

CABINET

TUESDAY, 3 MARCH 2015

DECISIONS

Set out below is a summary of the decisions taken at the Cabinet meeting held on Tuesday, 3 March 2015. 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 **4.00pm on Thursday 5 March 2015.**

If you have any queries about any matters referred to in this decision sheet please contact Jill Pickering T:(01904) 552061, E: jill.pickering@york.gov.uk.

5. Graduate Business Start-Ups, Entrepreneurialism and Higher Value Jobs Scrutiny Review Final Report

Resolved: That, having considered the final scrutiny report and its annexes, Cabinet agree to note the Task Groups recommendations and to pursue these as part of the work streams for Make it York and the Economic Strategy.

Reason: To conclude the Scrutiny Review in line with City of York Council scrutiny procedures.

6. The Council's Housing For Older People Programme

Resolved: That Cabinet agree to:

- (i) A new approach to the provision of accommodation with care for older people which, subject to approval of the detailed business case:
 - makes best use of the existing Sheltered Housing with Extra Care accommodation owned by the Council by changes to

allocations and lettings, staffing changes and capital investment so that residents with care needs, including those with complex needs and those with dementia, can be accommodated;

- authorises officers to develop the business case for an integrated care, health, housing and community facility on the Burnholme School site so that residents with care needs, including those with complex needs and those with dementia, can be accommodated alongside health, sports, library, nursery, other community facilities and family housing.
- supports and encourages the independent sector to develop and provide additional care beds by use of block-purchase, help, advice and (if viable) grants or loans so that residents with care needs, including those with complex needs and those with dementia, can be accommodated;
- authorises officers to seek funding opportunities for, and if necessary an Registered Social Landlord partner to develop, a newly built Extra Care and Health Hub in Acomb on a site made vacant by the closure of an existing Council-run Older Persons' Home (OPH), foregoing a capital receipt for the site;
- allocates the development site at Lowfields for housing use which would include homes to rent and to buy for older residents who down-size from a family home as well as family housing, subject to obtaining a capital receipt for the land;
- authorises the potential disposal and development of up to four sites made vacant by the closure of existing Council-run OPHs for housing use which would include homes to rent and to buy by older residents who down-size from a family

home, subject to obtaining a capital receipt for the land and also the disposal of the remaining sites when they become vacant in accordance with the Council's disposal policy; and

- agrees to the development of a detailed business case which sets out how all of the above proposals can be funded either within existing budget provision or by a combination of council and other external funding.

- (ii) Approve the use of unspent project management funds allocated for this purpose in 2013 to facilitate moving forward this programme of work, with further costs to be included in the business case for specific activities in the plan.
- (iii) Receive further reports to update Cabinet on progress of these plans and to submit for approval the detailed business case for the Burnholme development and other investments.
- (iv) Abandon the procurement of care homes at Burnholme and Lowfields (plus a Community Village and Community Hub) on the grounds of unaffordability.

Reason: (i) To provide suitable accommodation, ideally in a community setting, for the city's older residents including those with complex care needs, those with dementia and those moving out of, or diverted from moving to, existing Council-run OPHs which are no longer fit-for-purpose.

(ii) So that the project can progress.

(iii) To ensure that Members are kept informed of progress and that the financial implications of investments in property are considered.

- (iv) That the procurement exercise was unable to provide a solution that fulfilled the Council's requirements within the financial resources available to the project.

7. York Outer Ring Road Improvement Scheme

Resolved: That Cabinet agree to instruct officers to progress Option 1 to continue the delivery of the Outer Ring Road Upgrade using funds allocated in 2015/16.

Reason: To maintain progress on the project pending the formalisation of the West Yorkshire plus Transport Fund.

8. Yorwaste Limited And Implementation Of The Teckal Exemption

Recommended: That Council be asked to confirm:

- (i) The City Council is supportive of the County Council's recommendation to its Executive that the County Council takes the steps necessary to facilitate Yorwaste Limited's obtaining Teckal compliant status.
- (ii) That delegated authority be given to the Director of Customer and Business Support Services (acting in consultation with the Director of City and Environmental Services and the Assistant Director (Governance & ICT) to:
 - to adopt new articles of association(as a shareholder of Yorwaste Limited) to evidence the control condition;
 - enter into a Shareholders Agreement with Yorwaste Limited and NYCC to evidence the control

condition;

- enter into a non binding collaboration agreement with Yorwaste Limited and NYCC and other such documents as necessary;
- take such steps and enter into such documents as necessary to approve the transfer of the shares of SJB Recycling Limited once satisfied that due diligence is complete and legal and financial advice has been provided identifying the most appropriate route;
- take any ancillary steps necessary to meet the control condition or the economic dependence condition required to assist Yorwaste Limited in achieving Teckal compliant status; and
- award future waste management to Yorwaste Limited without the need for a competitive procurement exercise if the tests required to make use of the Teckal exemption have been satisfied.

Reason: In order to facilitate Yorwaste Limited meeting the control condition and the economic dependence condition required to utilise the Teckal exemption thereby enabling the Council to award contracts for future waste management contracts to Yorwaste Limited without conducting a competitive procurement exercise.

9. Report On Interim Evaluation Of The Anti Social Behaviour Hub

Resolved: That Cabinet agree to note the progress on delivering the objectives set out within the November 2013 report in relation to the multi-

agency Anti-Social Behaviour Hub.

Reason: To ensure that the council actively addresses the issue of ASB on our communities.

10. Economic Infrastructure Fund

Resolved: That Cabinet approves the use of £25,000 from the Economic Infrastructure Fund to fund work to create a Business Improvement District in the City Centre of York.

Reason: To unlock significant investment and to support the Council Plan priorities of creating jobs and growing the economy.

11. Leeds City Region

A. Governance Arrangements - Business Rates Pool

Resolved: That Cabinet agree to:

- (i) Appoint the Leader of the Council to a new joint committee in relation to the Leeds City Region Business Rates Pool from 1st April 2015 until the 2016 Annual Meeting, such joint committee to consist of the Leader of each Pool authority, and to have the terms of reference set out in Annex 1 of the report;
- (ii) Approve the revised governance agreement for the Business Rates Pool as set out in Annex 2 of the report.

Reason: To enable appropriate governance arrangements to be in place following the winding up of the Leader's Board.

B. LEADERS' BOARD

Resolved: That Cabinet agree to:

- (i) Note that the Leeds City Region Leaders' Board endorsed the proposal to dissolve itself on 31 March 2015, and that the West Yorkshire Combined Authority has resolved to appoint a Leeds City Region Partnership Committee to be established on 1 April 2015;
- (ii) Dissolve the City Region Leaders' Board on 31 March 2015;
- (ii) Delegate authority to the Assistant Director of Governance and ICT to take all necessary steps to dissolve the Leeds City Region Leaders' Board.

Reason: To enable revised governance arrangements to take effect for the Leeds City Region.

12. Delivering Marketing, Culture, Tourism And Business Development - Make It York

Resolved: That Cabinet agree the legal framework and governance arrangements, as set out in the report, prior to the company trading.

Reason: To finalise the new approach to delivering marketing, culture and tourism and business development in the city and to enable the company to trade from 1 April 2015.

13. Recommendations Of Local Plan Working Group - Wheldrake Village Design Statement And Strensall With Towthorpe Village Design Statement

Resolved: That Cabinet agree to note the Local Plan Working Group minutes, from their meeting held on 29 January 2015, and approve the Wheldrake

and Strensall with Towthorpe Village Design Statements, as draft Supplementary Planning Documents to the emerging Local Plan together with the recommended delegations.

Reason: To fulfil the requirements of the council's Constitution in relation to the role of Working Groups.

14. Local Flood Risk Management Strategy

Resolved: That Cabinet approve the York Flood Risk Management Strategy at Annex 1 of the report.

Reason: To ensure the Council is compliant with its duties in the Flood and Water Management Act (2010) and to ensure that we have a Local Flood Risk Management Strategy that can drive future flood risk investment needs.

15. 2014/15 Performance Monitor Quarter 3

Resolved: That Cabinet agree to note the Council's current performance against its key priorities, from 1 April to 31 December 2014.

Reason: To update Members on the performance of the Council in relation to the priorities set out in the Council Plan.