

**Notice of a public meeting of
Executive**

To: Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Rawlings, Runciman, Steward and Waller

Date: Thursday, 29 September 2016

Time: 5.30 pm

Venue: The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

Notice to Members – Post Decision 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 **4:00 pm on Monday 3 October 2016**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Policy and Scrutiny Committee.

1. Declarations of Interest

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. **Exclusion of Press and Public**

To consider the exclusion of the press and public from the meeting during consideration of the following item:
Annex 3 to Agenda Item 7 (Disposal of Grove House, Penley's Grove Street) on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information 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.

3. **Minutes** (Pages 1 - 14)

To approve and sign the minutes of the last Executive meeting held on 25 August 2016.

4. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Wednesday 28 September 2016**. Members of the public can speak on agenda items or matters within the remit of the committee. To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

Filming, Recording or Webcasting Meetings

“Please note this meeting will be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council’s protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at

http://www.york.gov.uk/download/downloads/id/11406/protocol_for_webcasting_filming_and_recording_of_council_meetings_20160809.pdf

- 5. Forward Plan** (Pages 15 - 26)
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.
- 6. New Council Homes - Newbury Avenue** (Pages 27 - 46)
This report provides an update on the additional consultation carried out at the Executive's request following concerns raised by a small number of residents regarding the approved planning application to build 9 apartments at Newbury Avenue. Members are asked to approve the development of 8 bungalows on the site.
- 7. Disposal of Grove House, Penley's Grove Street** (Pages 47 - 56)
This report seeks an Executive decision to select the highest bidder for the disposal of the former Older Persons Home at Grove House. This follows Executive agreement on 29 October 2015 to sell the site to generate a capital receipt to support the wider Older Persons Accommodation Programme.
- 8. Proposed Long Term Leases - Fishergate Postern Tower and Ovington Cricket Club, Little Knavesmire** (Pages 57 - 66)
This report seeks an Executive decision on granting two long term leases to Friends of York Walls at Fishergate Postern Tower and Ovington Cricket Club at Little Knavesmire, for Council owned land and buildings.
- 9. Application for Community Right to Bid under the Localism Act 2011 - White Rose House, Wheldrake** (Pages 67 - 84)
This report presents an application to list White Rose House, 79 Main Street, Wheldrake, owned by the Girlguiding Association as an Asset of Community Value under the provisions of the Localism Act. This matter was referred to the Executive by the Executive Member for Finance and Performance from his Decision Session on 15 August, following a request for further information, to enable Members to make an informed decision.
- 10. Progress toward a new Operating Model for Adult Social Care** (Pages 85 - 102)
This report provides an update on the progress to develop a new operating model for Adult Social Care. It highlights key developments and identifies a proposal for resourcing the next stage of work.

- 11. Council Owned Companies** (Pages 103 - 110)
This report builds on the report which the Executive considered at their meeting on 30 June 2016 and proposes detailed governance arrangements for Council companies with the establishment of a Shareholder Committee.

- 12. Urgent Business**
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

City of York Council

Committee Minutes

Meeting	Executive
Date	25 August 2016
Present	Councillors Carr (Chair), Aspden (Vice-Chair), Gillies, Rawlings, Runciman, Steward and Waller
Other Members participating in the meeting	Councillor Looker
In attendance	Councillors K Myers and Warters
Apologies	Councillors Ayre and D'Agorne

Part A - Matters Dealt With Under Delegated Powers

30. Declarations of Interest

Members were asked 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.

Councillor Waller declared a personal interest in relation to Agenda item 5 (Advertising 'A' Boards and other equipment on the Public Highway) as a member of the Acomb Traders Association.

Councillor Runciman also declared a personal interest in relation to the same Agenda item as her husband was a Volunteer Guide.

31. Minutes

Resolved: That the minutes of the Executive meetings held on 30 June and 14 July 2016 were approved and then signed by the Chair as correct records.

32. Public Participation

It was reported that there had been twelve registrations to speak at the meeting under the Council's Public Participation Scheme, two of which had subsequently withdrawn, and that one Member of Council had also requested to speak. The registrations were in respect of the following items:

Matters within the Remit of the Committee

Cllr Warters referred to current issues in connection with the Community Stadium project which he had raised with the Chief Executive and questioned alternative plans.

Advertising Boards, 'A' Boards and Other Equipment on the Public Highway

Cllr Warters spoke in support of the implementation of the 'A' Board policy but questioned the exemption of Micklegate.

Diane Rowarth spoke on behalf of York Blind and Partially Sighted Society expressing their complete support for the banning of 'A' Boards in the city. She referred to the difficulties encountered by those with mobility difficulties and expressed sympathy with traders suggesting that consideration should be given to more imaginative and effective methods of advertising businesses. She also asked for the involvement of pedestrians in the 12 month trial.

Ron Cooke spoke as Vice Chair of the Civic Trust following his involvement in this issue over a number of years. He expressed the Trusts full support for this evidence based initiative and thanked Officers for their comprehensive report and work.

Sophie Jewett spoke as the owner of the Cocoa House in Blake Street, confirming the contribution that small independent businesses made to both local residents and tourists. She referred to the outcome of the proposed policy on city businesses that already faced challenges from out of town centres and online shopping. She requested Members to extend the timeframe to find amicable solutions for all concerned.

Sean Gill spoke as the Manager of Og Games who were in their first year of trading in premises situated in an alley off Whip-Ma-Whop-Ma-Gate. He confirmed their reliance on A Boards and to

the effect removal would have on the business. He handed in a petition signed by 350 customers also expressing their concern and requesting the Council to amend the proposed ban on advertising boards to ensure that it only prevented the placement of hazardous boards, or boards in cluttered or unsafe locations.

Harry Baines spoke as the owner of Love Cheese in Gillygate and owner of an A Board which he felt added to the street scene. With a cafe and garden behind their premises he felt that the board drew in custom and the board had received no negative comments. He asked for discussion to assist in the positioning of the board and felt that a blanket ban was unnecessary.

Bob Towner spoke to represent the York Older People's Assembly and expressed the Assembly's full support for the proposals and the process to assist both older people and those with sight and mobility issues. He requested members to provide a consistent approach and include Micklegate in the policy.

Maqsood Sheikh spoke as the Regional Campaign Manager for the RNIB referring to the numbers who suffered sight loss each year. He referred to the numerous injuries sustained from A Boards in the last three months and to the effect on confidence this had. He also highlighted the obligations of the Council in relation to legislation and requested the Executive to support the ban.

Paul Lowman spoke to represent Inkwel a business in Gillygate and he outlined the effects that a ban on A Boards would have on small businesses in areas where there was already little passing trade. He highlighted a lack of consistency in respect of general obstructions on the cities streets. He requested consideration on a case by case basis.

Dawn Argyle spoke as the owner of the Luxury Ice Cream Company in Back Swinegate expressing her concern at the proposals. She referred to the success of A Boards, particularly as low cost advertising for small independent businesses to catch passing trade. She referred to the effect of a blanket ban on business and requested the licensing of A Boards or their use in connection with a cafe licence.

Capital Programme - Monitor 1 2016/17

Brian Watson spoke in respect of the Community Stadium and in particular to recent events affecting the cities football and rugby clubs. He referred to earlier agreements in relation to both clubs.

33. Forward Plan

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings, at the time the agenda had been published.

34. Advertising Boards ("A" Boards) and Other Equipment on the Public Highway

Consideration was given to a report which advised the Executive of work undertaken following its decision of 28 August 2015 for Officers to prepare a Consultation Draft Policy for 'A' Boards and undertake consultation prior to reporting back to the Executive.

Officers reported on the work undertaken by the cross party Officer group, which included a street audit, prior to circulation of the Consultation Document. The document had been sent out to a range of stakeholders and this had been followed by a consultation session. Wide ranging consultation had been undertaken on the potential licensing of 'A' Boards and the results of consultation had been reported at Annex B of the report.

Members noted that there was a general consensus in support of a more controlled form of advertising and the need for consistency. It was also noted that over and above the initial introduction costs that the cost of operating a licensed process would not impact upon existing budgets.

Officers also highlighted the implications arising from the introduction of the new policy, in particular that the policy addressed the Council's duties with respect to its Highway and Planning responsibilities. They also confirmed that the scope for licence application would be limited solely to Micklegate in view of current work being undertaken to revitalise this area of the city. In answer to earlier comments, Officers confirmed that they would provide a named Officer contact to the York Association

of Voluntary Guides in respect of the advertisement of their services.

Members referred to the short transition period and requested an extension to February 2016 to allow both Officers and businesses additional time for dialogue and implementation of the new arrangements. It was noted that a media awareness campaign would be undertaken with letters being sent to all businesses in the area and information provided on the Council's website.

Members expressed their support for the proposals and thanked Officers for their comprehensive report and work undertaken since the last report to the Executive. Members expressed their support for city businesses and independent traders and agreed that a trial of remote/shared 'A' Boards would provide feedback to enable Members to evaluate the success of the scheme.

Following further discussion consideration was given to the following options:

Option A - implementation of the Draft Policy (Appendix A), and the prohibition of 'A' Boards (and all other comparable advertising materials/features placed on the highway) within the streets shown on the plan.

Option B – For Option A to be implemented over a 4 month transition period (policy implemented 01/01/2017) to allow full communication with the city centre businesses in particular and for adequate staff resourcing and administrative systems to be put in place.

Option C – the alternative originally tendered option of a board placed flat against the building (FAB).

Option D – Recommended for a 12 month trial, an option previously tendered, the Remote (or Shared) RAB/SAB board.

Option E the undertaking of further assessment and consultation with regards to potential policy content for all areas outside of the city centre zone, requiring a further report and recommendations within 12 months

Option F- the undertaking of analysis of the initial city centre policy, with a subsequent report one year post full implementation.

Option G – The option of not implementing the policy was not recommended, for the reasons outlined in the report.

Resolved: That the Executive agree to:

- (i) The implementation of the Draft 'A' Board Policy, relating to the area of city centre as outlined in Option A and as shown on the plan at Appendix A of the report; along with,
- (ii) Option B, a 5 month transition period, to allow the policy to become fully communicated and put into practice for 1st February 2017, and
- (iii) Option D, the trial of Remote 'A' Board (RAB)/Shared 'A' Board (SAB) criteria/approvals, for 12 months. ¹.
- (iv) Option E, the undertaking of further assessment and consultation with regards to potential policy content for all areas outside of the city centre zone, requiring a further report and recommendations within 12 months, and
- (v) Option F the undertaking of analysis of the initial city centre policy, with a subsequent report one year post full implementation. ².

- Reason:
- (i) To provide adequate control of the many and varied obstructions (particularly for those with impaired mobility for example, blind and/or partially sighted) temporarily located on the public highway, taking into account of the Council's responsibilities under the Highways Act 1980, the Equality Act 2010 and Town & Country Planning Act 1990.
 - (ii) To mitigate the impact on the visual amenity of the conservation area and setting of the many listed buildings in the city centre.
 - (iii) To contribute further to the removal of street clutter, improve the street scene and public realm.

Action Required

1. Implement the draft policy from 1st February 2016 together with a trial of remote/shared boards. RB
2. Undertake further consultation and add report back one year post implementation on to the Council's Forward Plan. RB

35. Local Area Coordination in York

Members considered a report which outlined progress made to identify an approach to Local Area Coordination, an internationally recognised approach to the creation of networks of support around people to increase independence and reduce dependency on statutory services.

Officers reported on the significant pressures across the health and social care system with a decrease in funding and increased demand and life expectancy. They highlighted that the Coordinators would deliver support alongside local people, in partnership with statutory, community and voluntary services.

Members noted that the initial proposal related to the appointment of three Local Area Coordinators located in three different geographical areas to provide an evidence base to provide a business case for further investment.

Members also noted examples of work undertaken by Local Area Coordinators and that the Local Government Association had provided initial funding for the development of coordination in the city.

Officers confirmed that the selection of areas involved in the trial would be undertaken in conjunction with other Council services, partners and Ward Members and would cover a range of different settings with a variety of different issues.

Members expressed their support for the direction of travel and the need for innovative work to assist with the demand on Council services.

Following further discussion it was

Resolved: That the Executive agree to note the progress made in identifying an approach which helps to address significant demand challenges faced in the city and

approve the progression to the next stage of development, including the recruitment of Local Area Coordinators. ¹.

Reason: To ensure residents are best supported in respect of the future context of Adult Social Care.

Action Required

1. Proceed with implementation of this approach to Local Area Coordination.

WB

36. Re-procurement of Alcohol & Drug Treatment and Recovery Services

The Executive considered a report which sought authorisation to approach the market for the tendering of an adult alcohol and illicit drug misuse harm reduction, treatment and recovery service and the delegation of the award of the contract to the Director of Public Health.

Members noted that the proposal was to develop a model for young people's substance misuse services along side the current work for early interventions. Also that consultation had been undertaken with a range of partners with further engagement proposed to include service recipients. It was also noted that it was intended to award a new 3 year contract with an option to extend this by 2 years, up to a maximum of 7 years, subject to performance. With Department of Health cuts to Public Health Grant allocations and projected further reductions a budget reduction of £550k was proposed over the first 5 years of the contact.

Officers highlighted the implications and risks and confirmed that to mitigate these the contact provider would be required to work with the Council as a development partner to provide a safe transition.

Members highlighted the importance of early intervention to improve recovery outcomes and it was

Resolved: That the Executive agree to:

- (i) Authorise officers within City of York Council to approach the market to inform the commissioning and procurement of an alcohol and illicit drug misuse service for adults from July 2017.

- (ii) Authorise the Director of Public Health to accept the highest scoring tender, in accordance with evaluation criteria and award a contract.
- (iii) Support the direction of travel for young people's substance misuse services and the integration of substance misuse for children and young people into the wider offer for children, young people and families being developed as part of the new delivery model for early intervention and prevention in York. ¹.

Reason: To enable substance misuse treatment and recovery services to be available to York residents that are value for money and responsive to local need.

Action Required

1. Proceed with the tendering of this service from July 2017 and the acceptance of the highest scoring tender by the Director of Public Health.

LB, MG

37. Transport for the North Governance

Consideration was give to a report which sought Executive approval for the authorisation of Transport for the North(TfN) to submit a draft governance proposal to Government.

Members were reminded that TfN had been created in 2014 to allow the North to speak as one voice on key infrastructure decisions which benefitted the region as a whole. TfN had prepared a Northern Transport Strategy which identified the key objectives for the improvement of transport in the area.

Officers confirmed that TfN was currently in the process of seeking to become a statutory body, to become the first Sub-National Transport Body. They were also seeking the authority's agreement, in principle, to become a constituent authority of TfN and approval to submit the draft proposal to Government, attached at Annex B of the report. Officers highlighted that 16 authorities had already accepted the proposal in principle and outlined details of the draft proposal and, in particular, the voting system and the suggested voting metric.

Members acknowledged the importance of the cities involvement subject to clarification of the matters outlined in the report.

Resolved: That the Executive agree to:

- i) The submission to Government of the draft proposal for Transport for the North (TfN) to become a Sub-National Transport Body.
- ii) Inform Transport for the North of its requirements for full and final agreements and further clarification as set out in paragraph 21 of the report prior to any final and binding agreement to become a constituent authority of Transport for the North.
- (iii) The Director of City and Environmental Services being instructed to engage with Transport for the North to seek the agreements and clarification as set out in ii) above.¹

Reason: To enable the authority to have influence over the key industry stakeholders and the development and implementation of transport services across the North of England.

Action Required

1. Director to confirm Council's agreement to submission of draft proposal but prior to final agreement request listed requirements are met. NF

38. 2016/17 Finance and Performance Monitor 1

Consideration was given to a report which presented details of the Council's overall finance and performance position for the period covering 1 April to 30 June 2016, together with an overview of any emerging issues.

It was noted that the financial pressures facing the Council were projected at £1,197k an improvement from previous years. An overview of the forecast on a directorate basis was shown at Table 1 of the report, with detail of the main variations and mitigating actions proposed in each Directorate at paragraphs 8 to 28 and performance at paragraphs 37 to 96.

Officers highlighted the financial pressures and the challenge of delivering savings of £6.5m to reach a balanced budget. In particular the variations in City & Environmental Services, Adult Social Care and Public Health and reported that any decision regarding the use of the general contingency would be brought back to a future meeting.

Resolved: That Executive agree to:

- (i) Note the current finance and performance information;
- (ii) Continue to look at options for the presentation of performance.¹

- Reason:
- (i) To ensure expenditure is kept within the approved budget;
 - (ii) To ensure performance reporting and framework is in line with models of good practice across local authorities.

Action Required

1. Report back on performance monitoring arrangements.

DM

39. Capital Programme - Monitor 1 2016/17

[See also Part B minutes]

Consideration was given to a report which set out the projected outturn position for 2016/17 including any under/over spends and adjustments, along with requests to re-profile budgets to or from current and future years.

With an approved capital budget of £98.035m, following amendments reported to Executive and Council, an increase of £2.111m was detailed in the report which resulted in a revised capital programme of £100.146m, an increase of £2.216m in 2016/17. It was noted that the increases had been attributed to an increase in government grants, use of S106 funds and use of capital receipts. Details of the variances against each portfolio

area were reported at Table 1, at paragraphs 8 to 19 and Annex 1 of the report.

Members noted that £80k had been allocated to the York Explore scheme from the capital contingency to contribute to the purchase of a mobile library vehicle in Haxby, with the closure of the library following a structural survey.

Resolved: That Executive agree to:

- (i) Note the 2016/17 revised budget of £100.146m as set out in paragraph 6 and Table 1 of the report.
- (ii) Note the restated capital programme for 2016/17 – 2020/21 as set out in paragraph 17, Table 2 and detailed in Annex A of the report.

Reason: To enable the effective management and monitoring of the Council's capital programme.

Part B - Matters Referred to Council

40. Capital Programme - Monitor 1 2016/17

[See also Part A minutes]

Consideration was given to a report which set out the projected outturn position for 2016/17 including any under/over spends and adjustments, along with requests to re-profile budgets to or from current and future years.

With an approved capital budget of £98.035m, following amendments reported to Executive and Council, an increase of £2.111m was detailed in the report which resulted in a revised capital programme of £100.146m, an increase of £2.216m in 2016/17. It was noted that the increases had been attributed to an increase in government grants, use of S106 funds and use of capital receipts. Details of the variances against each portfolio area were reported at Table 1, at paragraphs 8 to 19 and Annex 1 of the report.

Recommended: That Full Council agree the adjustments resulting in an increase in the 2016/17 capital

programme of £2.111m as detailed in the report and contained in Annex A. ¹.

Reason: To enable the effective management and monitoring of the Council's capital programme.

Action Required

1. Refer to Council.

JP

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 7.20 pm].

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Forward Plan: Executive Meeting: 29 September 2016

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 13 October 2016

Title and Description	Author	Portfolio Holder
<p>Actual Cost of Care - Residential & Nursing Care Fee Rates</p> <p>Purpose of Report: To present a report that informs the Executive on fee rates for Residential and Nursing Care from 2016-19. This will be based on an Actual Cost of Care Exercise undertaken in partnership with the Independent Care Group and subsequent negotiations.</p> <p>The Executive are asked to agree to a three year fee settlement for providers and the financial costs of implementing an agreed increase.</p>	<p>Gary Brittain / Richard Hartle</p>	<p>Executive Member for Adult Social Care and Health</p>
<p>Proposals for the Freehold of Stonebow House and further options for changes to the Commercial Portfolio</p> <p>Purpose of Report: The report will set out options to dispose of the freehold interest in 2 poorly performing freehold interests currently held in the Council's commercial portfolio (Stonebow House and 10-12 Redeness St) and to invest in the purchase of the leasehold interests of 2 properties with a better financial yield.</p> <p>The disposal of the freehold interests will, subject to planning, enable redevelopment of underused assets. The purchase of the leasehold interests will generate an increased revenue income and secure potential future development opportunities.</p>	<p>Andy Kerr</p>	<p>Executive Member for Finance and Performance</p>

<p>Council Housing – New Operating Model Options Stock Option Appraisal</p> <p>Purpose of Report: As part of the council’s wider review of its overall future operating model, all service areas within the council have been asked to undertake a review of their operating model.</p> <p>This report recommends that we undertake a full housing stock options appraisal and at the same time develop tenant and staff panels and establish a ad-hoc cross party member scrutiny panel to consider the long term sustainability of the service and assess the different organisational governance models to support the final decision making process.</p>	Tom Brittain	Executive Leader (incorporating Housing & Safer Neighbourhoods)
<p>Coppergate Traffic Regulation Order (TRO) Objections</p> <p>Purpose of Report: To bring to Members attention all objections made during the formal Traffic Regulation Order (TRO) consultation period. To provide details of possible implementation strategy subject to approval of the TRO.</p> <p>Members are asked to consider the objections and either approve the proposals as advertised or make amendments to/drop the proposal. Subject to the approval to make the TRO, to also approve the implementation strategy for the enforcement of the TRO.</p>	Tony Clarke	Executive Member for Transport & Planning

<p>City of York, North Yorkshire County Council and North York Moors National Park Minerals and Waste Joint Plan - Publication Draft</p> <p>Purpose of Report: As a Waste and Minerals Planning Authority, it is our statutory duty to address these issues in York. City of York Council is producing a Joint Plan with North Yorkshire County Council and North York Moors National Park Authority.</p> <p>The Executive Report will recommend that Members approve the publication draft plan for public consultation.</p>	<p>Rebecca Harrison</p>	<p>Executive Member for Transport & Planning</p> <p>Executive Member for Environment</p>
<p>Result of Park & Ride Service Operator Procurement</p> <p>Purpose of the Report: To report to the Executive on the result of the procurement of the Park & Ride service operator and to gain approval for any measures required to enable the continued provision of the City's Park & Ride service.</p> <p>Please note that this item has been called-in for pre-decision scrutiny and will be considered by the Corporate & Scrutiny Management Policy & Scrutiny (Calling In) Committee at a meeting on 11 October 2016</p>	<p>Tony Clarke</p>	<p>Executive Member for Transport & Planning</p>

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 24 November 2016

Title and Description	Author	Portfolio Holder
<p>Taking Forward York's Public Realm</p> <p>Purpose of Report: This report concerns the future development of York's public realm. It:</p> <ul style="list-style-type: none"> - Sets out opportunities and priorities for action. - Proposes a new partnership approach to engage all stakeholders in the city in improving our public realm. - Suggests a framework for future capital investment by the Council. <p>The Executive are asked to approve:</p> <ul style="list-style-type: none"> - Aspirations for future public realm enhancements. - A partnership project board to prepare an investment strategy for the city walls. - Use of the Council's Built Environment capital funding. - A partnership approach to champion York's public realm and to refresh York's bid for World Heritage status. 	Charlie Croft	Executive Member for Transport and Planning
<p>York Arts Education Service</p> <p>Purpose of Report: This report concerns the future of the York Arts Education Service.</p> <p>Executive are asked to agree to a new delivery model for York Arts Education Service subject to presentation of an appropriate business plan.</p>	Charlie Croft	Executive Member for Education, Children and Young People

Title and Description	Author	Portfolio Holder
<p>Treasury Management and Prudential Indicators Mid Year Review Purpose of Report: To provide Members with an update on the treasury management position.</p> <p>Members are asked to note the issues and approve any adjustments as required to the prudential indicators or strategy.</p>	Debbie Mitchell	Executive Member for Finance & Performance
<p>Q2 Finance and Performance Monitor Purpose of Report: To provide Members with an update on finance and performance information.</p> <p>Members are asked to note the issues.</p>	Debbie Mitchell	Executive Member for Finance & Performance
<p>Q2 Capital Programme Monitor Purpose of Report: To provide Members with an update on the capital programme.</p> <p>Members are asked to note the issues and recommend to full Council any changes as appropriate.</p>	Emma Audrain	Executive Member for Finance & Performance
<p>Options for the Disposal of 29 Castlegate To present to Executive options for the disposal of 29 Castlegate following the decision to relocate and reconfigure services currently operating from the building.</p> <p>Members are asked to consider and make a decision on the options for the disposal of 29 Castlegate.</p>	Tracey Carter	Executive Member for Finance and Performance

Title and Description	Author	Portfolio Holder
<p>The Next Phase of the Older Persons' Accommodation Programme: deciding the future of the third Older Persons' Home to be considered for closure.</p> <p>The purpose of this report is to provide Members with the results of the consultation undertaken with the residents, relatives and staff of the Council run residential care homes which have been subject to the exploration of the option to close the home with current residents moving to alternative accommodation.</p> <p>Members are asked to consider the results of consultation undertaken and make a decision about whether to close the home.</p>	Roy Wallington	Executive Member for Adult Social Care and Health
<p>York Central - Purchase of the Unipart Site</p> <p>To seek an Executive decision to purchase the Unipart factory in order to facilitate the delivery of the York Central scheme.</p>	Tracey Carter	Executive Member for Finance and Performance
<p>York Central - Consultation on Highway Access Options</p> <p>Purpose of Report: To seek an Executive decision to undertake a public consult on a range of potential highways access routes on to the York Central site in order to progress a Supplementary Planning Document for York Central.</p> <p>Members are asked to agree to the undertaking of public consultation on potential highway access routes to the York Central site.</p>	Tony Clarke	Executive Member for Transport and Planning

Title and Description	Author	Portfolio Holder
<p>Demolition of Castle Mills Car Park The report will seek permission to demolish the Castle Mills Car Park on Piccadilly due to its poor condition and prior to the potential redevelopment of the site. The report will also consider options for the temporary reinstatement of surface car parking</p>	Tracey Carter	Executive Member for Finance and Performance

Table 3: Items slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>Actual Cost of Care - Residential & Nursing Care Fee Rates</p> <p>Purpose of Report: To present a report that informs the Executive on fee rates for Residential and Nursing Care from 2016-19. This will be based on an Actual Cost of Care Exercise undertaken in partnership with the Independent Care Group and subsequent negotiations.</p> <p>The Executive are asked to agree to a three year fee settlement for providers and the financial costs of implementing an agreed increase.</p>	Gary Brittain/ Richard Hartle	Executive Member for Adult Social Care and Health	29 Sept 16	13 Oct 16	To allow for some amendments to be made to the narrative of the report before submission to Members.
<p>Proposals for the Freehold of Stonebow House and further options for changes to the Commercial Portfolio</p> <p>Purpose of Report: The report will set out options to dispose of the freehold interest in 2 poorly performing freehold interests currently held in the Council's commercial portfolio (Stonebow House and 10-12 Redeness St)</p>	Andy Kerr	Executive Member for Finance and Performance	29 Sept 16	13 Oct 16	To allow Officers time to examine further options for changes to the Council's commercial portfolio.

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>and to invest in the purchase of the leasehold interests of 2 properties with a better financial yield.</p> <p>The disposal of the freehold interests will, subject to planning, enable redevelopment of underused assets. The purchase of the leasehold interests will generate an increased revenue income and secure potential future development opportunities.</p>					
<p>Taking Forward York's Public Realm Purpose of Report: This report concerns the future development of York's public realm. It:</p> <ul style="list-style-type: none"> - Sets out opportunities and priorities for action. - Proposes a new partnership approach to engage all stakeholders in the city in improving our public realm. - Suggests a framework for future capital investment by the Council. <p>The Executive are asked to approve:</p> <ul style="list-style-type: none"> - Aspirations for future public realm enhancements. - A partnership project board to prepare an 	Charlie Croft	Executive Member for Transport and Planning	29 Sept 16	24 Nov 16	To allow further consideration of options before presenting the report to Members.

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>investment strategy for the city walls.</p> <ul style="list-style-type: none"> - Use of the Council's Built Environment capital funding. - A partnership approach to champion York's public realm and to refresh York's bid for World Heritage status. 					
<p>Treasury Management and Prudential Indicators Mid Year Review</p> <p>Purpose of Report: To provide Members with an update on the treasury management position.</p> <p>Members are asked to note the issues and approve any adjustments as required to the prudential indicators or strategy.</p>	Debbie Mitchell	Executive Member for Finance & Performance	13 Oct 16	24 Nov 16	To have a more even reporting cycle during the financial year
<p>Q2 Finance and Performance Monitor</p> <p>Purpose of Report: To provide Members with an update on finance and performance information.</p> <p>Members are asked to note the issues.</p>	Debbie Mitchell	Executive Member for Finance & Performance	13 Oct 16	24 Nov 16	To have a more even reporting cycle during the financial year

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>Q2 Capital Programme Monitor Purpose of Report: To provide Members with an update on the capital programme.</p> <p>Members are asked to note the issues and recommend to full Council any changes as appropriate.</p>	Emma Audrain	Executive Member for Finance & Performance	13 Oct 16	24 Nov 16	To have a more even reporting cycle during the financial year
<p>York Arts Education Service Purpose of Report: This report concerns the future of the York Arts Education Service.</p> <p>Executive are asked to agree to a new delivery model for York Arts Education Service subject to presentation of an appropriate business plan.</p>	Charlie Croft	Executive Member for Education, Children and Young People	22 Nov 16 (Decision Session - Executive Member for Education, Children and Young People)	24 Nov 16	As the report will contain corporate implications in respect to support services and pension issues, it has been agreed that this issue should be considered by Executive.

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>York Central - Purchase of the Unipart Site To seek an Executive decision to purchase the Unipart factory in order to facilitate the delivery of the York Central scheme.</p>	Tracey Carter	Executive Member for Finance and Performance	13 Oct 16	24 Nov 16	Delays in receiving key pieces of information.
<p>York Central - Consultation on Highway Access Options Purpose of Report: To seek an Executive decision to undertake a public consult on a range of potential highways access routes on to the York Central site in order to progress a Supplementary Planning Document for York Central.</p> <p>Members are asked to agree to the undertaking of public consultation on potential highway access routes to the York Central site.</p>	Tony Clarke	Executive Member for Transport and Planning	13 Oct 16	24 Nov 16	Delays in receiving key pieces of information.



Meeting of the Executive

29 September 2016

Report of the Assistant Director of Housing and Community Safety

New Council Homes – Newbury Avenue

Summary

1. This report provides an update on the additional consultation carried out at the Executive's request following concerns raised by a small number of residents regarding the approved planning application to build 9 apartments at Newbury Avenue.

Recommendations

2. Executive are asked to:
 - a) **Approve Option 1** to bring forward development of 8 new bungalows.

Reason: To ensure that further account of residents concerns are considered and a development scheme brought forward which meets the council's and the communities needs.

Background

3. On the 7th May 2013, Cabinet considered a report which set out proposals to deliver a first phase of new council homes and sought approval for the council to pursue development of a number of sites within the Housing Revenue Account that would deliver between 50-70 homes. A table of sites was included which set out the proposal to redevelop Newbury Avenue (garage court) for an indicative 9 apartments.
4. Following the local elections in May 2015, a change of administration took place and at the Executive meeting on the 25th June 2015, Members considered a report which sought approval to include new council housing as part of the ongoing project to demolish and replace Ordnance Lane homeless hostel.
5. The Executive Member presented the report and also drew attention to the status of the current building programme approved in May 2013. In

particular he highlighted concerns raised with him by local ward councillors in relation to the proposed new council house building on the Newbury Avenue site in Acomb. Therefore, in order to allay their concerns, Executive requested a re-examination of the proposals for the site and further consultation.

Consultation

6. Following Executives request further consultation was carried out. Local residents and Ward Members were invited to a consultation event held at York & District Indoor Bowls Club, 206 invitations were sent to residents living in the vicinity of the site. Ward member (Cllr Waller) and the housing portfolio holder (Cllr Carr) attended. Drawings of the site layout and property types were available to view.
7. Seventeen people attended the event and eight left feedback on the night with three more submitting feedback by post. A petition with 24 signatures was submitted, eight signatories were from people who also submitted comments sheets. The petition was signed as being from residents who believe 'the proposed development is too large and all the extra traffic will seriously affect parking in the area, and our right to light will also be affected'.
8. A number of residents felt the area is over developed already particularly with the recent addition of the housing development on Our Lady's site. Other concerns raised include:
 - Loss of view over Hob Moor
 - Concerns about contamination
 - Loss of light
 - An out of date geotechnical survey
9. A number of people acknowledged there was a need for additional affordable housing but thought an alternative location should be found. Two respondents suggested building bungalows on the site
10. Following the public consultation a meeting was arranged to feedback to Cllr Carr (Executive Member – Housing & Safer Neighbourhoods) and Cllr Waller (Ward Councillor). Key concerns from the consultation were the level of traffic, parking and the height of the development given that it was 2.5 storeys high. It was resolved at the meeting that the site was appropriate for development, but alternative schemes should be drawn up limiting the height of any development to a maximum of 2 storeys.

Alternative Options

11. Given that expenditure had been incurred on the original design, officers met with the architect to agree the scope of any revised sketch schemes that would consider:
 - a. How much of the detailed design could be re-used;
 - b. Whether it would be possible to reduce the height of the building but utilise the loft space for a third storey;
 - c. Whether a reduction in units from 9 to 6 would make the cost per unit still viable and value for money;
 - d. What impact there would be on the construction period and, if this period was not much reduced, then to factor that into the decision making.
12. Taking account of the above, the architects were asked to bring forward alternative proposals with a maximum height of 2 storeys. Four proposals were presented.
 - 12 x 1 bed apartments (2 person)
 - 12 x 1 bed apartments (1 person)
 - 8 x 1 bed apartments (2 person)
 - 8 x 1 bed bungalows (2 person)
13. **Alternative Scheme (1) - 12 x 1 bed (2 person) apartments** - This scheme has an arrangement of 6 x 1 bed apartments on each of two floors. A hallway divides the apartments on each floor to give access to 3 apartments on each side. The apartments are all 52sqm and intended for 2 persons. (See Annex 1 for draft site layout)
14. There are 12 car parking spaces for residents, together with 3 visitor bays onto Newbury Avenue. The layout gives a slightly larger floor plate than the approved scheme, but is no nearer to the existing 3 storey apartment adjacent to the north-east. At 8m (ridge height) the building is 1.3m lower in height than the approved development (9.3m to dormer roof).
15. The apartment block aligns with the boundary to Hob Moor, with rear elevations facing south-east. Initial feedback from Development Management Officers is that the layout is less interesting than the approved scheme.
16. There may be opportunity for the 6 ground floor apartments to be prioritised for downsizing for older persons but, with no lift, the first floor would have to be let to a wider age group.

17. **Alternative Scheme (2) - 12 x 1 bed (1 person) apartments** – The scheme is very similar to Option 1 above, differing only in apartment size (40sqm instead of 52sqm) and therefore a slightly smaller footprint. The stair cores and circulation are the same. The flats are intended for 1 person. The building height and massing is the same as for Option 1. (See Annex 2 for draft site layout)
18. As with Option 1 there are 12 resident car parking spaces together with 3 visitor parking bays.
19. There could be prioritisation for older persons' accommodation as part of the Council's downsizing programme but, with this option being smaller in size than Options 1, or the approved scheme, interest may not be high.
20. **Alternative Scheme (3) - 8 x 1 bed (2 person) apartments** – The floor plate for this scheme is smaller than options 1 and 2 above, being just 4 apartments on each floor, each with their own private access. The building height is the same as options 1 and 2, and 1.3m lower than the approved scheme. (See Annex 3 for draft site layout)
21. There are 8 resident car parking spaces and 2 visitor parking bays. The layout is linear, with the rear elevations facing south-east towards Hob Moor.
22. The apartments are all 52sqm in size (for 2 people) and, as such, could be prioritised for downsizing.
23. **Alternative Scheme (4) - 8 x 1 bed (2 person) bungalows** – The floor plate is wider, in order to incorporate all 8 bungalows, however the building is 5.5m to ridge height, and so significantly lower than Options 1, 2 and 3 and the approved 2.5 storey scheme. (See Annex 4 for draft site layout)
24. All the bungalows are 52sqm and could be prioritised for the Council's downsizing scheme. There are 8 resident car parking spaces to the rear of the bungalows, and 2 visitor parking bays.

The Original Scheme

25. The original Scheme was for 9 Apartments, 8 x 2 bed & 1 x 1 bed. The properties were designed to be built over 2.5 storeys with a ridge height of 9.3m (dormer). (See Annex 5 for approved site layout)
26. The 2 bed apartments were 64sqm and the 1 bed was 57sqm. The proposal included a lift which was linked to the intention that the development would be prioritised for downsizing. There are 7 resident

parking spaces and 8 additional parking bays created for use by the wider community.

Summary of Build Options

27. When comparing the schemes it has to be acknowledged that you are not comparing like for like, the number and size of the units is different. The original scheme also included a lift, wider communal landscaping and a parking scheme which provided 8 parking spaces for existing residents.
28. It also needs to be recognised that the original scheme is a fully tendered scheme and therefore there is more certainty around the cost of this scheme (not withstanding that this needs to be adjusted for inflationary changes over the last 18 months) and the costs set out for the alternative proposals are based on Quantity Surveyor estimates. The following table therefore sets out the summary of the schemes details and cost, including adjustments for inflation.

Table 1 – Summary of Options

Scheme	No. of units	No. of Beds	Type of units	Size of Unit	Estimated Costs Per Unit		Unrecoverable costs associated with original scheme	Communal Landscaping / Parking	Total Estimated scheme costs
					Construction Costs	Fees / site costs @19%			
Alternative 1	12	1	Apt	52 sqm	£ 127,591	£ 24,242	£ 120,000	£ 220,000	£ 2,162,002
Alternative 2	12	1	Apt	40 sqm	£ 108,259	£ 20,569	£ 120,000	£ 220,000	£ 1,885,941
Alternative 3	8	1	Apt	52 sqm	£ 140,157	£ 26,630	£ 120,000	£ 220,000	£ 1,674,295
Alternative 4	8	1	Bung	52 sqm	£ 121,792	£ 23,140	£ 120,000	£ 220,000	£ 1,499,456
Original *	9	2	Apt	64 sqm	£ 152,072	£ 28,894		Included in construction cost	£ 1,628,686
		1	Apt	57 sqm					

*Original tender price adjusted for inflation

Options

29. **Option one** – To approve ‘Alternative Scheme 4’ to build 8 new (2 person) bungalows.
30. **Option two** – To instruct officers to bring forward a different alternative scheme or continue with the previously approved development scheme.

Analysis

31. **Option one** –When considering the alternative scheme proposals, two of the four options presented would result in a total scheme cost in excess of the approved capital spend, however they deliver three more units than the original scheme. When considering the cost per unit it is difficult to have clear comparisons as the nature and size of the units are different and therefore you are not considering like for like.
32. Discussions with the Executive Member for Housing and the Ward Councillors, with whom residents raised concerns about the original scheme, has indicated that it is felt that a scheme of bungalows is the most desirable.
33. Approving this option would result in delays in bringing development forward on this site, linked to detailed design and planning approval for any new scheme when compared to the original scheme which has full planning approval and is ready to go. It should also be noted that the money spent to date on the original scheme will be unrecoverable.
34. The construction period for the alternative schemes or the original schemes would be very similar and therefore the impact of construction traffic between the alternative schemes and the original scheme is negligible.
35. The reality of significant increased residential traffic post development is that the differences in size of proposed development is unlikely to have a significant impact one way or another. The critical issue for future traffic impact is the nature of the units and the future residents. Given the proposed development of bungalows it is anticipated that whilst there will be some increase in car ownership and therefore residential traffic, it is likely to be minimal.
36. **Option Two** – The original scheme has undergone public consultation at both pre planning and planning stages and has been approved. However, whilst it has planning approval, there are clearly concerns that some residents have that led to the council re-examining the proposal and carrying out additional consultation.

37. Moving forward with the original scheme would bring development forward on this site quicker (it has full planning permission). However it would not take account of the additional concerns that a small number of residents have.

Council Plan

38. The proposals link and support the priorities within the council plan.

Implications

39. The implications arising from this report are:

- **Financial** – The cost of delivering the proposed scheme is less than the original approved scheme.

As part of the development of the HRA Business Plan, post self financing, the authority created a New Build Investment Fund of £20m. To date £14.7m has been spent / allocated leaving a balance of £5.3m.

The approved budget for phase one of new council house building is £10.2m, reported through capital monitoring in February 2015 (Capital Strategy report). The council's cost consultants have also advised that due to recent significant increases in build costs of up to 10% per annum there may be further increases in the tender returns for the 4 sites yet to be awarded a contract (Newbury Ave is one of the 4 sites). Once the tender returns have been received additional approval will be sought for any consequent increase in the budget. Any increase will be funded from the net balance on the HRA New Build Investment Fund.

- **Human Resources (HR)** – None
- **Equalities** – None
- **Legal** – None
- **Crime and Disorder** – None
- **Information Technology (IT)** – None
- **Property** – None

Risk Management

40. The decision to re-examine the proposals was taken in light of a number of residents concerns over the original development. The outcome of the consultation was not conclusive in that some residents thought development of some nature was appropriate where others felt that the site should not be developed. Clearly in cases like this some residents may feel that their views have not been taken into account. However, overall the risks associated with this report are deemed to be low.

Contact Details

Author:

Steve Waddington
Assistant Director –
Housing & Community
Safety
Tel No. 01904 554016

Chief Officers Responsible for the report:

Sally Burns
Director of Communities & Neighbourhoods

**Report
Approved**



Date 26th August 2016

All

Wards Affected: Westfield

For further information please contact the author of the report

Annexes

Annex 1 – Alternative scheme 1 – Draft site layout
Annex 2 – Alternative scheme 2 – Draft site layout
Annex 3 – Alternative scheme 3 – Draft site layout
Annex 4 – Alternative scheme 4 – Draft site layout
Annex 5 – Original scheme – Approved site layout

Background Papers

Original Planning Application / report
25th June 2015 Executive Report
Cabinet Report – May 2013

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ANNEX 1

DO NOT SCALE

SAFETY HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following:

CONSTRUCTION

MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

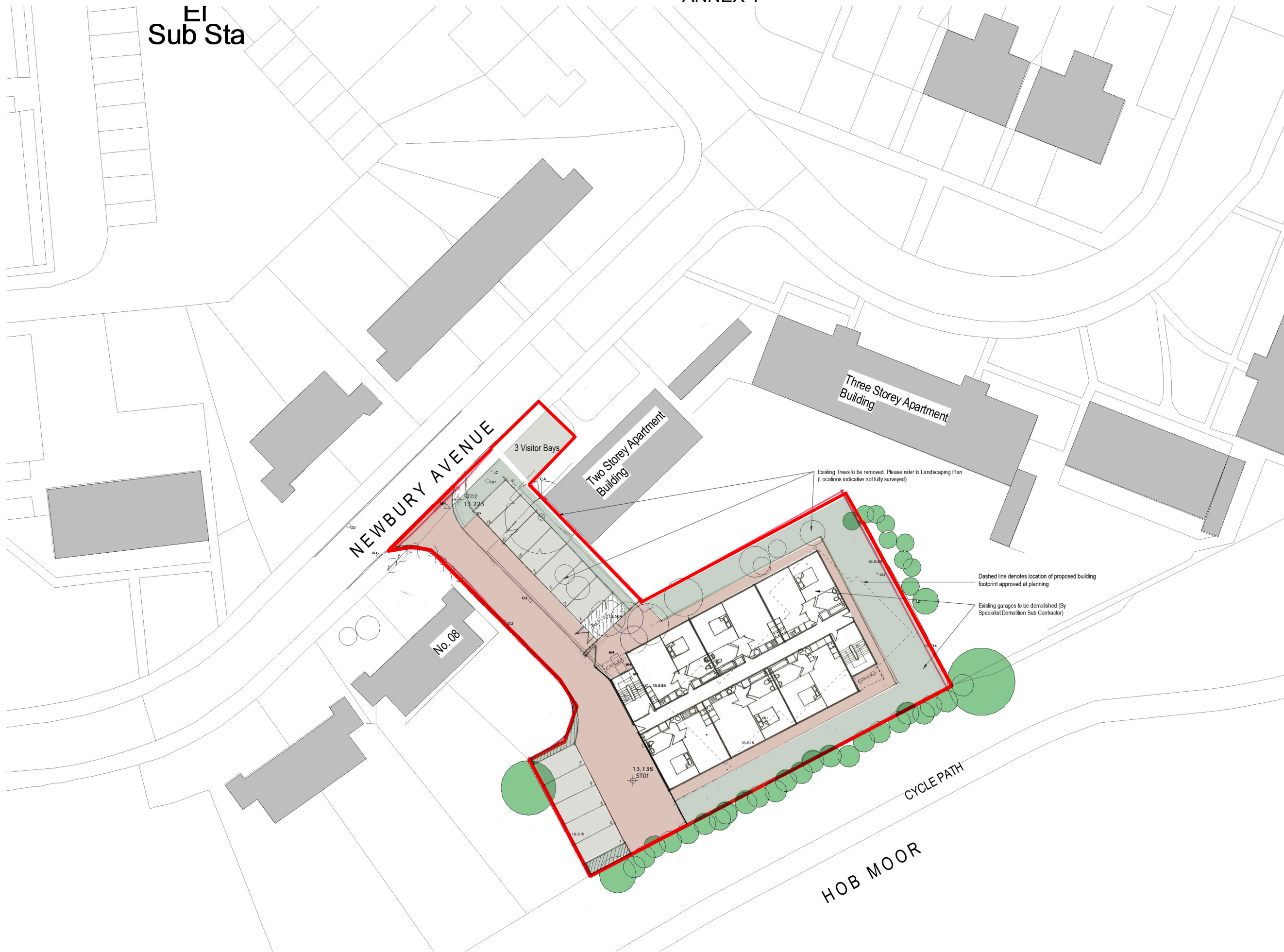
It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement



Key

- = Hard Landscaping
- = Soft Landscaping
- = Existing Tree's Maintained

2 Storey
12 x 1 bed (2 person) Apartments @52sqm
12 parking spaces and 3 visitor bays



Rev.	Date	Description	By	CHK'd	Appr.

Drawing Status INFORMATION

ATKINS

Atkins Limited
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Client
City of York Council

Project Title
Newbury Avenue Residential Development

Drawing Title
Proposed Site Plan Option 1

Scale	Designed	Drawn	Checked	Authorised
1:200	HCH	HCH	RJ	NH
A1	11.04.16	11.04.16	12.04.16	12.04.16

Drawing Number	Revision
5124500-ATK-NEW-00-DR-A-(00)-101	00

1 Proposed Option 1
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ANNEX 2

DO NOT SCALE

SAFETY HEALTH AND ENVIRONMENTAL INFORMATION

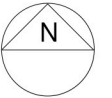
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MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

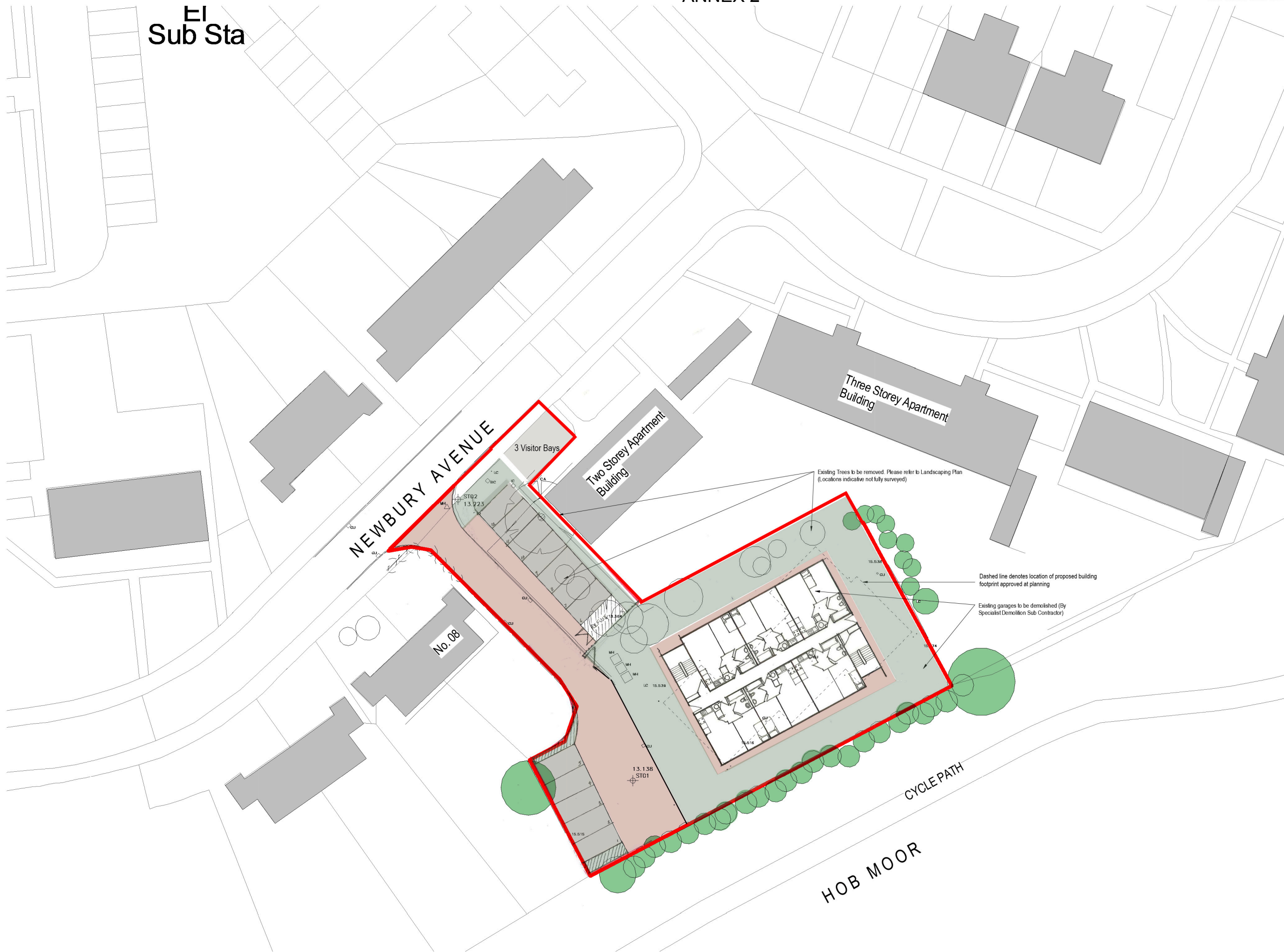
It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement



Key

- = Hard Landscaping
- = Soft Landscaping
- = Existing Tree's Maintained

2 Storey
12 x 1 bed (1 person) Apartments @ 40sqm
12 parking spaces and 3 visitor bays



Rev.	Date	Description	By	CHK'd	Appr.

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Client
City of York Council

Project Title
Newbury Avenue Residential Development

Drawing Title
Proposed Site Plan Option 2

Scale	Designed	Drawn	Checked	Authorised
1:200	HCH	HCH	RJ	NH
A1	11.04.16	11.04.16	12.04.16	12.04.16

Drawing Number	Revision
5124500-ATK-NEW-00-DR-A-(00)-102	00

1 Proposed Option 2
1 : 200 @A1

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ANNEX 3

DO NOT SCALE

SAFETY HEALTH AND ENVIRONMENTAL INFORMATION

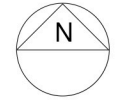
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MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

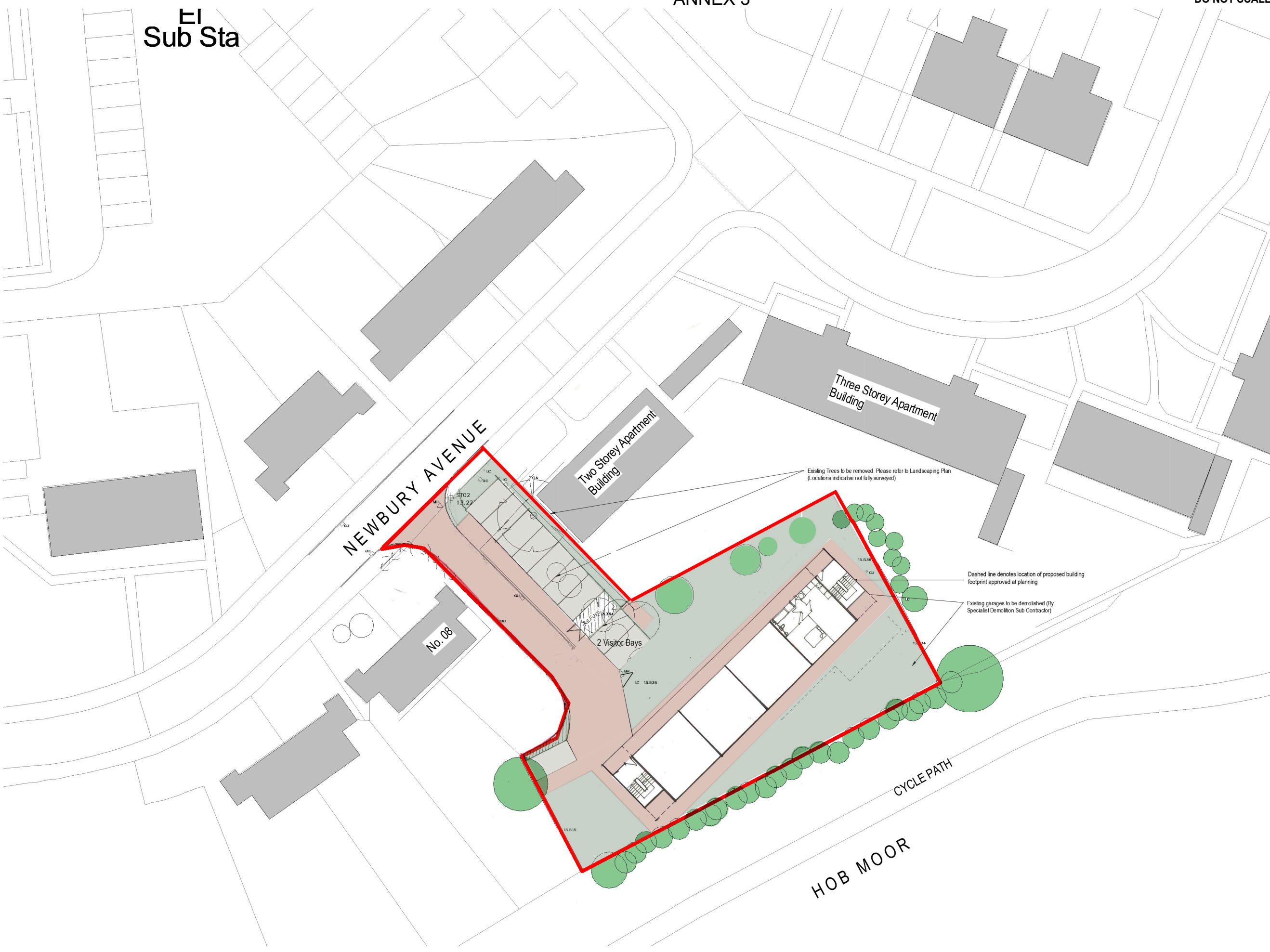
It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.



Key

- = Hard Landscaping
- = Soft Landscaping
- = Existing Tree's Maintained

2 Storey
8 x 1 bed (2 person) Apartments @ 52sqm
8 parking spaces and 2 visitor bays



Rev.	Date	Description	By	CHK'd	Appr.

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Project Title
Newbury Avenue Residential Development

Drawing Title
Proposed Site Plan Option 3

Scale	Designed	Drawn	Checked	Authorised
1:200	HCH	HCH	RJ	NH
A1	11.04.16	11.04.16	12.04.16	12.04.16

Drawing Number	Revision
5124500-ATK-NEW-00-DR-A-(00)-103	00

1 Proposed Option 3
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ANNEX 4

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SAFETY HEALTH AND ENVIRONMENTAL INFORMATION

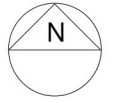
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MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.



Key

- = Hard Landscaping
- = Soft Landscaping
- = Existing Tree's Maintained

1 Storey
8 x 1 bed (2 person) Bungalows @ 52sqm
8 parking spaces and 2 visitor bays



Rev.	Date	Description	By	CHK'd	Appr.

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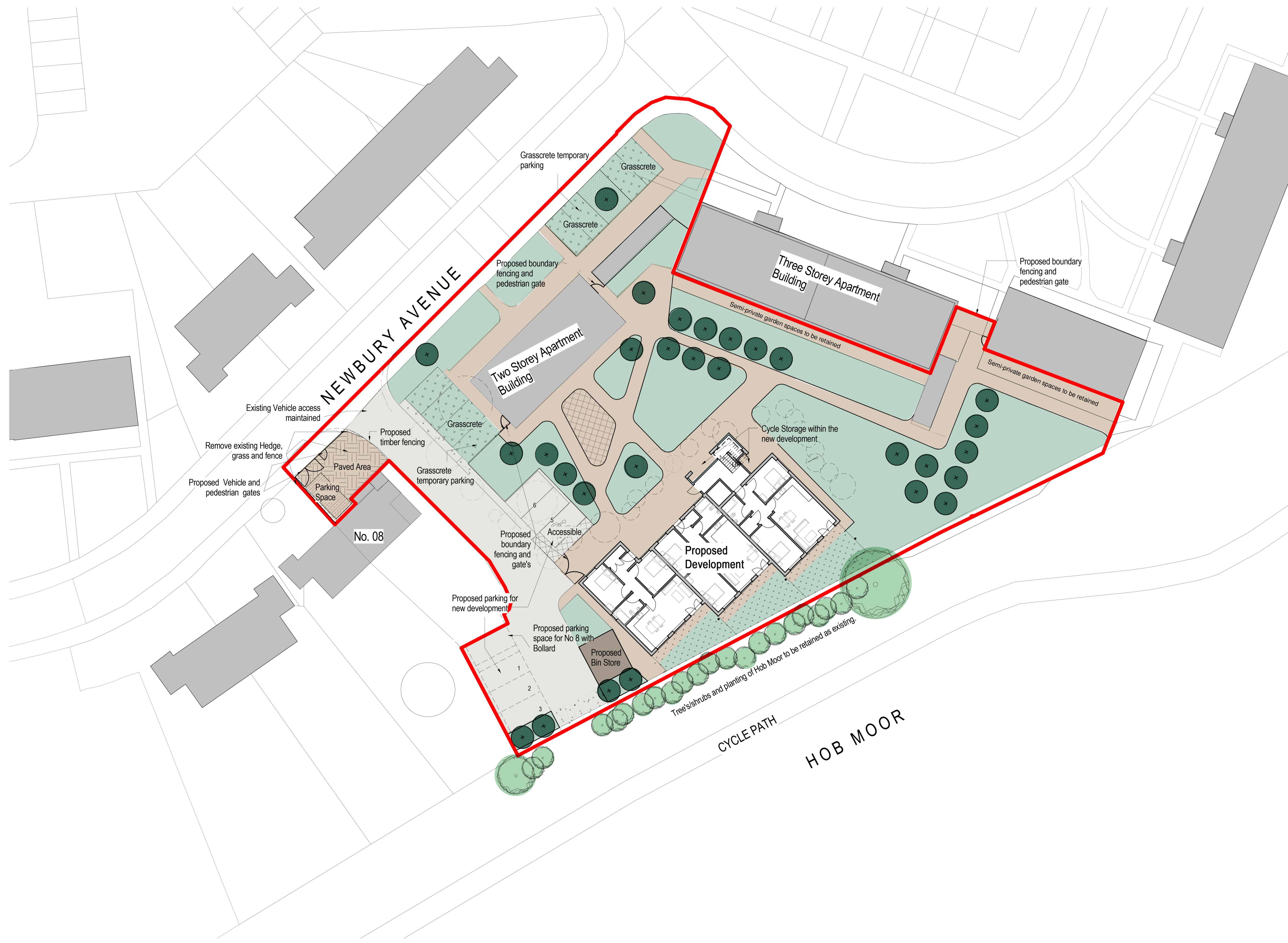
Drawing Title
Proposed Site Plan Option 4

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A1	11.04.16	11.04.16	12.04.16	12.04.16

Drawing Number	Revision
5124500-ATK-NEW-00-DR-A-(00)-104	00

1 Proposed Option 4
1 : 200 @A1

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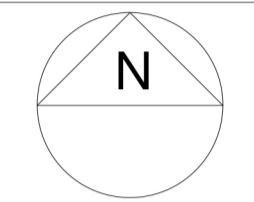


SAFETY HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following:

- CONSTRUCTION**
- MAINTENANCE/CLEANING**
- DECOMMISSIONING/DEMOLITION**

It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement.



Key

- = Red Line Boundary
- = Existing Tree's Retained
- = New Tree Planting
- = Existing Tree's/Planting to be Removed
- = Grass/Soft Landscaping
- = Hard Landscaping
- = Hard-standing Vehicle Surface

Please read in conjunction with landscaping proposals

J	20.06.14	Design Incorporating no 8 Proposals	HH	PG	NH
I	19.06.14	Re-Design of parking	HH	RJ	NH
H	18.06.14	Re-Design of location of build and bins	HH	RJ	NH
G	17.06.14	Re-Design of location of build and bins	HH	RJ	NH
F	02.06.14	Re-Design of landscaping scheme	HH	RJ	NH
E	07.05.14	Re-Design of scheme	HH	RJ	NH
D	14.04.14	Re-Design of design scheme	HH	RJ	NH
C	09.04.14	Building footprint revised, site layout amended to suit client/planners comments.	HH	RJ	NH
B	07.03.14	Building footprint revised, site layout amended to suit clients comments.	HH	RJ	NH
A	24.02.14	Building footprint added, site layout amended to suit and proposed refuse vehicle tracking added.	LC	HH	RJ
Rev	Date	Description	By	CHK'd	Appr.

Drawing Status Suitability

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Client
City of York Council

Project Title
Newbury Avenue Residential Development

Drawing Title
Proposed Site Plan

Scale	1 : 200	Designed	HCH	Drawn	LC	Checked	HCH	Authorised	RJ	
Original Size	A1	Date	Feb14	Date	Mar14	Date	Mar14	Date	Mar14	
Drawing Number	5124500-ATK-DWG-(90)-ARC-(90) - 010								Revision	J

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Executive**29 September 2016****Report of the Director of Place**

Portfolio of the Executive Member for Finance and Performance

Disposal of Grove House**Summary**

1. This report seeks an Executive decision to select the highest bidder for the disposal of the former Older Persons Home (OPH) at Grove House.

Background

2. Grove House is a former 45 bed OPH, which closed on 31st March 2016. On 29th October 2015 the Executive resolved to sell the Grove House site forthwith to generate a capital receipt to support the wider Older Persons Accommodation Programme.
3. The property lies just outside the City Walls on the East side of the City, in a mostly residential area, with York St John University nearby. A site plan is attached at Annex 1.
4. Interest in the property has been received from various quarters, with 11 bids made to purchase the property which are presented here for a decision.

Recommendation

5. That Executive should approve the sale of Grove House to Norstar Real Estates Limited as the highest bidder for Grove House.

Reason: To achieve the best consideration for the Grove House site, and facilitate the investment in the Older Persons Accommodation Programme.

Evaluation Criteria

6. Given the need for the council to achieve a maximum capital receipt from the sale of Grove House to fund investment in the Older Persons

Accommodation, the recommendation is, therefore, based on the grounds that the highest and least caveated bid is most likely to achieve this objective.

Analysis

7. A summary of all bids is attached at Annex 2. The identity of the under bidders is contained within Confidential Annex 3.
8. The marketing campaign attracted 11 bids from 9 bidders. 7 of these bids are conditional upon planning permission being obtained by the relevant bidders for their respective desired development schemes. The value of offers ranges from £600k to £1.6m.
9. The highest bid of £1,610,997 is from Norstar Real Estates Ltd, who are proposing to convert the existing building to 29 one bedroom flats for sale or rent. It is expected that affordable housing provision in accordance with planning policy will be on site. The bid is subject to obtaining planning permission for their development proposal.

Council Plan

10. The proposals work towards achieving the following Council plan priorities:
 - A prosperous city for all - where local businesses can thrive and residents have good quality jobs, housing and opportunities.

Implications

Finance – The land being sold is held in the General Fund. Executive agreed in October 2015 to sell Grove House in order to generate a capital receipt to support the wider Older Persons' Accommodation Programme. In July 2015 Executive agreed to contribute up to £4m from the sale of vacated OPHs to fund future accommodation with care provision for older people as part of the Older Persons Accommodation Programme and this receipt of £1.6m will make a significant contribution to that commitment. The other contribution to date is c£1.8m, as the General Fund benefit from the sale of Oliver House.

Legal - The Council has statutory powers (under S.123 of the Local Government Act 1972) to dispose of non-HRA land without the Secretary of State's consent for the best consideration reasonably obtainable (or for less than best consideration where the difference between the price

obtained and full value is less than £2 Million where the purpose of the disposal will contribute to the promotion or improvement of the economic, environmental or social well-being of the area). It is recommended that if it is decided to enter into a contract conditional upon the purchaser obtaining planning permission for a particular scheme, that the Contract contains the following provisions standard to conditional sale contracts:

- (i) That the Sale Price is fixed/specified in the Contract (with no ability for the purchaser to deduct costs from the sale price after signature of contract (such as the costs of obtaining planning permission or the cost of complying with any Planning Obligation(s) imposed under any S.106 Agreement required by the Local Planning Authority or the cost of complying with any conditions imposed by the Local Planning Authority)
- (ii) That the purchaser be under an obligation to apply for Planning Permission for their proposed scheme within a specified period from exchange of contracts and that they will use reasonable endeavours to obtain that Planning Permission on terms satisfactory to them by a further specified date, including entering into any S.106 Agreement required by the Local Planning Authority as a condition of granting planning permission.
- (iii) Ability for either the Council or the purchaser to terminate the Contract if the Buyer has not obtained Planning Permission on satisfactory terms by a specified date

If the Contract does not contain a provision restricting the property to a particular use (or preventing the property from being used for specific purposes) then the purchaser/future owner will be entitled to use/develop the property in any manner they choose in the future subject to obtaining planning permission for development/change in use.

Property - All implications are included in this report.

Housing – The opportunity to achieve affordable housing on this site as part of the developer’s section 106 obligations is welcomed as it will be an attractive and easily accessible location for such accommodation. Further more, a relatively modest housing development on this site would be more in keeping with neighbouring uses including the Ann Harrison’s Almshouses immediately behind the current building.

Human Resources – None

Risk Management

- 11. Failure to secure a significant capital receipt may impact upon the business case for Older People’s Accommodation project.
- 12. There is a risk of any scheme not getting planning permission.

Contact Details

Author:

Tim Bradley
Asset Manager
Property Services

Chief Officer Responsible for the report:

Tracey Carter - Assistant Director of Finance,
Property and Procurement

Report
Approved



Date 20 September
2016

Specialist Implications Officers
Debbie Mitchell – Principal Accountant
Gerard Allen – Senior Property Solicitor

Ward Affected: Guildhall

All

For further information please contact the author of the report

Background Papers:

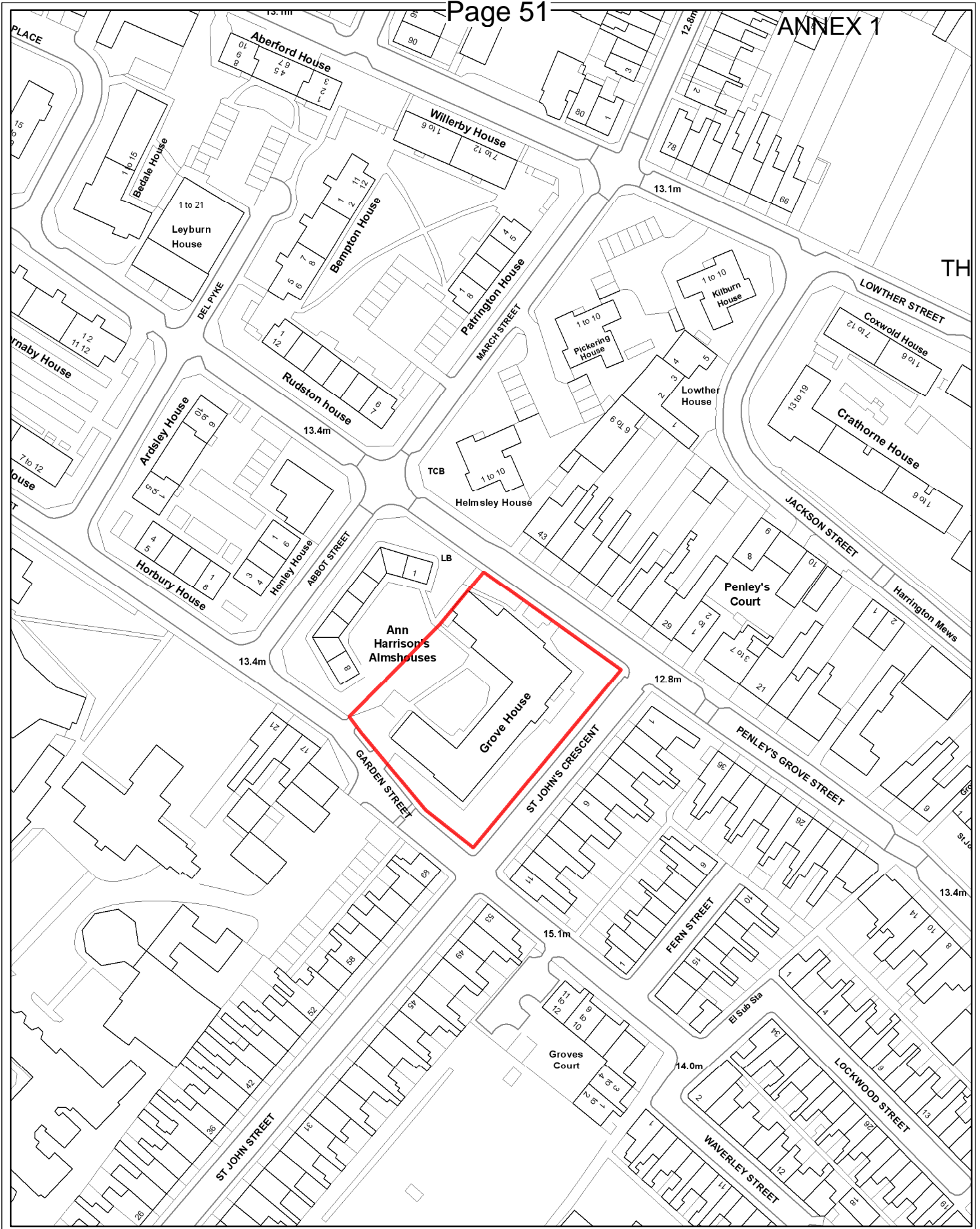
Annexes:

Annex 1 - Plan showing the location of the site.

Annex 2 – Summary of all bids.

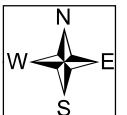
Confidential Annex

Annex 3 – List identifying the bidders.



CBSS
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Management

Grove House Elderly Peoples Home



SCALE 1:1,250

DRAWN BY: CC

DATE: 10/09/2015

Originating Group:

Asset & Property Management

Drawing No.

E00642

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ANNEX 2 - SUMMARY OF ALL BIDS

City of York Council
Grove House, 148 - 150 Penley's Grove Street, York, YO31 7PN

Party	Unconditional £ Projected completion*	Conditional £ Projected completion**
Norstar Real Estates Limited (or SPV controlled by NREL)	£750,997 Subject to : 1 ground investigations *56 days from receipt of legal documentation	£1,610,997 Subject to: 1 Planning permission for conversion of existing building to 29 self contained one bedroomed apartments each of c400 sq ft (37 sq m) for sale or rent. 2 Per unconditional bid ** Assume 10 - 12 months
Bidder B		£1,550,050 Subject to: 1 planning permission for 100 new student cluster bedrooms 2 No off site contributions or S278 costs 3 Ground investigations ** Assume 10 - 12 months
Bidder C	£750,000 Subject to: 1 Cap of £30,000 in respect of the knotweed Wording unclear. * 8 weeks	£1,052,000 Subject to: 1 Planning permission for 14 new residential units with no affordable homes requirement 2 Per unconditional offer 3 No allowance for S106/CIL costs ** Assume 10 - 12 months
Bidder D		£1,050,000 No further bid Subject to: 1 planning permission for un quantified number of new Cat 11 Sheltered units 2 Available vacant building credits ** Assume 10 - 12 months
Bidder E		£1,000,251 1 Planning permission for 26 social housing units 2 Clarification of S106/CIL costs 3 Continued treatment of knotweed by CYC until completion. ** April 2018?
Bidder F	£1,000,000 No scheme described but understood to be conversion of present building to low cost rooms in HMO form for rent * 8 weeks	
Bidder G	£750,000 Community led residential conversion scheme Stated social value to £287,000 pa * phased from date of practical completion to backstop of 3 years.	
Bidder H		£693,000 Subject to: Planning permission for 20 x 2 bedroomed flats ** Not defined
Bidder I		£600,000 Subject to : Planning permission for cluster apartments of 70 rooms on 3 floors

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Executive**29 September 2016**

Report of the Director of Place

Portfolio of the Executive Member for Finance and Performance

Proposed Long Term Leases – Fishergate Postern Tower and Ovington Cricket Club, Little Knavesmire.**Summary**

1. This report seeks an Executive decision on granting 2 long term leases to Friends of York Walls at Fishergate Postern Tower and Ovington Cricket Club at Little Knavesmire

Recommendations

2. The Executive are requested to agree to the letting of Fishergate Postern to The Friends of York Walls (a charitable incorporated organisation) for a Term of 30 years at a peppercorn rent in accordance with the lease terms as set out in the Council's Asset Transfer Policy.

Reason: To enable an unused scheduled ancient monument to be utilised and improved.

3. The Executive agree to grant a new lease to Ovington Cricket Club for a Term of 35 years at an initial rent of £580 per annum (with an Retail Price Index increase every 5 years)

Reason: In order for the club to continue a long established playing association on Little Knavesmire

Background**Fishergate Postern Tower**

4. Fishergate Postern Tower is a 3 storey Grade 1 listed scheduled ancient monument which dates back to the 16th century. It forms part of the city walls at the junction of Piccadilly and Lead Mill Lane. Access to the upper floors is by way of a narrow spiral staircase only and there are no utility services connected to the building.

5. In 2011 the Council was approached by The Friends of York Walls (FOYW) to let the property on a long lease with the aim to turn the tower into a visitor attraction/meeting place with a small cafe. This proposal was supported by the City Archaeologist. The reasoning for a long lease was to enable the group to apply for funding to undertake capital works to improve and restore the tower.
6. In September 2011 Cabinet, allocated £20,000 towards making the tower wind and watertight. This money has not yet been spent. It is proposed that this will be allocated to FOYW once they are the tenant.
7. A 30 year lease has been agreed with FOYW in accordance with the Council's Community Asset Transfer Policy. It will bring into beneficial use a building which has been vacant and unused for many years. The lease will permit FOYW to operate the building as a public visitor attraction facility with associated gift shop and community space but the lease does not oblige the tenant to open the building to the public. The plan attached (Annex 1) shows the extent of the proposed letting outlined in red with a right of access shown shaded yellow. The lease will oblige the Council as landlord to maintain and repair the structure and exterior of the building in return for FOYW paying the Council a service charge capped at £500 per annum. The lease will oblige FOYW to maintain and repair the interior non-structural parts of the building.

Advantages

- It brings into beneficial use a building which has been vacant and unused for many years.
- Enables a coordinated approach to be made to seek funding to install services into the building and allow it to be sympathetically refurbished and reopened to the public.

Disadvantages

- Such a letting to the voluntary group will not generate any rental income for the Council.

Ovington Cricket Club

8. Ovington Cricket Club currently have a 21 year lease which expired on 18 July 2016. The club has however played on the same site since 1936. The lease covers a plot of land being the site of the cricket pavilion and the use of the cricket pitch as shown on the attached plan.(Annex 2)

9. The original air raid shelter which acted as the pavilion has been removed and replaced with a brick built modern structure built at the expense of the cricket club and extended over the years. The club has also constantly improved the playing surface at their own expense.
10. The club has also been granted planning permission under 14/02205/FUL to extend the pavilion with a 2 storey extension. This will require a small area of land adjacent to the pavilion and classed as Public Open Space to be incorporated into the lease. Permission is required to advertise a proposed disposal of Public Open Space under S.123 of the Local Government Act 1972.
11. The club has requested a long lease of 35 years plus a small increase in land let in order to apply for grants to improve their facilities and to continue playing cricket on their long established site

Advantages

12. This will enable the club to have a sustainable future and to be able to meet funder's requirements for grant aid

Disadvantages

13. A small amount of additional land will be taken out of public use

Consultation

Fishergate Postern Tower

14. Friends Of York Walls have publicised the project in the local press, website and social media. They have opened the building on a number of occasions since 2011 and have 25 planned open days during 2016. Since 2012 they have had a 'Sponsor a Stone initiative' to raise funds towards the refurbishment and reopening of the tower. The current total stands close to £7,000

Ovington Cricket Club

15. Discussions have been held with Parks & Open Spaces and Sports & Active Leisure and they have confirmed that the continuation of the lease and the improvement of the facilities are complimentary to the Councils Health and Well-being strategies.
16. Section 123 of the Local Government Act 1972 requires that before any 'open space' land is disposed of (including pursuant to a lease), the proposed disposal is advertised in a local newspaper and that due consideration is given to any objections or other comments received from the public. 'Open Space' includes any land used for the purposes

of public recreation. If the land is currently (or has recently been) used by the public for recreation then a formal S123 consultation will need to be undertaken to advertise a proposed disposal of Open Space for the small additional area identified on the plan.

Council Plan for 2015 - 2019

17. Under the Council Plan these proposal will assist in supporting;

- A prosperous city for all
 - Local residents enjoy a facility to promote creativity and the well being of those in the neighbourhood.
 - Residents can enjoy use of a building which is part of the city's unique heritage and be included in a range of activities.
- A focus on frontline services
 - Everyone has access to opportunities regardless of their background
 - Residents are encouraged and supported to live healthily
- A council that listens to residents
 - Engaging with the community to provide creative space for local residents

Implications

18.

- **Financial** – Fishergate Postern Tower - The proposed letting will facilitate improvements being undertaken to a council asset with a council outlay of £20,000. The asset however will not generate a rental income.
- Ovington Cricket Club – There will be a small increase in annual income from the slightly larger area to be leased.(£197)
- **Human Resources (HR)** - none
- **Equalities** - none
- **Legal** –
 - (i) Fishergate Postern Tower – if the Council does give a grant or loan of £20,000 (or another amount) to FOYW towards the cost of repair works, it is recommended that this be recorded with a formal Grant Agreement specifying what purpose the money can only be used for and in what circumstances the money will be repayable by FOYW to the Council.

(ii) Ovington Cricket Club:

Under S.123 of the Local Government Act 1972:

Before disposing (including granting a lease) of 'open space' the Council must advertise the proposed disposal in two consecutive editions of a local newspaper and give due consideration to any objections or other comments received in response to the advertisement. 'Open Space' includes any land used for the purposes of public recreation. It is understood that the public may use this land for recreation since it forms part of Micklegate Stray. The land in question is unoccupied and undeveloped and therefore could fall within the definition of open space. It is considered that before the Council grants the lease the proposal should be advertised and any objections or other comments should be properly considered. The land is part of Micklegate Stray, which was vested in the Council by the Micklegate Stray Act 1907 with an obligation on the Council to maintain Micklegate Stray as open space for recreation by the city's residents. The 1907 Act does expressly state that the Council can lease out parts of Micklegate Stray for various purposes, including for use as a racecourse.

Crime and Disorder – none

Information Technology (IT) - none

Property – contained in the report

Public Health – none

Planning – Fishergate Postern Tower Scheduled Ancient Monument Consent will be required for the alterations and installation of public utilities.

Risk Management

19. Fishergate Postern Tower – The new lease is not subject to Scheduled Ancient Monument Consent for the alterations. If consent is not obtained, whilst the future plans for the use of the tower may have to change, FOYW have indicated the feasibility of creating the visitor attraction should not be affected.

The risk therefore is **low** and is currently being managed well by FOYW.

20. Ovington Cricket Club – As stated in paragraph 10, the proposed new pavilion requires the additional land. If this was not available, the club

would still take a new lease and remain in its current building, although this would reduce the quality of the facilities for use by the club and others.

The risk is considered to be **low** and there is an alternative way forward as detailed above.

Contact Details

Author:
Graham Hogben
Property Surveyor
Property Services
01904 553346

Officer Responsible for the report:
Tracey Carter
Assistant Director – Finance, Property and Procurement

Report
Approved



Date *20 September 2016*

Specialist Implications Officer(s)

Legal
Brian Gray & Gerard Allen
Legal Services
Tel No.01904 552004

Finance
Clive Christison
Senior Accounting Technician
Tel No 01904 551198

Wards Affected: Guildhall, Micklegate

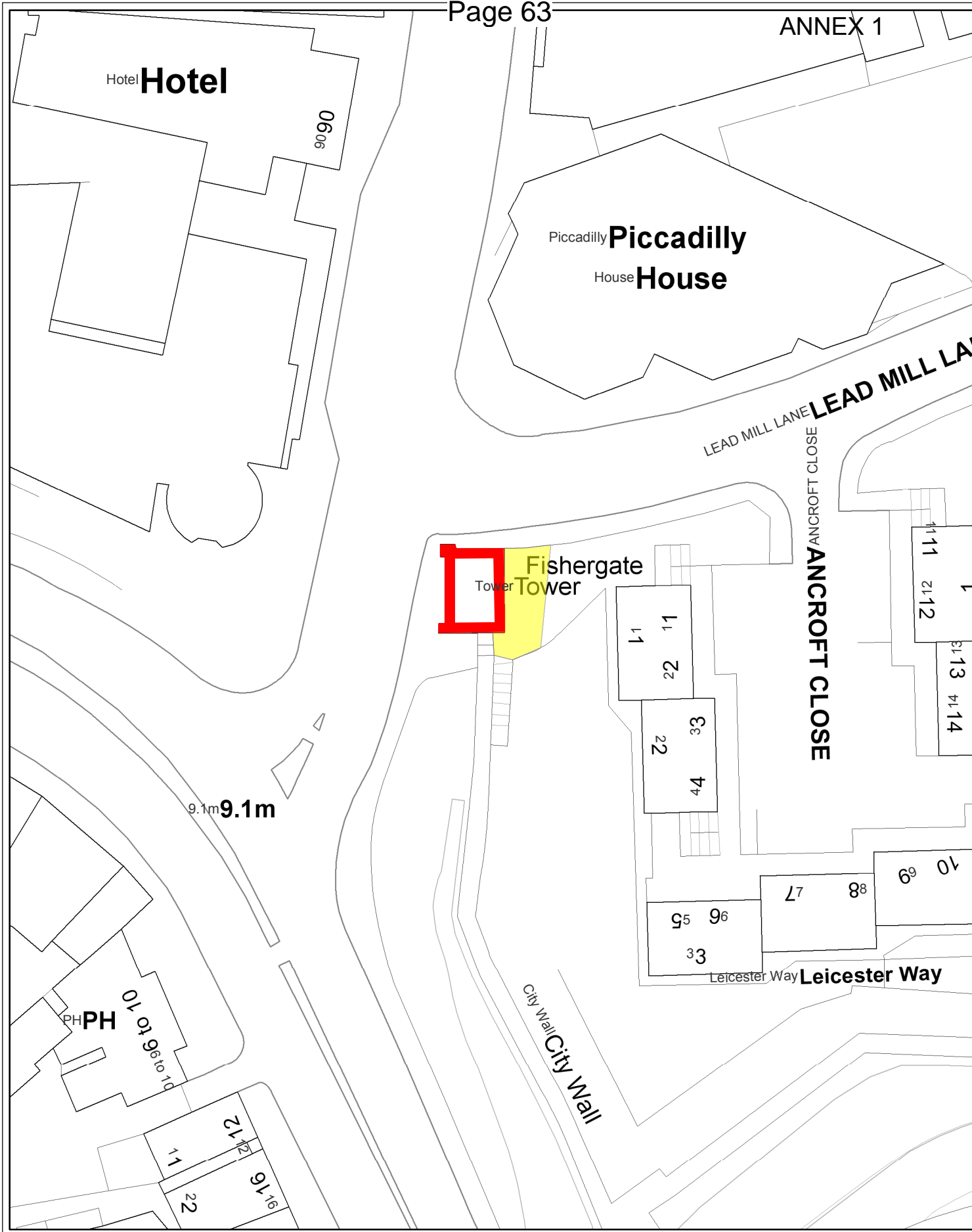
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For further information please contact the author of the report

Background Papers:

Annexes

Annex 1 – Site Plan Fishergate Postern Tower
Annex 2 – Lease Plan – Ovington Cricket Club



CBSS
*Asset & Property
Management*

Fishergate Postern Tower



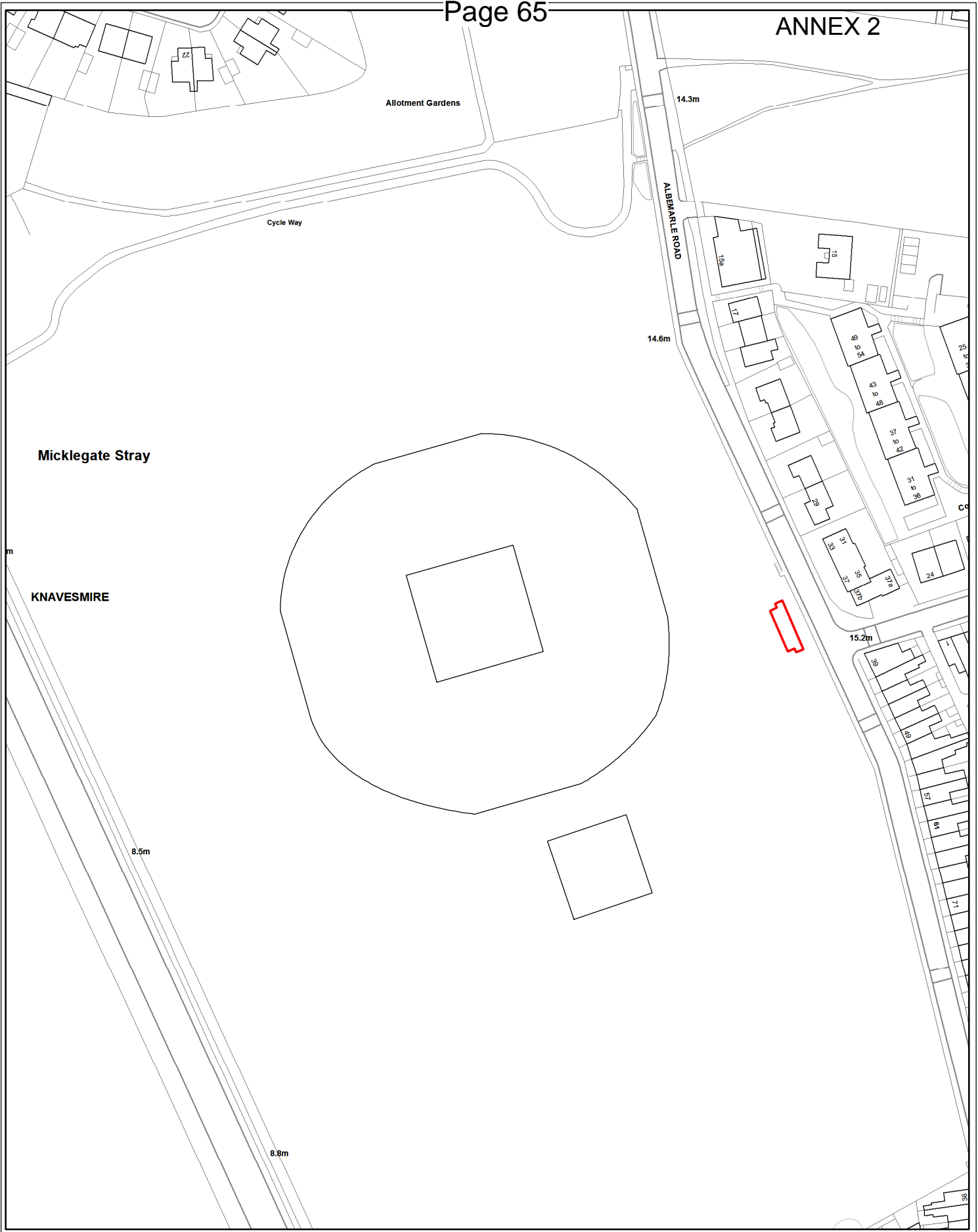
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Originating Group: **Asset & Property Management**

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CBSS
Asset & Property Management

Little Knavesmire Ovington Cricket Pitches



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DATE: 20/05/2016

Originating Group:

Asset & Property Management

Drawing No.

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Executive

29 September 2016

**Report of the Director of Place
Portfolio of the Executive Member for Finance and Performance**

**Application for Community Right to Bid under the Localism Act 2011 –
White Rose House, Wheldrake**

Summary

1. This report presents an application to list White Rose House, 79 Main Street, Wheldrake York, YO19 6AA, owned by the Girlguiding Association (the Owners), as an Asset of Community Value (ACV) under the provisions of the Localism Act.
2. The application has been made by Wheldrake Parish Council and was initially reported to the Executive Member for Finance and Performance Decision Session in July. The Council received a submission from the owner, after the report had been published, which did not allow the full consideration of the evidence base. The report was therefore deferred to a subsequent meeting on the 15th August 2016. At that meeting the Executive Member felt that there was not sufficient detailed information on the extent of any community use to enable him to determine the application. The Executive Member asked the Owners to provide more information and the application be referred to Executive for consideration. The Owner has now provided this information and this is set out in the report.

Recommendations

3. Executive are asked to decide whether to list White Rose House, Wheldrake as an Asset of Community Value

Reason: To ensure full consideration of the community uses of the property.

Background

4. The Community Right to Bid legislation exists to ensure that property assets (land and buildings) which are currently used (or have recently been used) for the benefit of the local communities are not disposed of

without the local community being given a fair opportunity to bid for these assets when they are put on the open market. The right includes public, private and voluntary sector assets. The Council are responsible for deciding whether applications to list assets are valid and comply with the legislation.

5. Wheldrake Parish Council has nominated White Rose House for inclusion on the list. Parish Councils are statutorily entitled to make nominations. The nomination appears at Annex 1.
6. The property is owned and occupied by Girl Guiding North Yorkshire South, a charity supporting activities for girls and young women. In accordance with the Regulations, the freehold owner has been informed in writing that an application has been made. The initial response from them is at Annex 2.

The Legislation

7. The statutory test against which the application needs to be judged is that either

An actual current principal use (rather than merely an ancillary use) of the building/land furthers social well being or the social interests of the local community and there is a realistic prospect that a principal use of the property (not necessarily the same use as present) will continue which furthers the social well-being or social interests of the local community (whether or not in the same way as at present)

OR

In the recent past a principal use of the property has furthered the social well-being or social interests of the local community and there is a realistic prospect that within the next 5 years a principal use of the property (not necessarily the same use as previously) will again further the social well-being or social interests of the local community (not necessarily in the same way as previously).

8. Regulation 3 and paragraph 1 of Schedule 1 to the ACV Regulations states that a property used wholly or partly as a 'residence' is 'land which is not of community value' (and therefore may not be listed). Paragraph 2 of Schedule 1 of the ACV Regulations defines residence as a building use or partly used as a residence which includes where it is a hotel or is principally used as accommodation by paying occupants. It is believed that the building is not principally used as residential

accommodation by paying occupants so it is considered that the property is not a 'residence' for the purposes of the relevant legislation.

9. The judgement of whether an asset meets these criteria is a subjective one. The legislation does not define the nature or extent of any qualifying community use but leaves this decision to the discretion of the responsible body (CYC).
10. If Executive decide to list White Rose House as an Asset of Community Value the legislation then requires the owners to notify the Council of their intention to sell the building. There would then be a 6 week moratorium on the sale during which time the Parish Council would need to register their intention to bid for the property. If they do so then the owner would need to allow them 6 months to make that bid. At the end of the moratorium, any community bid would be considered with any other bids received for the site by the landowners. At that point the landowner will be free to sell the property to whoever they wish.

Community Use

11. The Parish Council (the Applicant) claims that the property should be listed as an ACV as it is available for hire for both day and residential use and provides a range of accommodation suitable for community use. They also state that the property has been used by the community in the recent past for a range of village activities including yoga classes, coffee mornings, Women's Institute meetings, birthday parties and community meetings.
12. The owners state that this community use has been minimal over the last few years and only increased slightly following closure of the Village Hall for extensive repairs in 2015. The primary use of the property is for Guiding groups, for residential and other meetings. These uses are from groups across the region and elsewhere in the country. There have been no residential stays from groups other than GirlGuiding in the last 4 years and the other use can be summarised as follows.
13. The property has been used by the local community over the last three years and this is broken down below
 - 2013 –** Regular local groups – 17 bookings per month
 - One off bookings by local groups – 11 in the year
 - One off bookings by others – 2 days during the year

- 2014** – Regular local groups – 13 bookings per month
One off bookings by local groups – 11 in the year
One off bookings by others – 2 days during the year
- 2015** – Regular local groups – 14 bookings per month (inc 5 due to Village Hall being closed)
One off bookings by local groups – 8 in the year (inc 2 due to Village Hall being closed)
One off bookings by others – 3 days during the year

Girl Guide Use

14. The information provided by the owner identifies the main use of the property by Girlguiding groups, locally, county and wider and this is evidenced by Groups who use the site both during the day-time and for residential stays as follows
- 2013** – 24 residential stays – (6 from units outside the County)
2014 – 18 residential stays – (3 from outside the County)
2015 – 29 residential stays – (9 from outside the County)
15. In addition the property is used for the following activities – all in connection with GirlGuiding
- Meetings of the Council Executive
 - Training and competition events
 - Storage for County and camping equipment and County Archives
16. The Building is clearly used by the local community but it is also clear that this is not its main purpose.

Consultation

17. The Owners have commented on the application and their views are contained in the report.

Council Plan

18. This report relates closely to the following corporate priority
- A Council that listens to residents

Implications

19

- **Financial** Compensation may be payable by the Council to the owner of any property which is listed. The figure is limited to costs or losses incurred only whilst the asset is on the list and could include such items as legal expenses for appeals, costs relating to the delay in the sale (such as maintenance, security, utility costs, loss of value)
- **Human Resources (HR)** - none
- **Equalities, Crime and Disorder and IT** - none
- **Legal**– Organisations falling within any of the following categories are eligible to submit an ACV nomination relating to property within their local area:
 - a) a parish council
 - b) a charity, non-profit making company or community interest company with a local connection to the nominated property
 - c) an unincorporated association which has at least 21 members registered to vote in the local area

The organisations who have submitted the nominations covered by this report fall within the above criteria and are therefore entitled to submit their ACV nominations.

Paragraph 7-8 of the report contains the statutory definition of 'land of community value'. If the listing authority considers that a nominated property falls within that definition then it must include the property on its ACV register.

If the ACV listing is agreed the owner has a right to ask for a review of that decision and this must be undertaken by an officer of appropriate seniority who did not take any part in the original listing decision.

- **Property** - all property issues included in this report
- **Other** - none

Risk Management

20. There are no significant risks.

Contact Details

Author:

**Chief Officer Responsible for the report:
Neil Ferris
Director of Place**

Tracey Carter
Assistant Director –
Finance Assets and
Procurement

Philip Callow
Head of Asset and
Property Management
Property Services
553360

**Report
Approved**

Date *20 September
2016*

Specialist Implications Officers
Gerard Allen – Senior Property Solicitor

Wards Affected: Wheldrake

All

For further information please contact the author of the report

Annexes

Annex 1 – White Rose House, Wheldrake – application to add to the list of community assets

Annex 2 – Response from the Girlguiding North Yorkshire South



ASSETS OF COMMUNITY VALUE NOMINATION FORM

If you need assistance completing this form, then please refer to the guidance document which can be downloaded from the website shown below or alternatively call 01904 553360

www.york.gov.uk/assetsofcommunityvalue

Section 1

About the property to be nominated

Name of Property:	WHITE ROSE HOUSE
Address of Property:	73 MAIN STREET, WHELDRAKE, YORK
Postcode:	YO19 6AA

Property Owner's Name:	GIRLGUIDING ASSOCIATION
Address:	79 MAIN STREET, WHELDRAKE, YORK
Postcode:	YO19 6AA
Telephone Number:	
Current Occupier's Name:	GIRLGUIDING ASSOCIATION

Section 2

About your community organisation

Name of Organisation:	WHELDRAKE PARISH COUNCIL
Title:	MRS
First Name:	SALLY
Surname:	LOOK
Position in Organisation:	Clerk
Email Address:	
Address:	THE OLD POST OFFICE, 72 MAIN STREET, WHELDRAKE, YORK
Postcode:	YO19 6AA
Telephone Number:	1904449182

Organisation type:

Click in field for options

PARISH COUNCIL

Organisation size

How many members do you have?

8

Section 3**Supporting information for nomination**

Any information entered in this section only may be copied and passed onto the owner of the property you are nominating. Definition of an asset of community value can be found in the guidance document.

Why do you feel the property is an asset of community value? Please give as much information as possible.

It is available for hire for both day and residential use and comprises: Large hall, Small hall, Washroom with toilets, washbasins and two showers, Drying room for boots and wet weather clothing, Bedroom suitable for use by disabled person and their carer, 30 Camp Beds with cell foam pads, one pillow and fleece cover, Fully-equipped and refurbished kitchen, Gas central heating, Tarmac car park/play space to the rear of the building

Section 4**Boundary of Property**

What do you consider to be the boundary of the property? Please give as much detail/be as descriptive as possible. Please include a plan.

'White Rose House' is not a house in the conventional sense, but the Victorian school which was converted to make a centre for the Girl Guides who use it for guiding activities. It can also be hired for village activities, and is used for yoga classes, coffee mornings, WI meetings, birthday parties, community meetings and so on. Map attached. Ordinance Survey Map 105 Grid Reference 682450

Section 5**Attachment checklist**

- Copy of group constitution (if you are a constituted group)
- Name and home address of 21 members registered to vote in nomination area (if group is not constituted)
- Site boundary plan (if possible)

Section 6**Declaration**

I can confirm that to the best of my knowledge the information contained in this nomination form is complete and accurate.

Signed: _____

Dated: _____

23/3/16

Please e-mail your completed form to property.services@york.gov.uk or post to:

Asset and Property Management
City of York Council
West Offices
Station Rise
York
YO1 6GA

White Rose House, Wheldrake

Boundary Description

Within the boundary is a tarmac car park/play space to the rear of the building (with gates). The building fronts directly onto the footpath on Main Street, Wheldrake and it has walls round its perimeter to separate it from neighbouring properties. On one side is the Church Yard and on the other side is a residential house (77 Main Street). The driveway to the rear car park is to the left of the building and there is a alley / footpath on the right side of the building. I have attached photo's of the front of the property.







White Rose House

79 Main Street, Wheldrake, near York

YO19 6AA

Ordnance Survey Map 105 Grid Reference 682450

White Rose House Bookings Secretary

Miss D Pears, 38 Muncastergate, Malton Road, York YO31 9LA,
Tel: 01904 425732

Registered Charity No. 516246

Disabled guests & young children

The entire building is fully wheelchair accessible and is also suitable for the visually impaired. The bedroom designed for use by a disabled guest and their carer is a new addition to the facilities at White Rose House and features an adjustable bed, a bed for the carer and a fully equipped ensuite wet room.

White Rose House is also particularly well suited for use by young children, and it has recently been fitted with low surface temperature radiators as well as lower level toilets and washbasins.

Capacity

White Rose House can accommodate a maximum of 100 people for daytime meetings and can sleep up to 30 people (including adults), on camp beds.



Disabled Guests' Wet Room

Medical Matters

Doctors – Elvington Medical Practice have a surgery on Main Street, Wheldrake. Telephone 01904 608224. Limited opening times, check for up to date hours.

Hospital – York District Hospital, Wigginton Road, York, YO31 8HE. Telephone 01904 631313. There is an A&E Department at this hospital.

Churches

Church of England – St Helen's Church, Wheldrake. Services as indicated on the church noticeboard.

Roman Catholic – Thicket Priory, Carmelite Monastery, on the road to Thorganby. Mass 9am Sundays.

Methodist – Thorganby Village, telephone contact 01904 702223



Newly restored stained glass window

Local Information

Shops & Post Office

Butcher and fish man – the butcher's van visits Wheldrake on Mondays and Fridays and the fish man visits on Tuesdays and Fridays.
Butcher Peter Healey Tel: 01757 248515

Costcutters – situated on Main Street, Wheldrake and stocks the basic essentials. Open Monday to Saturday 7am-8pm, Sunday 8am-8pm.

Tesco, Asda & Sainsbury's – located in and around York (there is also a Tesco store in Selby). They will all deliver to White Rose House if the order is made online.

Post Office – situated in Costcutters. Open Monday to Friday 9am-5.30pm, Saturday 9am-12.30pm.

Transport

Buses – there is a regular public bus service connecting Wheldrake to York city centre from Monday to Saturday operated by Transdev. Telephone 01904 633990

Park & Ride – a park and ride service operated by First York runs 7 days a week from the McArthur Glen Designer Outlet at Fulford, approximately 10 minutes by car from Wheldrake.

Thornes Independent Ltd – private coach hire, with a variety of sizes of coaches available. Telephone 01757 630777.

House Information

Arriving and Departing

A key for the house will be sent to you on receipt of your balance of payment, this should be with the booking secretary two weeks before your arrival.

On departure please complete the checklist and leave in the small hall. Please return the key as instructed.

Things to Bring

Although there are camp beds with cell foam pads, one pillow and fleeces for up to 30 people, visitors will need to bring their own sleeping bags and pillow cases.

The kitchen has a gas cooker, a fridge freezer and plenty of crockery. Visitors need to provide their own tea towels, dishcloths, towels, washing up liquid, toilet rolls, and bin liners. All other cleaning materials are supplied.

First Aid

Group Leaders are expected to bring their own First Aid Kit. For emergency use there is a First Aid Box in the kitchen.

Fire Precautions

In the event of a fire, the fire exit is via the main door of the building OR the side door near the washroom. The fire alarm is on the wall in the entrance hall with full instructions on the wall nearby. There is a fire blanket in the kitchen near the cooker. A fire practice should be held early in your stay. Please record this in the book provided.

Telephone

There is a telephone in the small hall. The telephone number is **01904 448880**. Please pay for any calls made as indicated on the list near the phone. Please note that mobile phone reception is very poor and you may not be able to get a signal in Wheldrake village.

Souvenirs

A selection of White Rose House souvenirs is available for sale.

Correspondence

Please do not send any correspondence to White Rose House except to those staying.

Things to do

York (8 miles)

The ancient city of York is just 8 miles from White Rose House, and is full of interesting things to see and do, including historic sites such as York Minster, Clifford's Tower and The Shambles and museums such as the National Railway Museum, Castle Museum and Jorvik Centre. York also plays host to a number of special events and festivals throughout the year including the annual Viking Festival.

To find out more about York, its wealth of visitor attractions and special events as well as practical information including bus timetables, visit www.thisisyork.co.uk.

Wheldrake Woods

The woods are managed by the Forestry Commission and are home to a wide variety of wildlife, including fallow deer, bats and butterflies. For more information see www.forestry.gov.uk

Wheldrake Ings

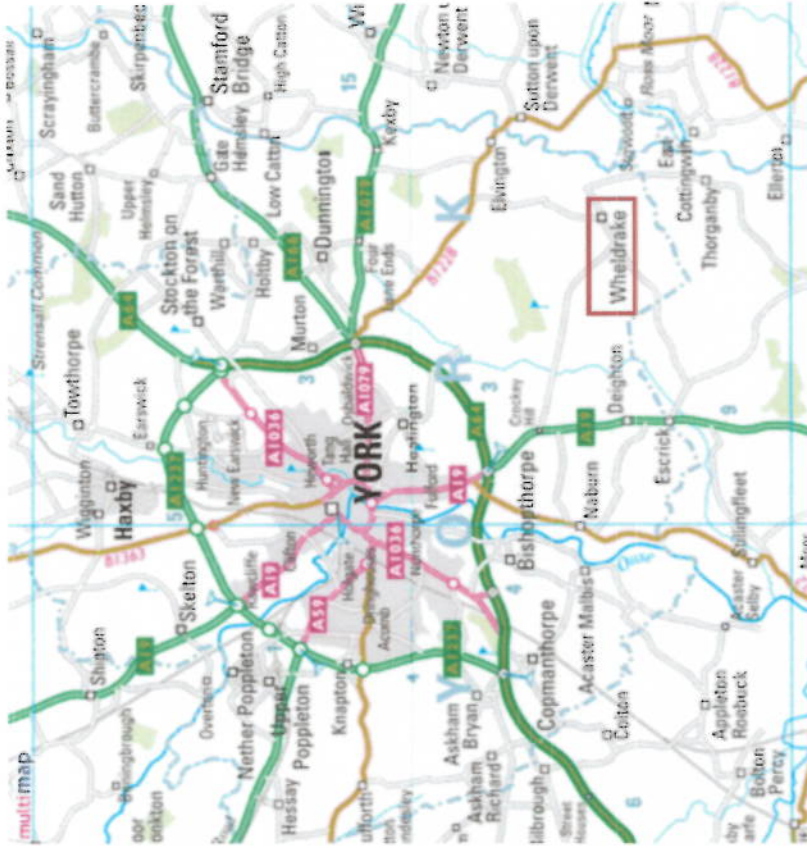
Wheldrake Ings consists of the banks and water meadows of the Lower Derwent and is an important nature reserve – particularly for winter migrant birds and wild flowers. See www.yorkshire-wildlife-trust.org.uk for further information.

Play Area

There is a children's play area on Broad Highway, Wheldrake (near the school).

A folder in the small hall at White Rose House gives more information about places of interest in the local area.

Location Map



Courtesy of Multimaps

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2 Turton Square

Brayton

Selby

YO8 9EB

Tim Bradley

City of York Council

4 August 2016

Dear Sir

White Rose House – Asset of Community Value Hearing

I am writing as a trustee of White Rose House to state our objections to the building being added to the list of Assets of Community Value.

White Rose House is owned by Girlguiding North Yorkshire South, a charity supporting activities for girls and young women. It is held in trust by our national association. The primary purpose of the building is to provide a venue for overnight residential activities for our members, a meeting place for the necessary planning, trainings and administrative meetings and finally as a place of storage for a equipment and the County archive.

The hall is also used for community activities, yoga, church events etc however these are very much a secondary role to the Guiding activities. The community activities have increased in the past twelve months as the village hall was out of commission, we were pleased to be of service to community and to provide the resource when it was needed. Now the village hall is has been repaired, the community use will reduce back to a more sporadic basis.

We do not foresee any reason why we would wish to sell the property in the foreseeable future however as trustees we are bound to try and ensure the very best situation for our members. The property becoming an asset of community value would provide an unnecessary hindrance to a efficient sale and if the sale was required to purchase an alternative property for a similar purpose, it would effectively prevent that as the timescales would hinder cashflow

We support the concept of the legislation however we do not believe that White Rose House is crucial to the well being of the village. There is already a village hall, there are sufficient covenants in the deeds of the property to prevent it being used for anything detrimental to the Church or near neighbours. Adding White Rose House to the list would not ultimately benefit the community and it could harm the future opportunities for our charity.

If you have any further queries please do not hesitate to contact me.

Yours sincerely

Judith Bellamy

County Commissioner Girlguiding North Yorkshire South

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Executive

29 September 2016

Report of the Director of Adult Social Care

Portfolio of the Executive Member for Adult Social Care and Health

Progress towards a new operating model for Adult Social Care

Summary

1. This report provides an update on the progress to develop a new operating model for Adult Social Care. It highlights key developments and identifies a proposal for resourcing the next stage of work.

Recommendations

- That the Executive note progress made towards the new operating model, presented previously as part of the budget proposals.
- That the Executive approve the proposal to procure external support and internal project management to further develop and implement the model.
- That the Executive approve use of funding already set aside of up to £360k for procurement of external support and an internal adult social care senior project lead grade 11 for 12 months on the basis that this capacity is required to deliver a operating model that underpins recurrent savings of over £1.2 million.

Reason: To update the Executive on the development of the Adult Social Care operating model intended to support people to enjoy healthy, active and independent lives. To propose the procurement of support to help design and implement this model.

Background

2. Over the past 3 months, progress has been made in identifying and articulating an operating model for Adult Social Care. This has included working with partner organisations in NHS, community and voluntary services and the leadership group within the council. We are now in a position to articulate the model. This is detailed in Appendix 1.

3. The proposed operating model supports the council wide vision of supporting people to enjoy healthy, active and independent lives. It is based on enabling people in York to have control over how they manage social care needs with a strong emphasis on the use of personal and community assets and working in partnership.
4. Our intention is to move away from our current model, in which CYC adult social care often intervenes at a point of crisis in customers' lives. This often risks creating a dependency between the customer and the council. The new model, built on an early intervention approach, will use the individual and their community's capacity to self care and manage as the first option. There will be an increase in the use of support outside of council commissioned services and commissioned or directly provided CYC social care services will be used as a last resort.
5. Moving to a model based on self care and community assets underpins the directorate plans to reduce costs, in commissioned community support, residential and nursing care. The model facilitates the following directorate recurring savings to be achieved by 2019/20 totalling over £1.2 million
 - Community Support £696k
 - Nursing Care £467k
 - Residential Care £101k
6. Additionally the model will seek to reduce internal care management costs. The scope of this is to be determined through the detailed development of the model.
7. The new operating model has a simple intent. This is to keep people independent, exercising choice and control over how they live their lives.

Key elements of the model include:

- a) Enhanced information advice and guidance.

The new operating model will include the provision of high quality information through a range of channels which supports people living safely, healthily and independently. Adult Social Care is currently creating an advice, information and guidance strategy which can be deployed through the new operating model. This work is closely aligned with key CYC projects including the digital work streams, procurement of case management portal and the development of community hubs.

- b) Maximising personal resilience through non service based community and personal means.

The new model will create capacity within communities to support themselves and generate the resilience to respond to crisis without need escalating. This will be achieved through the development of community capacity through local area coordination and commissioning of low level sustainable capacity building support. Preparatory work is currently underway through the Local Government Association care and health efficiencies programme which is bringing resource into the council to develop our methodology of implementing local area coordination, the building stronger communities work stream and the implementation of the CYC wellness service.

- c) Maximising personal resilience through service based early intervention and prevention

The new operating model recognises that there will be occasions where service based interventions are required to supplement community and individual resources. The model will see an increased service offer to intervene early and provide short term support to prevent social care need and build independence. The model will build on and develop existing work of community facilitators, social prescribing and integrated primary care hubs and wellness service.

- d) Digital Self Service

The new operating model will follow a digital by default approach and provide an enhanced and transactional digital offer. Through the use of self-service website, mobile applications and social media, customers will be able to access both information and advice about support and engage in supported self assessment and support planning. This work builds on existing projects including the procurement of case management system, digital service project and the development of the advice and information strategy.

- e) Excellent Customer Services

The new operating model will revitalise the customer service offer for all customers contacting the council about adult social care needs. The offer will maximise customer fulfilment at the first point of contact, through channelling them to the right source to assist them. Our customer service offer will promote new channels for interacting with the CYC and help customers grow accustomed to these new channels.

- f) Maximising Independence

The new operating model will maximise customers' independence and prevent and reduce the need for long term council funded support. This

will be through the provision of cohesive and integrated services that enable independent living such as integrated reablement services, primary care hubs and assistive technology.

g) Assessment and Care Management

The CYC assessment and care management service instead of being a default option in the current model will become the option of last resort in the new operating model. These services will support only those with the most complex needs. These services will focus on helping customers determine personal outcomes and how they wish to manage risk. Choice and control will be promoted by helping customers source support through personal budgets, individual service funds and direct payments, reducing reliance on traditional provision.

h) External Brokerage

Customers with social care needs will be able to access enhanced support, external to the council to plan and commission their support rather than rely on CYC to manage the process. This improved offer will build on the work already being undertaken with York Independent Living Service and other agencies to create this as the offer of choice for all customer groups within the city.

i) High Quality Provision

The operating model will see better advice and support to all customer groups. This will ensure that provider resources in York are directed where they are needed most. The focus on choice and control will build on the commissioning work to develop more varied, quality provider models to support a buoyant and sustainable market where there is good availability of care within a price range which is affordable to those who need it.

Work underway

8. As described above, there are several work streams that support CYC towards the new operating model.

These include the work to develop community hubs, placed based working, the development of the advice and information strategy, market shaping and commissioning of third sector and independent providers, integration with primary care, the development of a joint reablement specification and provision, the procurement of a new case management system, digital York and Customer Relationship Management programmes.

Future Development

9. This new operating model while building on work already underway requires a whole scale change in CYC's approach to adult social care. This is particularly the case for the way in which CYC discharges its responsibilities in assessing customers' needs and ensuring support is provided to meet these. It requires a complete shift in the mindset of the leadership and workforce. This is to move us from our traditional care management approach to a new relationship with customers, the community, partners and providers. This relationship starts with customer outcomes and has a more facilitative role for CYC and a much greater role for personal and community assets. This change needs to be achieved at a time when services and organisations are under increased pressure.
10. The work required to implement the operating model is complex and currently being developed into a specification from which we can procure the external support. From the procurement exercise the successfully appointed organisation will be expected to work alongside CYC to deliver the following:
 - a) A detailed review of the current care management services.

This will include the accurate and reliable quantification of costs and benefits of current activity in the service. This will be achieved through the collection and analysis of data in areas such as staffing structures and allocations, technology infrastructure, business processes, assets, budgetary spend and demand drivers.
 - b) A blueprint for the redesign of current care management services into a new operating model that prevents, reduces and delays support needs, is person centred, based on personal and community assets and promotes self management. This operating model blueprint will detail financial benefit and improved customer experience and outcomes. The model will be informed by the review and processes will be redesigned through co-production with staff, partners, customers and the wider community through a series of events and workshops.
 - c) The development and implementation of the delivery plan for the new operating model. The plan will be co-produced and direct activity which realises the benefits to customers and the projected financial savings. The implementation plan will focus on:
 - I. Support to transition away from traditional practices. This will be led through work streams that will prepare, mobilise, deliver and embed the model and mitigate risk of failure. This work will

involve significant input of project management resource to effectively mobilise the workforce and redirect activity towards new ways of working.

- II. People and change management activities that support change and enable its impact to be measured. These include aligning all expected benefits and embedding the systematic measurement and tracking of these. This includes engagement and consultation with the workforce to develop and implement change needs assessment that will bring the workforce into the heart of the model.
- III. Specific work packages that develop and deliver business capability and underpin the new ways of working. These will include strengthening of the process around information advice and guidance, an improved digital offer, streamlined and self-serve assessment based on a strengths approach, and the redesign of support planning to include greater use of community assets and self-management and reduce use of commissioned services.

Budget Implications

11. The development of the new operating model is critical to the directorate plans to reduce dependency on commissioned nursing, residential and domiciliary care services and so meet the complete savings plan by 2019/2020. Without 'inverting the triangle of support' and reducing the use of these services, demographic and financial pressures will become unmanageable.

Rationale for External Support

12. The need to bring in external resource is necessary because of the scale and urgency of shift from our current operating model to the new operating model is such that it cannot be done while the directorate runs the complex high risk service on a day to day basis. An attempt to do so is likely to result in only continued progressive improvement at modest pace, rather than the required whole scale change. The use of an organisation rather than an individual post mitigates against a single point of failure that could occur through the use of an individual consultant. Expertise exists outside of the council that can be brought in to successfully enable this change. This is a strategy successfully adopted by other councils to make this change for example in Barnsley and Shropshire.

13. CYC are producing a service specification and intend to go to market to procure the necessary support to enable the change from our current model to the new operating model. It is crucial that this process is owned and influenced by the directorate workforce. Using wholly external expertise runs the risk of not achieving this. In order to ensure ownership throughout the process the directorate intends to second a postholder at service manager level to work alongside the external organisation.
14. In order to ensure value for money, the proposed route to securing consultancy is to seek quotations from the small number of specialist organisations. This will be a minimum of 3 organisations that have a expertise and a track record of such work against the service specification and evaluate using CYCs established evaluation processes.

Resourcing

15. The redesign work is fundamental in supporting us to re-focus on delivering the requirements as set out in the Care Act. On this basis we have set aside approx £1m to support us in the implementation of the Care Act. We would suggest the resourcing to do this work is taken from the funding as reserved.

Timescales

16. From Executive approval procurement of external support is expected to take approximately 9 weeks

The activities required to engage in, map, design, and implement a new model are complex and require structural reorganisation, workforce development, changes in system processes and policy and commissioning approaches. They are therefore likely to take a 12 month period to develop before the model is fully deployed.

Consultation

17. Consultation with the public, customers and stakeholders is an integral element of the design and implementation of the operating model. This builds on existing consultation work, for example the development of integrated reablement services.

Options

Option 1

18. To accept the recommendations laid out in this paper and agree to the review of adult social care and the design and delivery of the operating

model intended to deliver savings agreed through the budget setting process.

Option 2

- 19. Do not agree to the review of adult social care with the consequent risk to the budget and the delivery of support caused through.

Council Plan

- 20. These proposals support the council plan in ensuring that support services are available to those who need them and that vulnerable people stay safe and are protected from harm. It supports the commitment to review adult social care.

Implications

- 21. The proposals are key to CYC's delivery of its responsibilities under the Care Act 2014 and to ensuring this is done within the necessary budget.

Risk Management

- 22. These proposals mitigate against potential budgetary and performance risk for the CYC.

Contact Details

Author:

Michael Melvin
Assistant Director Adult Social
Care
No 554155

**Chief Officer Responsible for the
report:**

Martin Farran
Director of Social Care



16 September
2016

Wards Affected:

All

For further information please contact the author of the report

Background Papers: None

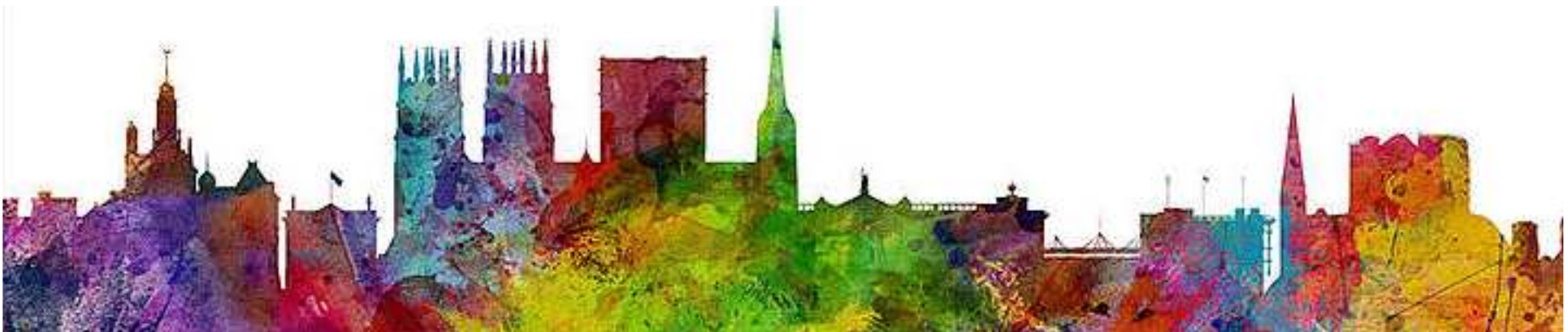
Annexes

Appendix 1 – Adult Social Care – Our priorities and focus

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Adult Social Care – our priorities and focus

Resilient Communities, Empowered
Individuals, Safe Support



Context

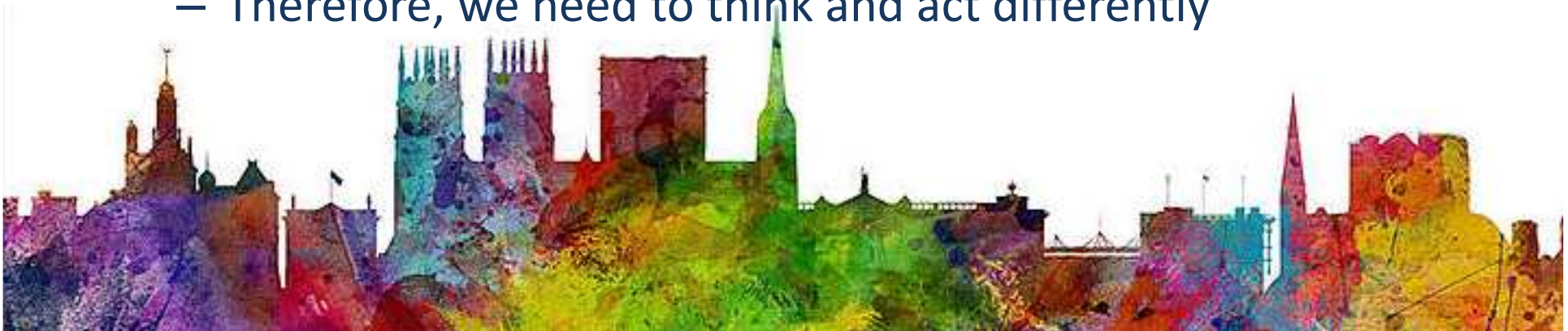
Our services

- Make people feel safer than average
- Support customers to have a good quality of life
- Have Customer Service Excellence
- Are viewed as excellent by mystery shoppers
- Have implemented significant change, related to the Care Act and the need to consider wider wellbeing
- Came in on budget in 16/17

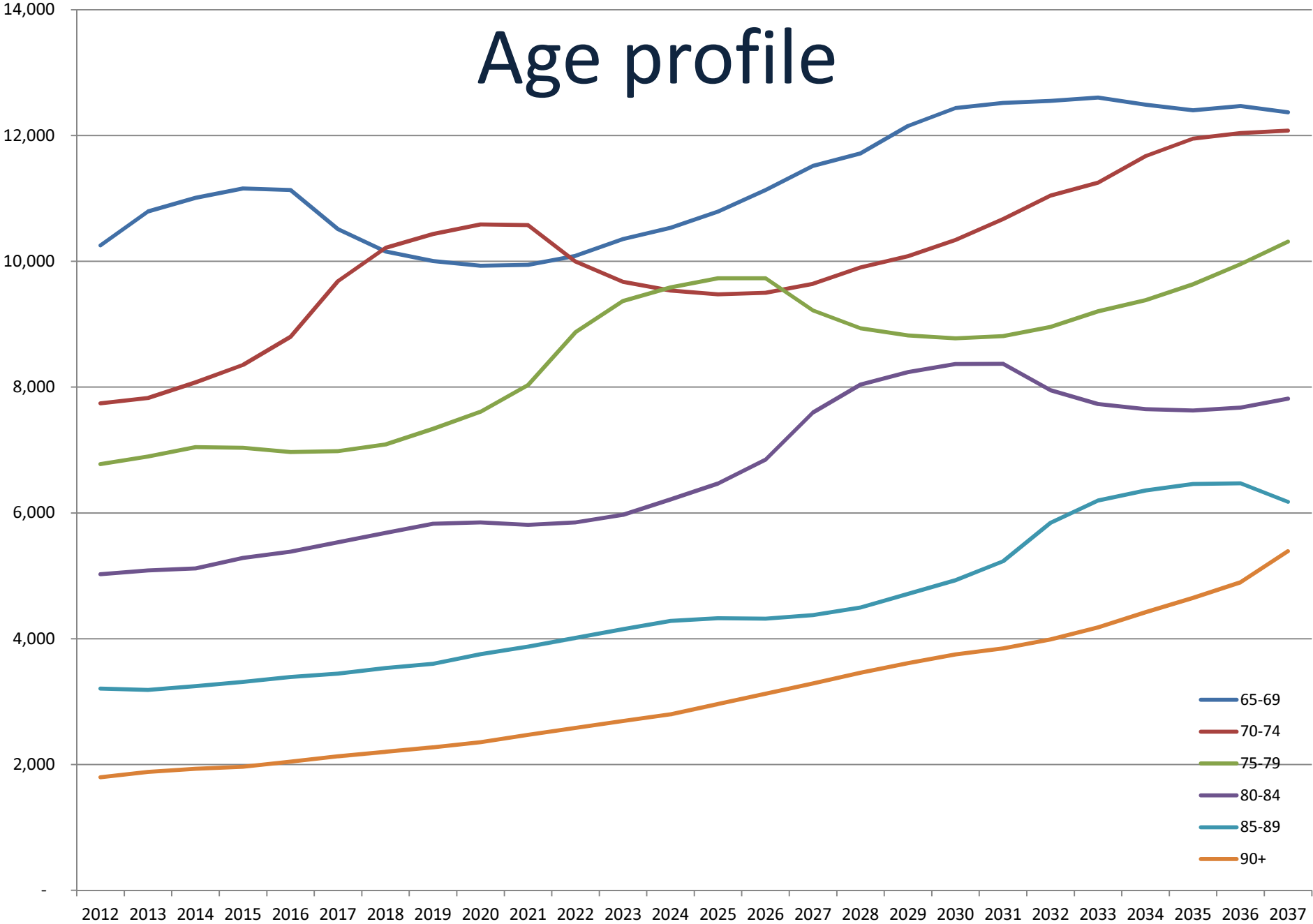


Context - challenges

- We know:
 - We have an aging population
 - People are living longer
 - Demand on services will outstrip available funding
 - Often, our first contact with a customer is at the point of crisis
 - Our system creates dependency on services
 - We don't always take an asset based approach
 - Therefore, we need to think and act differently

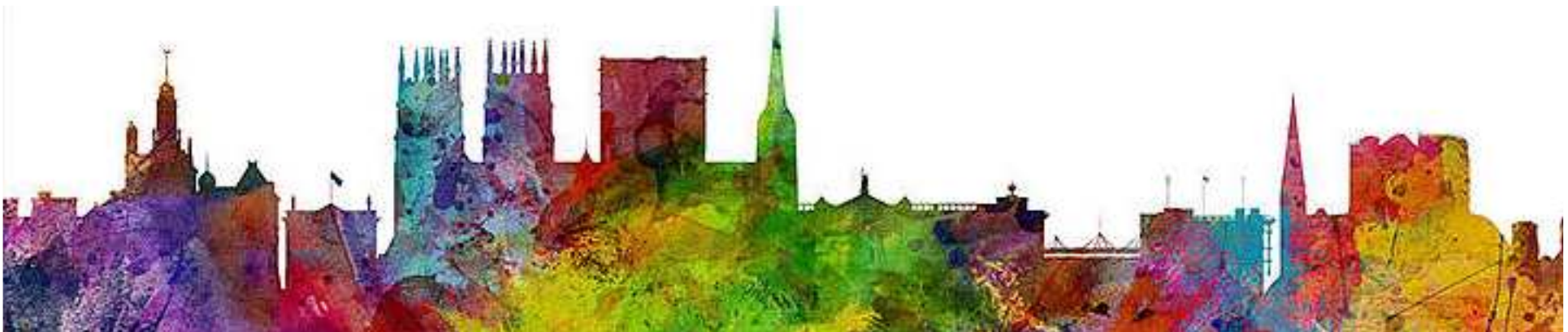


Age profile

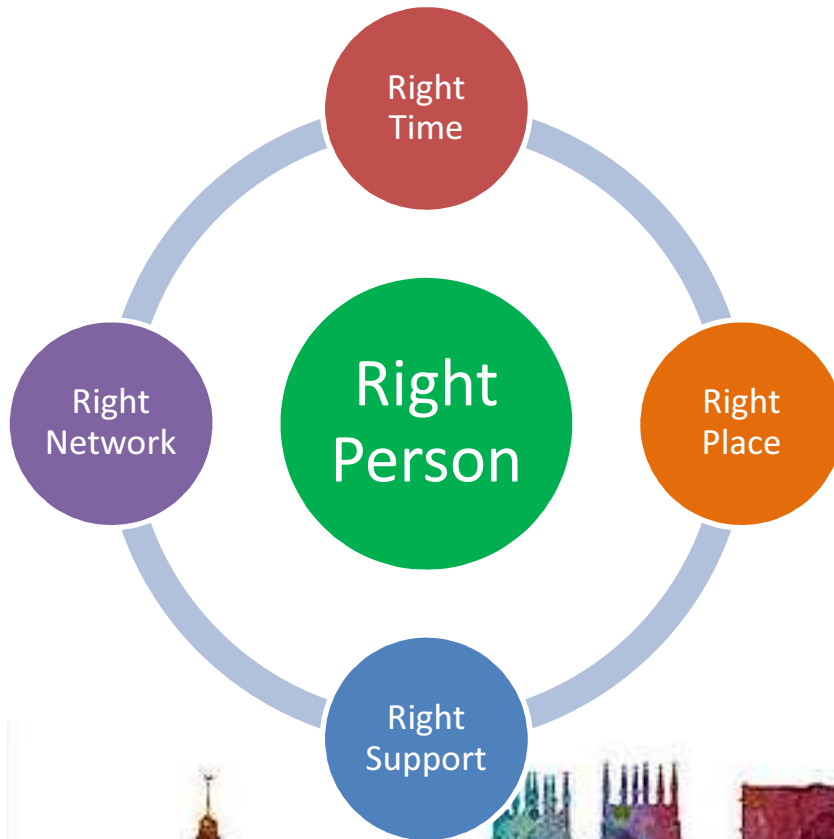


Budget Implications

- Savings required
 - £1.135m in 16/17
 - £1.040m in 17/18
- Given the demand pressures, our current system is unsustainable in the medium term.



Design Principles



- **Right Person** - People who need support are able to access it in an appropriate way to maximise their resilience and maintain independence.
- **Right Time** - Support is available early, both to prevent and address an emerging need, rather than waiting for things to reach a crisis.
- **Right Place** - Support is coordinated locally, making use of an individual's skills and experience, their support networks, community capacity and local facilities wherever possible, ensuring it reflects the individual's life circumstances.
- **Right Support** - People are helped to find support to address the issues which prevent them having a good quality of life, reducing dependence on statutory services as far as possible.
- **Right Network** - Those supporting an individual, including friends, family and partner organisations, work collectively to support the person in the most coordinated and cost effective way.



4 Areas of Focus

1. Preventing need

2. Reducing need

3. Delaying need

4. Managing need

1. Universal information and advice to promote health and wellbeing
2. Targeted and co-ordinated support for those at risk of increasing need
3. Maximise independence through reablement and community support
4. Coordinate personalised ongoing support around the person's needs and wishes



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Executive

29 September 2016

Report of the Director of Customer Services and Business Support
(Portfolio of the Executive Member for Finance & Performance)

Council Owned Companies

Summary

1. This report builds on the report which the Executive considered at their meeting on 30th June 2016 and proposes detailed arrangements for the new Shareholder Committee.

Recommendations

2. Members are asked to:
 - a) Approve the appointments of Cllr. Steward and Cllr. Ayre to the Shareholder Committee, with Cllr. Steward to be nominated as Chair.
 - b) Approve the appointment of Cllr. A. Waller and Cllr. S. Rawlings as substitute Members.
 - c) Invite the Leaders of the opposition groups to nominate a representative of their groups to participate in a non-voting capacity at meetings of the Committee, including an Independent Member.
 - d) Appoint Cllr. J. Hayes as the Independent Member.
 - e) Delegate to the Shareholder Committee the power within its terms of reference to exercise all the Council's powers arising from its ownership role other than those identified within this report as being reserved to the Executive.
 - f) Agree that if the two Voting Members of the Shareholder Committee are not in agreement, then the matter will be referred up to the Executive for determination
 - g) Support the proposed division of decision making responsibilities between the Executive, the Shareholder Committee and Officers as set out in the annex to the report.

Reason: To ensure proper governance of Council companies.

Background

3. The Executive approved new governance arrangements for Council companies at its meeting in June. These involved establishing a new Shareholder Committee whose terms of reference will allow it to:
 - Act as owners/joint owners of the company;
 - Sign off Strategic business plans;
 - Monitor performance and financial delivery against strategic business plans;
 - Exercise decision making over reserved matters;
 - Determine the remuneration of Directors and any senior managers as identified in the specific scheme of delegation and agreeing any performance related bonus payments to staff;
 - Make recommendations to Executive for any investment in/asset transfers to or lending to companies;
 - Delegating specific functions to Officers of the Council to increase commercial flexibility.

Membership

4. The Committee will be a Committee of the Executive and the same rules of procedure will apply to its meetings as apply to the Executive. Voting Members therefore need to be members of the Executive. Councillors Steward and Ayre have been nominated to serve on the Committee with two other Executive members to act as substitutes.
5. In line with the arrangements for Executive meetings it is proposed that the Leaders of each of the opposition groups or their nominated substitute should be invited to attend meetings and be given full rights to participate in meetings although they will not be entitled to vote. It is also suggested that an Independent Member be allowed to attend in the same capacity.

Division of responsibilities

6. The Executive will have full powers to make any executive decision that the Council can make in respect of Council companies. However, in line with the proposal contained in the earlier report it is suggested that the Executive would generally restrict itself to decision making in respect of the establishment and maintenance of the governance framework for, the funding of and the decommissioning of Council owned companies.
7. Again in line with the previous report it is proposed that the Shareholder Committee should, within its terms of reference, have the power to exercise all the Council's powers arising from its ownership role other than those reserved to the Executive. This will include the monitoring of performance and the exercise by each company of those powers which require the Council to give its consent as a shareholder. Although the Company Directors are normally responsible for the management of the company, each company has certain "reserved matters" which require the Council to approve the steps the Directors propose to take.
8. Under the Council's scheme of delegations Directors of the Council have powers which, in some circumstances, could overlap with those exercisable by the Committee. The previous report envisaged a company by company analysis of reserved matters with an officer scheme of delegation then being produced. Having undertaken that analysis it is clear that there is substantial similarity between the governance arrangements for the various companies allowing for a relatively straightforward approach to be taken. A proposed division of responsibilities is set out in the annex to this report.

Appointment of Directors

9. The function of appointing Council Members to an outside office is one of the so called "local choice functions" which may be an executive function if the Council so decides but otherwise is non- executive. Currently the Council's Constitution states that such appointments are non- executive. For that reason these appointments are made by full Council or Staffing Matters and Urgency Committee. However, where the Council is merely giving its consent to an appointment to be made by existing Company Directors (e.g. a non Council Member) that is an executive function. This means that Staffing Matters and Urgency Committee would normally appoint directors where the Council is nominating, and the Shareholder Committee would approve the appointment of directors put forward by the Companies.

10. Specialist Implications

Legal – these are contained within the body of the report

There are no specific other implications associated with the report which should be specifically reported.

Consultation

11. Consultation has been undertaken with the Executive and Officers.

Council Plan

12. The establishment of the Shareholder Committee and the new Governance framework for all traded activity will contribute to the objective:-

- i. We are entrepreneurial, by making the most of commercial activities.

Risk Management

13. In light of the Public Interest Report and the increasing number of companies now in existence the formation of a Shareholder Committee will ensure that any risks are mitigated by rationalising the governance arrangements of existing companies into a single governance framework. This approach is intended to make the structure fit for purpose now and in the future should the Council choose to establish additional companies.

Contact Details

Author:
Andy Docherty
Assistant Director

Chief Officer Responsible for the report:
Andy Docherty
Assistant Director

**Report
Approved**

Date 31st August 2016

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the authors of the report

Background Papers:

None

Annex

Annex 1 - Proposed division of responsibilities

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Distribution of decision making powers for companies

For those matters relating to a company which require a Council decision or where the approval of the Council is required within the Company's governance arrangements the following distribution of powers will apply:

Decision reserved to the Executive

1. Changes to Company governance including amending Articles, shareholder agreement etc
2. Agreements to amalgamation, merger, joint venture, profit sharing or similar arrangements
3. Approving the taking of steps to wind up a company

Decisions which will normally be made by the Shareholder Committee

4. Approving or making amendments to strategic or business plans
5. Acquiring shares in another company
6. Establishing subsidiary companies
7. Approving the appointment or dismissal of directors including the Chair except where this requires a decision by Full Council or the Staffing Matters and Urgency Committee
8. Approving the terms and conditions of appointment for directors
9. Entering contracts with directors
10. Matters relating to the employment of the senior management team of the company
11. Changes to share capital and the admission of shareholders
12. Approving disposals of assets valued over £500K
13. Approving borrowing in excess of £500K

14. Making loans in excess of £500K other than by way of normal trade credit
15. Entering, amending or terminating any agreements which create a potential liability for the company in excess of £500K
16. Making changes to the nature of the Company's business
17. Approving a decision which could otherwise be taken by an Officer but which would, if being taken by the Council, amount to a key decision.
18. All matters relating to the approval of dividends
19. Exercising any powers to issue instructions to Directors

Decisions which will normally be made by Officers

20. Approving changes to the area in which the company works
21. Altering the company's name or registered office
22. Matters relating to the employees or agents of the company other than its senior management team
23. Giving the Council's specific approval to any matter provided for within the approved business plan
24. Approving disposals of assets valued under £500K
26. Approving borrowing of less than £500K subject to a clear business case
27. Making loans of less than £500K subject to a risk assessment
28. Approving changes to accounting arrangements
29. Entering, terminating or amending any agreements which create a potential liability for the company not exceeding £500K