

Meeting	Executive
Date	9 February 2017
Present	Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Rawlings, Runciman, Steward and Waller
Other Members participating in the meeting	Councillors D'Agorne and S Barnes

---

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

### **108. 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. No additional interests were declared.

### **109. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting during consideration of Annex 2 to agenda item 13 (Sale of Land at Fordlands Road as Part of the Older Persons' Accommodation Programme) 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).

## **110. Public Participation**

It was reported that there had been 1 registration to speak at the meeting under the Council's Public Participation Scheme. The registration was in respect of the following item:

### Financial Strategy

Gwen Swinburn spoke in relation to the budget consultation process and asked why City of York Council was alone in not consulting on its' budget and cuts, why there had been no pre-decision scrutiny and questioned whether equalities legislation with regards to reasonable consultation had been adhered to.

## **111. 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.

## **112. City of York Council Response to the Independent Flood Inquiry**

Members considered a report which presented the Independent Flood Inquiry Report and proposals on how the Council would respond.

The findings and the broad themes within the Inquiry's report were welcomed although work further work was required to work through the full range of recommendations and identify if wider actions were required. It was noted that the recommendations had been mapped across to the Council's rolling action list and this was being used to take them forward.

The importance of effective communication and ensuring that residents were involved and informed during such an event was acknowledged. It was anticipated that the one-off funding referred to in the recommendations would be utilised to fund an additional role, with a remit to link with communities in order to build resilience and develop community level involvement.

Members expressed their thanks for the work of the officers, external agencies and the media throughout the flood event.

It was noted that the Chair of the Independent Panel would be invited to attend the meeting of full Council on 30 March 2017.<sup>1</sup>

Resolved: That the Executive agree:

- (i) That the Inquiry has achieved the aims of the Terms of Reference as laid down in Annex 1 of this report.
- (ii) That City of York Council accepts the output of the report as set out in the recommendations detailed in Annex 2 of this report.
- (iii) That City of York Council will continue to deliver a range of actions following flood debrief sessions, recommendations from the inquiry have been mapped across to these as detailed in Annex 3 of this report. Further work will be carried out to identify wider actions that may be needed to deliver all agreed recommendations.<sup>2</sup>
- (iv) To allocate one off funding to assess and deliver the agreed recommendations from the inquiry report.<sup>3</sup>
- (v) That City of York Council will continue to commit to close working with the Environment Agency and other partners to deliver the Five Year Plan and the emerging catchment wide solutions work. Annex 4 details the recommended approach to deliver the localised defence improvement work and further work will be brought in a later report to detail the approach to progress catchment wide solutions. It is recommended that the Flood Risk and Asset Manager acts as the council Senior User and the Executive Member for the Environment sits on the Executive Steering Group for this project.

Reason: To formally accept the findings of the City of York Council commissioned York Flood Inquiry and identify the approach to develop agreed recommendations from the report. To approve the governance approach for the delivery of the Environment Agency led flood risk management investment programmes.

Action Required

- |   |          |
|---|----------|
| 1 The Chair of the Independent Panel be invited to attend full Council on 30 March 2017 | NF<br>SW |
| 2 Identify wider actions that may be needed to deliver all agreed recommendations       | SW       |
| 3 Monitor and deliver Inquiry recommendations   |          |

**113. Steps Towards a Single Health & Safety Organisation**

Members considered a report which provided an update on the current position of the City of York Council Health and Safety Service following the secondment of the current five staff members from City of York Council Health and Safety Service Team to North Yorkshire County Council. The current temporary arrangements were in place until April 2017 and this report and accompanying Business Case (Annex 1) provided an options appraisal for a more permanent structure for a Health and Safety Shared Service between North Yorkshire County Council and City of York Council (referred to as YorSafety).

It was noted that performance would be monitored through an annual report presented at the Executive Member for Environment decision session.

In the longer term, it was hoped to develop a positive growth strategy to maximise commercial revenue streams such as the provision of support to other Councils and public bodies.

Resolved: That having considered the options contained within the body of the report and Annex A, supporting the adoption and implementation of a sustainable shared YorSafety service, the Executive agree to:-

- (i) Approve Option 1 as being the most effective at achieving the aim of creating a resilient and sustainable service in the future.<sup>1</sup>
- (ii) Delegate to the Executive Member for the Environment the final arrangements for transfer including sharing agreements for any surplus made by YorSafety.

Reason: To ensure the Executive and residents are informed of the City of York Council / North Yorkshire County Council approach to ensuring both Health and Safety services are resilient and are better able to support the two organisations.

Action Required

1 Implement Option 1 as outlined in the report SL

**114. Financial Strategy 2017/18 to 2021/22**

*[See also Part B minutes]*

Members considered a report which presented the financial strategy 2017/18 to 2021/22, including detailed revenue budget proposals for 2017/18 for Council approval.

It was noted that the financial strategy delivered a balanced budget for 2017/18 with savings proposals totalling £6.0m equivalent to 5.0% of the net budget. The report outlined a proposed council tax increase of 0.7% in 2017/18, with an additional increase of 3% in line with the government's social care precept, which provided support for social care. The total council tax increase including the parish, police and fire authority precepts would be agreed at the full Council meeting on 23 February 2017.

It was explained that the final local government finance settlement was not expected until 22 February 2017. Therefore, an additional recommendation which sought Executive's approval to incorporate any changes resulting from the Local Government Finance Settlement into the Budget report to Council on 23 February was presented.

Whilst consultation feedback was included within the report, concerns were raised as to the consultation and its timing and it was acknowledged that the process could be improved. It was confirmed that the Chief Executive would respond in writing to the speaker who had raised issues, under the earlier Public Participation item, regarding the consultation.

The Deputy Leader highlighted the scale of the challenges faced and reaffirmed the Executive's commitment to investment in front line services. The Leader also spoke of the pressure on council finances, particularly in the field of adult social care, but at the same time recognised that household budgets were stretched. The budget proposed reflected a council tax level which was a compromise between those competing aims.

Resolved: That Executive approve:

- (i) The average rent decrease of 1.0% to be applied to all 'social housing rents' for 2017/18, as required by legislation. This is shown in table 13 and described in paragraph 146 of the report.
- (ii) The average rent increase of 2.0% to be applied to all rents which fall outside the definition on 'social housing rents' for 2017/18, as described in paragraph 148 of the report.<sup>2</sup>
- (iii) That any changes resulting from the Final Local Government Finance Settlement be reflected in the Budget report to Council on 23 February 2017 with the balance of any change being reflected in a change in the Contingency Budget.

Reason: To ensure the ongoing financial stability of the HRA and allow work on improving the quality of the council's affordable housing to continue.

Action Required

1 Implement rent increases and decreases from 1 April 2017

IF

## 115. Capital Programme - Monitor 3 2016/17

*[See also Part B minutes]*

Members considered 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/from current and future years.

The current approved Capital Programme for 2016/17 was £71.066m, following amendments previously reported to Executive and Council. A decrease of £18.638m, details of which were set out in the monitor report, had resulted in a revised Capital Programme of £52.428m. £20.003m of this decrease was due to re-profiling of budgets to future years.

The variances against each Portfolio area, together with a summary of the key exceptions and implications on the capital programme, were set out at paragraphs 8 to 53 and at Annex A of the report. A summary of the revised 5 year Capital Programme incorporating the proposed changes highlighted in the report were shown at Table 2 (paragraph 54) and the proposed financing at Table 3 (paragraph 55).

Some slippage had been reported with funds moved from this year into next, but there were no major issues to highlight. It was noted that the only significant issue in terms of specific scheme funding was the request for Executive approval of £270k from the capital contingency to the Mansion House scheme. This had been reported previously to Executive and was covered within the report.

Resolved: That Executive agree to:

- (i) Note the 2016/17 revised budget of £52.428m as set out in paragraph 6 and Table 1.
- (ii) Note the restated capital programme for 2016/17 – 2020/21 as set out in paragraph 53, Table 2 and detailed in Annex A.
- (iii) Approve the use of £270k from Capital contingency to the Mansion House scheme as set out in paragraph 50.<sup>1</sup>

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

Action Required

1 Implement the use of £270k from Capital contingency to the Mansion House scheme as set out within the report IF

**116. 2016/17 Finance and Performance Monitor 3**

Members considered a report which provided details of the overall finance and performance position for the period covering April 2016 to December 2016, together with an overview of emerging issues and assessment of performance against budgets, including progress in delivering the Council's savings programme.

With the Council's net budget for 2017/18 at £117.9m, the latest forecasts indicated a modest underspend of £155k which was an improvement on the projected overspend of £480k reported in the previous forecast.

Details of the current financial position in relation to individual directorates was reported at paragraphs 7 to 35 of the report and pressures around the health economy were highlighted as an ongoing risk with significant financial implications.

In response to a Member's question regarding potential costs incurred by delays in the delivery of the Local Plan, the Deputy Chief Executive & Director of Customer & Corporate Services stated that he would provide the information requested further to the meeting.<sup>1</sup>

Resolved: That the Executive note the current finance and performance information.

Reason: To ensure expenditure is kept within the approved budget and to ensure continued performance management.

Action Required

1. Provide Local Plan information as requested IF



## 117. North and Humber Regional Adoption Agency Options

Members considered a report which outlined proposals for the establishment of a North and Humber Regional Adoption Agency (to be known as One Adoption North and Humber) formed from the amalgamation of the adoption services of East Riding, North Yorkshire, North East Lincolnshire, North Lincolnshire, Hull and York councils.

The report confirmed that the Children's Services Directors of the other five Local Authorities supported the proposal of York hosting the Regional Adoption Agency and that if the proposal was accepted, then the other Local Authorities would ask their Executives to then formally confirm their existing commitment to a regional agency hosted by City of York.

An in principle agreement was sought to enable officers to work up the detail required to underpin the new way of working.

Resolved: That the Executive agree in principle:

- (i) To the establishment of a North and Humber Regional Adoption Agency (to be known as One Adoption North and Humber) formed from the amalgamation of the adoption services of East Riding, North Yorkshire, North East Lincolnshire, North Lincolnshire, Hull and York councils.<sup>1</sup>
- (ii) That the delivery model be the integration of the six Local Authority adoption agencies into a single Regional Adoption Agency led by a host Local Authority.
- (iii) That the North and Humber Regional Adoption Agency is hosted by City of York; that it is a shared service and that the name of the Agency is One Adoption North and Humber.

Reason: The recommendations outline a pro-active response to Government requirements, in a cost effective way that offers York the opportunity to take on a regional leadership role, with the potential for future expansion into other areas of regional provision.

Action Required

1. Proceed with the establishment of the North and Humber Regional Adoption Agency (One Adoption North and Humber) as outlined in the report JS

**118. Sale of Land at Fordlands Road as Part of the Older Persons' Accommodation Programme**

Members considered a report regarding the sale of the site of the former older persons' home on Fordlands Road, Fulford to a purchaser who proposed to develop a residential and nursing care home on the site as part of the Older Persons' Accommodation Programme.

It was noted that the offer received was strong and compared favourably with the most recent market valuations.

In response to concerns as to longer term use of the site, it was clarified that onerous planning conditions could not be applied to the offer, as this would then become a public procurement exercise to build a care home, rather than the sale of land to facilitate the build by the purchaser.

**Resolved:** That the Executive agree to accept the offer for the purchase of the freehold ownership of the Fordlands Road site by Octopus Healthcare who propose to develop a new residential and nursing care home (subject to obtaining planning permission and any other necessary statutory consents on terms acceptable to them) as part of the Older Persons' Accommodation Programme.<sup>1</sup>

**Reason:** To receive a capital receipt for use by the Older Persons' Accommodation Programme and with the intention to also deliver much needed new residential and nursing care accommodation for older people, including those with dementia and other complex care needs.

Action Required

1 Proceed with the offer acceptance as set out in the report RW

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

### **119. Capital Strategy 2017/18 to 2021/22**

Members considered a report which set out the Capital Strategy for 2017/18 to 2021/22, and in particular set out new capital schemes.

The current capital programme was approved by Council on 25 February 2016. Since then a number of amendments had taken place resulting in a current approved capital programme for 2016/17 – 2020/21 of £231.324m, financed by £134.499m of external funding and Council controlled resources of £96.825m.

Proposals in the sum of £36.140m had been made to increase the existing programme, details of which were set out in paragraphs 9 to 12 and summarised in Table 9 of the report. With a summary of the new bids set out in Table 2 and the capital programme and growth summary in Annexes A and B. The additions took the total Capital programme over next the next 5 years to £215m and the funding of those schemes was set out within the report.

It was noted that Page 232 within the report highlighted a range of other major projects and schemes within the Capital programme which would come through as individual reports during the year.

Recommended: That Council:

- Agree to the revised capital programme of £215.036m that reflects a net overall increase of £36.140m (as set out in paragraph 54 table 9 and in Annex B). Key elements of this include:-
  - Extension of prudential borrowing funded Rolling Programme schemes totalling £8.240m as set out in table 3 and summarised in table 9;
  - New schemes totalling £11.024m including an increase in prudential borrowing of £11.024m as set out in tables 4 & 5 and summarised in table 9;

- Extension of externally funded Rolling Programme schemes totalling £6.764m as set out in table 5 and summarised in table 9;
  - An increase in HRA funded schemes totalling £10.112m funded from a combination HRA balances/Right to Buy receipts as set out in table 6 and summarised in table 9
- Approve the full restated programme as summarised in Annex A totalling £215.036 cover financial years 2017/18 to 2021/22 as set out in table 10 and Annex A
  - Approve the proposal to allow wards, if required to bring forward their share of the 2018/19 Highways Resurfacing allocation (£250k in total per annum) to allow the potential for higher impact schemes as set out at paragraph 31.

Reason: To set a balanced capital programme as required by the Local Government Act 2003

Action Required

Refer to Council

CT

**120. Treasury Management Strategy Statement and Prudential Indicators for 2017/18 to 2021/22**

Members considered a report which presented the Treasury Management Strategy and Prudential Indicators for the 2017/18 financial year for Council approval.

The proposal to change the minimum revenue provision policy statement amount set aside for debt repayment and the potential saving of £750k within the Revenue Budget was highlighted.

Recommended: That Council approve:

- (i) The proposed Treasury Management Strategy for 2017/18 including the annual investment strategy and the minimum revenue provision policy statement.
- (ii) The prudential indicators for 2017/18 to 2021/22 in the main body of the report.
- (iii) The specified and non-specified investments schedule (Annex B).
- (iv) The Scheme of Delegation and the role of the Section 151 Officer (Annex D).

Reason: To enable the continued effective operation of the treasury management function and ensure that all Council borrowing is prudent, affordable and sustainable.

Action Required

Refer to Council

CT

**121. Financial Strategy 2017/18 to 2021/22**

*[See also Part A minutes]*

Members considered a report which presented the financial strategy 2017/18 to 2021/22, including detailed revenue budget proposals for 2017/18 for Council approval.

It was noted that the financial strategy delivered a balanced budget for 2017/18 with savings proposals totalling £6.0m equivalent to 5.0% of the net budget. The report outlined a proposed council tax increase of 0.7% in 2017/18, with an additional increase of 3% in line with the government's social care precept, which provided support for social care. The total council tax increase including the parish, police and fire authority precepts, would be agreed at the full Council meeting on 23 February 2017.

Resolved: That the Executive having considered:

- Expenditure pressures facing the council as set out in the report
- Impacts of savings proposals set out in annex 2
- Medium term financial factors facing the council as outlined in the report
- Projected levels of reserves as set out in the report
- Statutory advice from the Deputy Chief Executive/Director of Customer and Corporate Services

It be

Recommended: That Council approve the budget proposals as outlined in this report, and in particular;

- The net revenue expenditure requirement of £119.659m
- A council tax requirement of £81.630m
- The revenue growth proposals as outlined in the body of the report
- The 2017/18 revenue savings proposals as outlined in annex 2
- The fees and charges proposals as outlined in annex 4
- The Housing Revenue Account (HRA) budget set out in annex 5 and the HRA savings proposals set out in annex 6
- The dedicated schools grant proposals outlined in paragraphs 149 to 156

- The use of £147k New Homes Bonus funding to fund one off investment, as outlined in paragraph 73
- The use of £156k funding from the Leeds City Region Business Rates Pool to support cultural and sporting events, including cycling, as outlined in the report in paragraph 104, which will be subject to a report to the Executive during the year
- The use of £750k from the Waste Reserve to fund additional one off waste disposal costs in 2017/18, prior to the planned full operation of the Allerton Waste Recovery Park facility in February 2018, as described in paragraph 108.
- The use of £676k from the Lendal Bridge Reserve to fund transport improvements, including investigating options for cycling improvements and a cycle hire scheme, pothole repairs, and footway repairs, as described in paragraph 110, which will be subject to a further report to the Executive
- The use of £630k from the York Financial Assistance Scheme (YFAS) Reserve to support financial inclusion and investment in mental health, which will be subject to further reports to the Executive or the Executive Member as described in paragraph 111.

Reason: To ensure a legally balanced budget is set.

Action Required  
Refer to Council

CT

## 122. Capital Programme - Monitor 3 2016/17

*[See also Part A minutes]*

Members considered 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/from current and future years.

The current approved Capital Programme for 2016/17 was £71.066m, following amendments previously reported to Executive and Council. A decrease of £18.638m, details of which were set out in the monitor report, had resulted in a revised Capital Programme of £52.428m. £20.003m of this decrease was due to re-profiling of budgets to future years.

Recommended: That Council agree to the decrease in the 2016/17 programme of £18.638m as detailed in the report and contained in Annex A.

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

Action Required  
Refer to Council

CT

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 6.50 pm].