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MEETING	EXECUTIVE
DATE	2 NOVEMBER 2010
PRESENT	COUNCILLORS WALLER (CHAIR), AYRE, STEVE GALLOWAY, MOORE, MORLEY AND RUNCIMAN
APOLOGIES	COUNCILLOR REID

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **94. 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.

Cllr Waller declared a personal interest in agenda item 6 (Childhood Obesity Scrutiny Review Final Report), as a governor of York High School and Westfield Primary School.

Cllr Runciman also declared a personal interest in agenda item 6, as a governor of Joseph Rowntree School and New Earswick Primary School.

At a later stage in the meeting, Cllr Morley declared a personal interest in agenda item 10 (Proposed Sale of Mansfield Street Garage), as one of the bidders was known to him professionally. Although he did not consider his interest to be prejudicial, he left the room during consideration of this item and took no part in the decision thereon.

### **95. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of Annex 3 to agenda item 10 (Proposed Sale of Mansfield Street Garage, Foss Islands Road), on the grounds that it contains information relating to the financial or business affairs of particular persons, which is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

### **96. MINUTES**

RESOLVED: That the minutes of the Executive meeting held on 19 October 2010 be approved and signed by the Chair as a correct record.

## **97. PUBLIC PARTICIPATION / OTHER SPEAKERS**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme, but a request to speak had been received from a union representative.

With the consent of the Chair, Heather Mackenzie, of UNISON, spoke in relation to agenda item 9 (Sustaining the More for York Programme and Creating the Office of the Chief Executive). She noted that the presentation of figures in the report and its annexes made it unclear exactly how much was expected to be saved by the departmental re-structure and highlighted the union's concerns about the speed with which the plans were being carried out, expressing the hope that there would be proper discussions and consultation with staff at all levels prior to implementation.

## **98. 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.

## **99. CHILDHOOD OBESITY SCRUTINY REVIEW FINAL REPORT**

Members considered a report which presented the final conclusions arising from the Childhood Obesity Scrutiny Review. Cllr Wiseman, the Chair of the Task Group that undertook the review, was in attendance to present the report.

The review had set out to examine whether current service provision was effectively reducing childhood obesity in the City. The Group's recommendations, summarised in paragraph 4 of the covering report and paragraph 101 of the final report at Appendix 1, had been approved by the Health Overview & Scrutiny Committee on 22 September 2010. They centred around the appointment of a dedicated lead officer responsible for promoting and leading on the childhood obesity agenda.

In considering the recommendations, Members noted that the NHS already had a Health Improvement Manager (Obesity) and that, although they would be happy to support the continuation of cross-agency working by means of a named lead officer, they felt there was no need for a new appointment to a dedicated post.

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

**RESOLVED:** (i) That, in respect of the Task Group's recommendation to appoint a dedicated lead officer responsible for promoting and leading on the childhood obesity agenda, the Executive recommends that the views of the Scrutiny report should be included in the re-structuring of the Council, so that there is

ultimately a named officer who is responsible for leading on the childhood obesity agenda.<sup>1</sup>

(ii) That the Task Group's remaining recommendations, specifying the objectives of the lead officer, be supported.

REASON: In order to respond appropriately to the Task Group's recommendations and to address the concerns raised when this scrutiny topic was originally submitted.

Action Required

1. Take action to ensure that the Scrutiny recommendations PD are fed into the re-structure

## 100. ACCOMMODATION PROJECT - UPDATE REPORT

Members considered a report which provided an update on the implementation of an Exit Strategy for those properties currently occupied by the Council, as part of the Accommodation Project for the new Headquarters building.

As requested at the Executive meeting on 20 July 2010, the report provided information on:

- Current accommodation lease termination and break clause dates
- The strategy for dealing with dilapidations
- The strategy to minimise the time between the Council's departure from the buildings and the lease termination dates
- How the risk of disruption to council services would be minimised during staff re-location to the new premises
- The financial benefits of the project, in simple terms, with further details of annual savings attached at Annex A.

Property Services had adopted two options for dealing with dilapidations:

**Option A** – negotiate a cash settlement with the landlord in lieu of carrying out the works. This was the preferred option, as is made budgeting easier and enabled the service to remain in occupation for longer.

**Option B** – carry out the works necessary to hand the property back in a state of repair in accordance with the terms of the lease.

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

RESOLVED: (i) That the progress being made with the Accommodation Project be noted.

REASON: To confirm that Members are being kept informed on this project.

(ii) That, in dealing with the dilapidations issues, Option A (a cash settlement in lieu of works) be supported.<sup>1</sup>

REASON: To provide greater financial certainty for the departure from rented properties, and because calculations show this method to be best value for council tax payers.

Action Required

1. Ensure that the preferred option for dealing with dilapidations is used when terminating leases PC

## 101. FLOOD AND WATER MANAGEMENT ACT

Members considered a report which provided advice on a number of flood-related issues arising from the recently enacted Flood and Water Management Act (FAWMA) and the Flood Risk Regulations 2009, and offered options on how the Council could respond to these pieces of legislation. Approval was also sought for a new Sandbag Policy (attached as Annex A), revised to take account of flooding from a number of sources, and not just river flooding.

The FAWMA and Flood Risk Regulations had placed a range of new duties and responsibilities on local authorities, the Environment Agency and other partners in relation to the management of flood and coastal risk. In particular the Council, as Lead Local Flood Authority (LLFA), was required to develop, maintain, apply and monitor a local flood risk management strategy in its area, covering flood risk from surface run-off, groundwater and ordinary watercourses.

The legislation would bring with it new financial and resource burdens. The government's original position that no additional funding would be needed now seemed to have shifted, following extensive lobbying, and it was suggested that funding might be provided through an Area Based assessment. York's need for additional staff resources arising from the new duties had been estimated at between 1.5 and 2.3 FTEs. A growth bid had been submitted to fund some initial work to scope the impact of the new burdens and Members were invited to consider whether to:

- Recognise the need for extra staff resources in the Structures and Drainage team so as to deliver the new duties (Option 1) or
- Revise the duties of the Structures and Drainage team to as to deliver the new duties without increasing staff resources (Option 2).

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

RESOLVED: (i) That the contents of the report, and the potential for expenditure growth, be recognised, and that the Executive will consider what additional resources might be allocated to deal with the new burdens arising from the Flood and Water Management Act, and the Flood Risk Regulations 2009, once the 2011/12 government grant settlement for the City is clearer.

REASON: In order to fulfil the Council's obligations under the Flood and Water Management Act and the Flood Risk Regulations 2009.

(ii) That Officers be requested to arrange for the Sandbag Policy to be published on the Council's website and for a suitable article summarising the Policy to be made available for publication in appropriate ward committee newsletters.<sup>1</sup>

REASON: To allow the efficient and effective distribution of sandbags in a flood emergency situation.

Action Required

1. Make arrangements to publish the Sandbag Policy on the RC website and publish summary in ward committee newsletters

**102. PROPOSED SALE OF MANSFIELD STREET GARAGE, FOSS ISLANDS ROAD, YORK**

Members considered a report which sought approval to dispose of Mansfield Street Garage to the highest bidder, following an analysis of the bids received.

The property in question had been let by the Council since 1996. In the light of its condition and the current economic climate, a decision had been taken to ask applicants for the lease if they were interested in purchasing the property. Two offers had been received, as set out in exempt Annex 1. Approval was now sought to accept the higher of these offers – offer A.

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

RESOLVED: That offer A, to purchase the property for the figure set out in Annex 1 to the report, be accepted and that the use of the sale proceeds to fund the capital programme be approved, thus generating a revenue saving to the Council.<sup>1</sup>

REASON: In order to obtain the best return on this property, which is no longer required by the Council.

Action Required

1. Accept the approved offer and make arrangements to conclude the sale PC

## **PART B - MATTERS REFERRED TO COUNCIL**

### **103. SUSTAINING THE MORE FOR YORK PROGRAMME AND CREATING THE OFFICE OF THE CHIEF EXECUTIVE**

Members considered a report which set out proposals for sustaining the More for York programme team over an extended period, in order to respond to the Comprehensive Spending Review and the cut in central government funding, and presented a new structure for the Office of the Chief Executive (OCE).

The push to reduce the national budget deficit, and the announcement of a 7.1% cut in central government grant, meant that savings in the region of £50m would now be required during the period 2010-2015. The More for York programme would be essential in delivering these savings, thus requiring investment to re-base the budget for the programme's team by:

- Revising the Venture Fund repayment schedule over the next 7 years, with annual repayments of £100k, as set out in Annex 1 to the report;
- Investing £600k of the £8m+ savings to be generated by the programme in 2011/12.

As part of the Organisation Review, the OCE was being re-shaped to make it more streamlined and effective. Services were being reviewed to ensure that the focus of the teams was on delivering savings and value to the customer-facing services. The proposal was to revise the structure to create three teams - Strategy Partnerships & Communications, Performance & Business Change, and a Commercial Procurement Hub. This would reduce the establishment by 13.1 FTE posts, delivering a cost reduction of over £638k. Details of the current and proposed structures were set out in Annex 2. Members were invited to note and comment on the revised structure.

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

**RECOMMENDED:** (i) That the Venture Fund be re-profiled as set out in Annex 1 to the report.

**REASON:** To repay the Venture Fund for work undertaken to deliver [Easy@york](#) Phase 2 and More for York Phase 1.

(ii) That approval be given to the ongoing use of £600k savings generated from More for York in 2011/12 to fund the More for York programme team as part of the Office of the Chief Executive.

**REASON:** To fund a programme team to deliver £50m savings over four years.

A Waller, Chair

[The meeting started at 2.00 pm and finished at 2.35 pm].