance.
- iv) Commencement of advance utility diversions. <sup>3.</sup>
- v) Delegation of the acceptance of the Most Economically Advantageous Tender to the Director of City and Environmental Services in consultation with the Cabinet Member for Transport, Planning and Sustainability. <sup>4.</sup>

REASON: To enable the delivery of the Access York project to programme.

Action Required

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| 1. Submit application to DfT.  | TC     |
| 2. Arrange for reprofiling of Capital Programme.                           | TC     |
| 3. Arrange for advance site clearance and utility diversions.              | TC     |
| 4. Note delegation of acceptance of tender to Director and Cabinet Member. | TC, DR |

**78. TENANCY STRATEGY**

Members considered a report which confirmed the requirement in the Localism Act 2011 for Local Authorities to publish a tenancy strategy for social rented properties by the end of January 2013.

The draft Strategy (attached at Annex 1 of the report) had been prepared following consultation with a wide range of people and organisations and although intended to last for 5 years it was proposed to provide an annual review.

Consideration was given to the following options with an analysis of each being set out at paragraphs 5 to 14 of the report:

Option one – To adopt the strategy as set out in Annex 1.

Option two – To ask officers to revise the document

The Cabinet Member reported further on the new ways of working and the issues arising.

Following further discussion it was

**RESOLVED:** That Cabinet agree to Option 1, to adopt the Tenancy Strategy as set out in Annex 1 of the report.<sup>1</sup>

**REASON:** The strategy takes into account the views of key stakeholders, including local social landlords and seeks to utilise the new freedoms and flexibilities offered by the Localism Act to address housing needs. It is a requirement for the local authority to have a tenancy strategy.

#### Action Required

1. Implement guidance contained in Tenancy Strategy.

TB

## **79. YORK MUSEUMS TRUST SCRUTINY REVIEW FINAL REPORT**

Consideration was given to the final report of the York Museums Trust (YMT) scrutiny review, attached at Annex 1 of the report.

The background to the review and its remit were set out at paragraphs 3 to 5 with the reviews conclusions and recommendations at paragraphs 6 and 7.

In the absence of Cllr Reid, Cllr Fitzpatrick as Vice Chair of the Scrutiny Committee presented the report and its recommendations following agreement of the full Committee and she commended it for Cabinet approval. She confirmed that although a large report it reflected the considerable work undertaken by the Task Group.

Cllr Taylor, as Chair of the Task Group, confirmed his interest in the topic which had been considered very worthy of investigation. He expressed his appreciation to staff for their help and, in particular, the Scrutiny Officer. He went on to explain how the Group had gone about their work with the outcome being very supportive of the YMT and Cabinet were requested to approve the recommendations.

The Leader questioned whether the remit of the scrutiny review been met and Cllr Taylor confirmed that this was part of an ongoing process and that accreditation standards were being met.

The Cabinet Member thanked the Task Group for their hard work and the production of such an in depth report. With little time to fully digest the contents, including the concerns raised, she requested additional time to review the report to gain a better understanding prior to approval of the recommendations. As the Cabinet Member responsible for this area she required a clear audit trail and evidence base to back up the Committee's recommendations.

Task Group Members reiterated that the recommendations had received the approval of the full Scrutiny Committee but confirmed their willingness to undertake further discussions with the Cabinet Member in order to clarify any ambiguous points. They did however point out that any changes would require the agreement of the full Scrutiny Committee.

Following further discussions it was

RESOLVED: That Cabinet agree to:

- i) Note the contents of the final report.
- ii) Request the Assistant Director (Communities, Culture and Public Realm) to arrange a meeting, at the earliest opportunity, of the Scrutiny Task



Group, the Cabinet Member for Leisure, Culture and Tourism and Officers to go through the review recommendations in more detail to enable a report back to the Leisure, Culture and Overview Committee on 23 January 2013. <sup>1</sup>.

- iii) Delegate approval of the final recommendations of the review to the Cabinet Member for Leisure, Culture and Tourism at a future Decision Session. <sup>2</sup>.

REASON: To conclude the Scrutiny Review in line with CYC Scrutiny procedures and protocols

*[Cllr Levene abstained from the discussion and voting on this report as a previous member of the Scrutiny Task Group]*

Action Required

1. Arrange review meeting, at earliest opportunity, with view to reporting back to LC&T O&S Committee on 23 January.

CC

Cllr J Alexander, Chair

[The meeting started at 5.00 pm and finished at 6.35 pm].