
MEETING	EXECUTIVE
DATE	6 JULY 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, REID AND RUNCIMAN
APOLOGIES	COUNCILLOR MORLEY
IN ATTENDANCE	COUNCILLORS CRISP, HEALEY, HUDSON, KING AND PIERCE

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

14. 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. No interests were declared.

15. MINUTES

RESOLVED: That the minutes of the Executive (Calling In) meeting held on 15 June 2010 and the Executive meeting held on 22 June 2010 be approved and signed by the Chair as a correct record.

16. PUBLIC PARTICIPATION / OTHER SPEAKERS

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme, and two requests to speak from Council Members.

Andrew Pringle spoke in relation to agenda item 8 (Water End Councillor Call for Action). He highlighted the impact of the Water End Cycle Scheme on residents of Westminster Road and The Avenue, due to traffic being diverted onto these roads and urged the Executive to consider the use of point closure, in addition to the other mitigation measures suggested by the Task Group.

David Hughes also spoke in relation to agenda item 8, on behalf of residents of Westminster Road. He supported the comments of the previous speaker and suggested that point closure could be used flexibly according to the traffic flow at different times of the day.

Cllr King also spoke on agenda item 8, as Ward Member for Clifton. He urged the Executive to support the recommendations of the Task Group,

which had been set up in response to the views of local residents, and to take action to address a problem which had been caused by the Council.

Cllr Healey spoke on agenda item 6 (Community Stadium Business Case). He asked a series of questions in relation to the revenue costs of the stadium. The Director of City Strategy agreed to supply responses to these questions after the meeting.

17. 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.

18. MINUTES OF WORKING GROUPS

Members considered a report which presented the minutes of meetings of the Local Development Framework (LDF) Working Group and the Mansion House and Mayoralty (MHM) Advisory Group and asked them to consider the advice given by the Groups in their capacity as advisory bodies to the Executive.

Minutes of the following meetings were presented:

- MHM Advisory Group – meetings on 24 February and 21 April 2010
- LDF Working Group – meetings on 22 March and 12 April 2010

Members were asked to consider in particular the following recommendation contained in Minute 11 of the MHM Advisory Group meeting on 21 April:

“That the Executive be requested to recommend to Council that it approve the proposed revisions to Article 5 of the Constitution, as agreed by members of the Advisory Group (attached as Annex A to the minutes”.

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

RESOLVED: (i) That the minutes of the LDF Working Group and the Mansion House and Mayoralty Advisory Group be noted.

(ii) That, in the light of the recommendations from the Mansion House and Mayoralty Advisory Group, that the Audit & Governance Committee consider the changes to the Constitution relating to Paragraph 6 and the roles and functions of the Deputy Lord Mayor, Lord Mayor and Sheriff.¹

REASON: To fulfil the requirements of the Council’s Constitution in relation to the role of Working Groups and changes to the Constitution.

Action Required

1. Prepare report for Audit & Governance Committee on Constitutional changes DS

19. COMMUNITY STADIUM BUSINESS CASE

[See also under Part B minutes]

Members considered a report which presented a summary of the business case for a community stadium. Further information was provided in the annexes to the report, which drew on more detailed feasibility work and studies that had been commissioned. An additional annex (Annex 15), setting out Officers' responses to questions raised by Council Members and responses received to on-line public consultation, had been published on the Council's website and was circulated at the meeting.

The report illustrated that there was a cost effective, commercially sustainable business case for the development of a community stadium in York which would meet the project objectives whilst maximising the potential for external funding, income generation and community benefits. However, delivery of the project was entirely dependent upon the ability to close a funding gap of between £4m and £15m, principally by means of enabling development. Options for closing the funding gap, were examined in paragraphs 76 to 105 of the report.

As a minimum, the project could deliver a stadium and county standard athletics facilities. There was a strong case for the inclusion of additional components to ensure social and economic benefits. The facilities considered had been determined as either 'essential' or 'desirable' and the following two facility mixes had been established, with the potential to include the additional options of flexible office space, commercial health & fitness and a cycle track:

Facility Mix A – 6,000 all-seat stadium, athletics off site

Facility Mix B – as above, plus 3G pitches and a budget hotel.

A site selection exercise had identified the following site options for the stadium, as detailed in paragraphs 67 to 74 of the report and in annexes 1-5:

Site 1 – Bootham Crescent / Dunscombe Barracks

Site 2 – Hull Road / Heslington East

Site 3 – Mille Crux / Nestlé North

Site 4 – Monks Cross

Having noted the comments of the Labour Group Spokespersons on this item and the additional information provided in Annex 15, it was

RESOLVED: (i) That, having considered the options and findings of the Business Case prepared by Officers and noted the site preferred by the Council's partner organisations, the view that Monks Cross be developed as the location for the new City of York Community Stadium and that new athletics facilities be

provided at the City of York Sports Village on Hull Road be endorsed.¹

REASON: In accordance with the evidence presented in the Business Case.

(ii) That the Director of City Strategy be asked to develop a procurement strategy that will enable the delivery of the community stadium and its component uses on a prioritised basis, to ensure the delivery of the highest quality and most commercially sustainable development with the greatest community benefit, which can be delivered with the most cost-effective use of resources and in the shortest time frame.²

REASON: To ensure the delivery of a high quality facility and the most efficient use of resources.

Action Required

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| 1. Take steps to progress the scheme at these selected locations | TA |
| 2. Take steps to develop a procurement strategy as agreed | BW |

20. YORK SPORTS VILLAGE SWIMMING POOL

Members considered a report which set out a proposal from the University of York to provide a competition standard swimming facility for the City, to be located adjacent to the Grimston Bar Park & Ride site.

Key deliverables of the Council's current swimming facilities strategy, agreed in October 2007, included a partnership with the University of York to deliver a competition standard swimming pool, with full public access, as part of their 'York Sports Village' development. The requirement for a pool was included in the University's Section 106 agreement in respect of the development but the University was not in a position to complete the facilities within its own resources and there was no required end date for delivery.

The proposal now was for the Council to provide a one-off capital contribution of £3m, in exchange for a 25 year agreement with the University on the terms set out in Annex D to the report. This, added to £5m provided by the University and £1m external grant funding, would enable a pool and fitness facilities to be built to a high specification, with public access as required. The facility would be maintained and run by the University, at no revenue cost to the Council. It was recommended that this proposal be accepted. The alternative would be for the Council to act alone to develop a pool, which would cost upwards of £17m in capital outlay, as well as taking longer and requiring ongoing revenue subsidy.

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

RESOLVED: (i) That the University's partnership proposal, including the allocation of a £3m capital grant, be agreed. ¹

(ii) That the draft heads for the legal agreement set out in Annex D be noted and that authority be delegated to the Head of Legal Services to finalise the heads and conclude the agreement. ²

REASON: To further the City's swimming strategy and to create excellent facilities for the people of York to use.

(iii) That Officers and the University of York be thanked for the progress that has been made in bringing this proposal forward to deliver the pool.

Action Required

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| 1. Take any necessary steps to progress the partnership agreement | CC |
| 2. Finalise and conclude the partnership agreement | AD |

21. WATER END COUNCILLOR CALL FOR ACTION

Members considered a report which presented the findings of the Economic & City Development Overview & Scrutiny Committee Task Group set up to examine a Councillor Call for Action submitted by Councillors Scott, King and Douglas, in relation to traffic issues at the junction of Water End and Clifton Green, Westminster Road, The Avenue and Clifton Green. Councillor Hudson, as Chair of the Task Group, was in attendance to present the report.

The three recommendations arising from the review were set out in paragraph 5 of the cover report and paragraph 137 of the Task Group's final report, attached as Appendix 1. Clarification on the first of these recommendations, as requested by the Executive Member for City Strategy at a Decision Session on 1 June 2010, was provided in paragraph 9 of the cover report.

Members were reminded of the advice given in respect of the final report by the Executive Member for City Strategy at his Decision Session on 1 June, which had subsequently been called in and later endorsed at the Executive (Calling In) meeting on 15 June.

Having noted the comments made on this item under Public Participation, the comments of the Labour Group Spokespersons and the additional written comments of Cllr Scott circulated at the meeting, it was

RESOLVED: (i) That the advice of the Executive Member for City Strategy to agree the Task Group's recommendations (ii) and (iii), be accepted. ¹

(ii) That Officers be instructed to undertake, on a trial basis, the installation of chicanes on Westminster Road, with a view to establishing what effect they have on vehicle volumes and speeds.²

(iii) That Officers be requested, in line with the recommendations of the Task Group, to bring forward for public consultation proposals which would see a left turn general traffic lane provided at the Water End junction, on the basis that such a proposal would also retain a discrete cycle lane or path. It is recognised that such a project could have significant financial, conservation and road safety implications, all of which would have to be highlighted in any Officer report before a final decision on implementation could be made.³

REASON: In order to provide an appropriate response to the findings of the Task Group and the views expressed by other interested parties.

Action Required

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| 1. Make arrangements to modify current traffic models and review policy in accordance with Task Group recommendations (ii) and (iii) | RW |
| 2. Make arrangements to trial the installation of chicanes on Westminster Road | RW |
| 3. Bring forward proposals for consultation as agreed | RW |

22. FORWARD PLAN REVIEW FINAL REPORT

Members considered a report which presented the findings of the Effective Organisation Overview & Scrutiny Committee following their review of the effectiveness of the Executive Forward Plan.

The six recommendations arising from the review were set out in paragraph 6 of the cover report and paragraph 27 of the Scrutiny Committee's final report, attached as Annex 1.

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

RESOLVED: (i) That the contents of the final report and its annex be noted.

(ii) That the recommendations of the Scrutiny Committee, as shown in paragraph 6 of the cover report, be approved.¹

REASON: In order to provide an appropriate response to the findings of the Scrutiny Committee and improve the effectiveness of the Forward Plan.

Action Required

1. Take steps to implement the Scrutiny recommendations in respect of the Forward Plan DS

23. CHANGING EXECUTIVE ARRANGEMENTS

Members considered a report which sought their approval for proposed consultation arrangements prior to the determination of changes to the Council's Executive arrangements under The Local Government and Public Involvement in Health Act 2007 (the Act).

The Act required local authorities in England to operate one of two executive (or cabinet) models, namely:

- elected mayor (elected by the whole city electorate) and cabinet
- 'new style' leader (elected by the council) and cabinet

Differences between the 'new style' leader model and the current leader and cabinet model were summarised in paragraph 7 of the report.

Before taking a decision on which of the models to adopt, the Council must consult with electors and other interested persons in York, draw up proposals for the change and make a formal resolution no later than 31 December 2010. Proposed consultation arrangements were set out in paragraph 14 of the report and included:

- consultation with each political group
- inviting responses to the consultation document via the press, public buildings and the Council's website
- an article in Your City and an informative to ward committees
- consultation through the Without Walls Partnership

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

RESOLVED: That the proposed consultation arrangements described within the report be supported, unless legislation removes the requirement for City of York Council to proceed with the changes to governance.¹

REASON: In accordance with statutory requirements.

Action Required

1. Make arrangements to implement the consultation, subject to changes in the legislation

AD

24. ORGANISATION REVIEW PHASE 2

Members considered a report which presented proposals and recommendations for the restructuring of roles at Assistant Director level across the Council.

The proposals were intended to achieve a smaller, more strategic management team, delivering more responsive, flexible and customer-focused services, an improved city-wide approach to securing economic prosperity for York, integrated service provision with partners and net savings of £1.658m. They had been shaped by feedback from extensive consultation, key findings from which were set out in paragraphs 10 to 16 of the report. The consultation briefing papers from each directorate were attached as annexes 1-5.

The proposals, set out in paragraphs 22 to 33, would reduce the number of Assistant Director (AD) posts by six. In respect of each directorate, they involved:

Chief Executive's Office – one AD, responsible for Policy, Performance & Partnerships.

City Strategy – three ADs, responsible for Economy & Asset Management, Strategic Planning & Transport and Planning & Sustainability (saving £85k).

Communities & Neighbourhoods – three ADs, responsible for Environment, Housing & Public Protection and Communities & Culture (including Equalities) (saving £170k).

Adults, Children & Education – five ADs, delivered over 2 phases, responsible for Adult Assessment, Adult Provision, Integrated Commissioning, Children's Social Care, School Organisation and School Improvement (saving £170k).

Customer & Business Support Services – three ADs, responsible for Financial Services, Customers & People and Legal & Governance (saving £85k).

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

RESOLVED: (i) That the proposals put forward for an Assistant Director structure, with functional responsibilities as determined in the body of the report, be approved.¹

(ii) That it be noted that the new Assistant Director posts will require grading through the Council's agreed grading structure and that this is to be delegated to the Head of Paid Services.

(iii) That a further report be brought to the Executive, with options to address the overall management of key capital projects.²

REASON: In order to achieve the objective of a smaller, more strategic management team providing more customer-focused services.

Action Required

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| 1. Take steps to implement the new AD structure | KE |
| 2. Schedule an options report on the Forward Plan for an appropriate Executive meeting | SH |

25. THE CORPORATE WORKFORCE PLAN 2010-2012

Members considered a report which introduced the first Corporate Workforce Plan for the City of York Council, setting out priority actions to take the Council's workforce through the challenging times ahead.

The Plan, attached as Annex 1 to the report, covered the period 2010-2012 and contained over 80 detailed actions to support the five strategic workforce objectives, namely: Transformation and culture change; Efficiency; Customers; Diversity; and Partnerships. Priority actions had already been identified for the first six months of the Plan, as detailed in paragraph 8 of the report. Implementation leads had been identified for each action, along with initial timescales. Monitoring would be in the same format as for the Corporate Strategy key actions, with an initial monitor in September 2010.

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

RESOLVED: (i) That the first Corporate Workforce Plan and its supporting Action Plan be endorsed.

REASON: To improve the Council's delivery of services to its customers.

(ii) That Officers be requested to include the following key aspects:¹

- a) Taking ownership of customer complaints;
- b) Ensuring that they are in a position to 'get things right first time';
- c) Working with the Social Inclusion Working Group to examine how the Council can ensure a wider range of applications for posts to assist with more closely reflecting the local population;
- d) Ensuring that any plans take into consideration closer working with partner organisations and neighbouring councils in the light of the Place Based Budgeting policy of the new government;
- e) Ensuring that expenditure on the Workforce Plan is kept to an absolute minimum and that Officers are mindful of the need to keep meetings in-house.

REASON: To ensure that the key focus of the plan is on outcomes that the public will see in the services they receive, and in line

with the principle that the Council should reflect the community that it serves.

Action Required

1. Include these key priorities in the Corporate Workforce Plan AW

26. PROPOSAL TO MERGE THE YOUTH OFFENDING TEAM WITH YOUNG PEOPLE'S SERVICES

Members considered a report which invited them to agree in principle to the merger of the Council's Youth Offending Team (YOT) and Young People's Services (YPS) under a combined Head of Service.

YOT was a statutory partnership service required for each local authority under the Crime & Disorder Act 1998. YPS had been formed in April 2008 by combining the former Youth Service with the Connexions Service. It was considered that a merger would enable the financial challenges affecting both services to be dealt with in tandem. It would also encourage a holistic approach to youth services and give priority to measures to prevent poor outcomes for young people, including NEET, homelessness, substance abuse and offending.

Consultation with staff had indicated broad acceptance of the merger, although some concerns had been raised, as detailed in paragraph 10 of the report. A written response to consultation from UNISON was attached at Annex B. It was suggested that the development of future work for the combined service be carried out by a single Head of Service reporting to a Project Board and ultimately to the Executive Member for Children & Young People. Further consultation with staff and stakeholders would also be needed and external advice had been commissioned to ensure that the Council drew on best practice from other authorities.

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

RESOLVED: (i) That the merger of the Youth Offending Team with Young People's Services, under a combined Head of Service, be agreed in principle and that approval be given to commence the HR processes associated with this.¹

(ii) That approval be given to the examination of a range of subsidiary structural, cultural and HR issues through a Project Board, with subsequent decisions being taken by the Executive Member for Children and Young People.²

REASON: To further the Council's strategic objectives in relation to young people and to ensure organisational resilience at a time of financial challenges.

Action Required

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| 1. Begin the HR processes associated with the merger | PM |
| 2. Set up Project Board and make arrangements to refer subsequent decisions to Executive Member | PM |

PART B - MATTERS REFERRED TO COUNCIL

27. COMMUNITY STADIUM BUSINESS CASE

See also under Part A minutes]

Members considered a report which presented a summary of the business case for a community stadium. Further information was provided in the annexes to the report, which drew on more detailed feasibility work and studies that had been commissioned.

The report illustrated that there was a cost effective, commercially sustainable business case for the development of a community stadium in York which would meet the project objectives whilst maximising the potential for external funding, income generation and community benefits. However, delivery of the project was entirely dependent upon the ability to close a funding gap of between £4m and £15m, principally by means of enabling development. Options for closing the funding gap, were examined in paragraphs 76 to 105 of the report. Further revenue funding was required to allow the project to progress to the procurement stage. £12k of previous LABGI allocations was available, in addition to the £186k received in 2009/10. Approval was therefore sought to use £198k of LABGI funding to progress the scheme.

As a minimum, the project could deliver a stadium and county standard athletics facilities. There was a strong case for the inclusion of additional components to ensure social and economic benefits. The facilities considered had been determined as either 'essential' or 'desirable' and the following two facility mixes had been established, with the potential to include the additional options of flexible office space, commercial health & fitness and a cycle track:

Facility Mix A – 6,000 all-seat stadium, athletics off site

Facility Mix B – as above, plus 3G pitches and a budget hotel.

A site selection exercise had identified the following site options for the stadium, as detailed in paragraphs 67 to 74 of the report and in annexes 1-5:

Site 1 – Bootham Crescent / Dunscombe Barracks

Site 2 – Hull Road / Heslington East

Site 3 – Mille Crux / Nestlé North

Site 4 – Monks Cross

RECOMMENDED: That Council approve the use of LAGBI money to the value of £198k to progress the scheme towards the procurement stage, with further costs being reviewed

as the project commences, subject to a future report back to the Executive or to full Council.

REASON: To enable the project to progress to the procurement stage.

28. YORK SPORTS VILLAGE SWIMMING POOL

[See also under Part A Minutes]

Members considered a report which set out a proposal from the University of York to provide a competition standard swimming facility for the City, to be located adjacent to the Grimston Bar Park & Ride site.

Key deliverables of the Council's current swimming facilities strategy, agreed in October 2007, included a partnership with the University of York to deliver a competition standard swimming pool, with full public access, as part of their 'York Sports Village' development. The requirement for a pool was included in the University's Section 106 agreement in respect of the development but the University was not in a position to complete the facilities within its own resources and there was no required end date for delivery.

The proposal now was for the Council to provide a one-off capital contribution of £3m, in exchange for a 25 year agreement with the University on the terms set out in Annex D to the report. This, added to £5m provided by the University and £1m external grant funding, would enable a pool and fitness facilities to be built to a high specification, with public access as required. The facility would be maintained and run by the University, at no revenue cost to the Council. It was recommended that this proposal be accepted. The alternative would be for the Council to act alone to develop a pool, which would cost upwards of £17m in capital outlay, as well as taking longer and requiring ongoing revenue subsidy.

RECOMMENDED: That Council approve an increase of £1m in the capital programme for the York Sports Village Swimming Pool (from the existing £2m), this to be financed from prudential borrowing, with the consequential revenue implications of £71k being accepted as committed growth for the 2011/12 budget.

REASON: To further the City's swimming strategy and to create excellent facilities for the people of York to use.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 3.15 pm].