



**Notice of meeting of
Hungate Ad Hoc Scrutiny Committee**

To: Councillors Aspden (Chair), Brooks, Gunnell, Holvey,
Pierce and Taylor (Non-voting Co-opted Member)

Date: Tuesday, 18 November 2008

Time: 5.00 pm

Venue: Guildhall

AGENDA

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is **Monday 17 November 2008 at 5.00 pm.**

**3. Hungate Development Ad-hoc Scrutiny (Pages 3 - 16)
Review Scoping Report**

This scoping report presents Members with suggestions on how to proceed with the scrutiny review of the Hungate Development.

**4. Any other business which the Chair considers
urgent under the Local Government Act 1972**

Democracy Officers

Catherine Clarke and Heather Anderson (job share)

Contact details:

- Telephone – (01904) 551031
- Email catherine.clarke@york.gov.uk and heather.anderson@york.gov.uk

(If contacting by email, please send to both Democracy officers named above).

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting Catherine Clarke & Heather Anderson (job share)

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

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If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
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- Public libraries get copies of **all** public agenda/reports.



Hungate Ad-Hoc Scrutiny Committee

10 November 2008

Hungate Development Ad-hoc Scrutiny Review - Scoping Report

Purpose of Report

1. This scoping report presents Members with suggestions on how to proceed with the scrutiny review of the Hungate Development.

Background

3. In early July 2008, the Council decided to withdraw its planning application for the proposed development of its new office accommodation at Hungate following comments from English Heritage that although the proposed building was a very impressive, sustainable and fit for purpose civic building, it would not fit properly into the proposed location.
4. Members of the public commented on this decision and previous decisions taken in regard to the Hungate development and as a result of the concerns expressed, Cllr Brooks submitted this topic for scrutiny review in order to fully understand those decisions and the costs involved to date.
5. A feasibility report was presented to Scrutiny Management Committee (SMC) on 15 September 2008, together with a draft remit, and after careful consideration a decision was taken to proceed with the scrutiny review and the following remit was agreed:
6. **Aim**
To clarify whether the correct strategy for the accommodation project was set and adhered to, in order to ensure any future council projects are delivered on time and on budget.

Objectives

- i. In light of the overall budget, to identify whether the initial budget set was correct i.e. that all the relevant factors had been identified and included for, including the volume of all fees both agreed and incurred
- ii. To understand the decision taken in respect of agreeing which part of CYC would act as internal 'client' and to understand the relationship between Planning and the client

- iii. To identify whether the consultation process was conducted properly and whether due consideration was given to the responses received when deciding how to proceed
- iv. To identify whether best practice was followed throughout the process in seeking the views of statutory consultees and English Heritage specifically, and whether those views unduly influenced the decisions made
- v. To identify whether time was a factor in reaching the decisions made throughout the process e.g. in agreeing the design

Consultation & Timetable For Review

- 7. As part of the feasibility report considered by SMC, the Head of Property Services provided a written response to the questions raised in the topic registration form – see Annexes A & B. This written response was supported by a number of background papers which have subsequently been collated into an information pack and circulated around members of this committee.
- 8. The information pack contains a significant amount of information which the Hungate Project Team expect will clarify the issues raised within the objectives set for this review. But, assuming that further clarification is required, the following timetable for the review is suggested:

Meeting One (18 November)	Formal Meeting to consider this scoping report and the information contained within the pack, and to identify any issues requiring further clarification.
½ day event (21 November)	An informal ½ day consultation event, giving the committee an opportunity to meet with relevant officers and representatives from English Heritage and the other statutory consultees to discuss the information currently available and seek clarification on any outstanding issues (their attendance at this consultation event is currently being arranged)
Meeting Two (10 December)	Consider an interim report which details the findings from the first meeting and the consultation session. Analyse those findings and agree any recommendations
Meeting Three (12 January '09)	Consider a draft final report which includes the findings, analysis and recommendations. Agree any amendments and/or sign off the final report

- 9. The suggested timetable of meetings falls outside the timeframe of three months agreed by SMC for completion of this review due to the delay in forming the ad-hoc committee.

Options

10. Having considered the information provided within this report and the information pack, Members may agree the timetable for this review as set out in paragraph 8 above or amend and agree an alternative timetable. It should be noted that any amendments to the timetable which further push back the completion date for this review, would require this committee to seek the approval of SMC to extend the timeframe for the review.

Implications

11. **Human Resources** – If having considered all of the information within the pack, members decide that further clarification is required, it will be necessary to involve members of the project team in this review, which in turn will reduce the time they can spend on their ongoing work on the development.
12. **Financial** – There will be some financial implications associated with officer time spent supporting this review but this should be limited due to the small number of meetings required.
13. There are no equalities, legal or other implications associated with the recommendation within this report.

Corporate Strategy

14. The provision of the new accommodation and the consequential improvements in services to our customers will contribute to all of the Council's priorities and key change programmes.

Risk Management

15. SMC agreed with the view of Cllr Brooks that this review should be conducted quickly and in a minimum number of meetings, in order not to adversely affect or delay the ongoing work of the Project Team and to enable the findings and resulting recommendations to benefit their processes.
16. It will only be possible to carry out the review in the minimum number of meetings identified above, if this ad-hoc committee, are able to clearly and quickly identify what additional information they require and if that information is made available in a timely manner. With the time factor in mind, the Scrutiny Officer has already informally sought the views of the committee on the suggested timetable and has proceeded to invite the relevant officers and statutory consultees on the assumption that the Committee will want to discuss the information provided to date and will have issues requiring further clarification.

Recommendations

17. Members are asked to:

- formally agree the proposed timetable and methods for progressing the review.
- Agree who they would like to invite to the consultation session and agree a list of questions to be asked

Reason: To ensure compliance with scrutiny procedures, protocols and workplans.

Contact Details

Author:

Melanie Carr
Scrutiny Officer
Scrutiny Services
Tel No. 01904 552063

Chief Officer Responsible for the report:

Dawn Steel
Democratic Services Manager
Tel No.01904 551030

**Scoping Report
Approved**



Date 10 November 2008

Specialist Implications Officer for HR Implications

Neil Hindhaugh
Head of Property Services
Tel No. 01904 553312

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Feasibility Report dated 15 September 2008

Information Pack Containing:

- Admin Accommodation: Project Initiation Document & supporting annexes
- Planning Policy Statement 6: Planning for Town Centres
- Meeting of the Executive 1st Feb 05: Accommodation Review – Site Option Appraisal & supporting annexes
- Meeting of the Executive 1st Feb 05: Committee Minutes
- Meeting of the Executive 22nd Nov 05: Business Case & 8 supporting annexes
- Meeting of the Executive 22nd Nov 05: Committee Minutes
- Hungate Master Plan Development Brief
- Hungate Master Plan - Maps
- Meeting of the Executive 10th Oct 06: Accommodation Project Update & supporting annexes
- Meeting of the Executive 10th Oct 06: Committee Minutes
- Meeting of the Executive 24th July 07 & 4 supporting annexes
- Meeting of the Executive 24th July 07: Committee Minutes
- Meeting of the Executive 17th June 08 & 2 supporting annexes
- Meeting of the Executive 17th June 08: Committee Minutes

- Contract Documents for the Office Accommodation Project dated Sept 2006
- Meeting of the Executive 13th Feb 07: Admin Accommodation Project Report & supporting annexes
- Meeting of the Executive 13th Feb 07: Committee Minutes
- RMJM Stage B Report: June 2007
- RMJM Stage C Addendum: March 2008
- RMJM Stage D Report: May 2008
- Corporate Asset Management Plan
- RMJM Consultation Process: Pre-Planning Application dated August 08
- Summary of External Feedback on Building Design: Dec 07 – Mar 08
- Pre Planning Design Exhibition – Staff Feedback
- Pre Planning Design Exhibition – External Feedback
- Staff Pre-Planning Design Exhibition Comments
- External Pre-Planning Design Exhibition Comments
- CMT Digest – 23rd Apr 08
- Project Board Meeting Minutes – 25th Apr 08
- Member Steering Group Meeting Minutes – 28th Apr 08

Annexes

Annex A – Topic Registration Form

Annex B – Written Response to Questions in Topic Registration Form

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Scrutiny Topic Registration Form

Fields marked with an asterisk * are required.

* Proposed topic: **Proposed Development of the Hungate Council Headquarters**

* Councillor registering the topic **Councillor Jenny Brooks**

Submitted due to an unresolved 'Cllr Call for Action' enquiry



Please complete this section as thoroughly as you can. The information provided will help Scrutiny Officers and Scrutiny Members to assess the following key elements to the success of any scrutiny review:

How a review should best be undertaken given the subject

Who needs to be involved

What should be looked at

By when it should be achieved; and

Why we are doing it ?

Please describe how the proposed topic fits with 3 of the eligibility criteria attached.

	Yes?	Policy Development & Review	Service Improvement & Delivery	Accountability of Executive Decisions
Public Interest (ie. in terms of both proposals being in the public interest and resident perceptions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Under Performance / Service Dissatisfaction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In keeping with corporate priorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Level of Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Service Efficiency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National/local/regional significance e.g. A central government priority area, concerns joint working arrangements at a local 'York' or wider regional context	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* **Set out briefly the purpose of any scrutiny review of your proposed topic. What do you think it should achieve?**

To understand the decisions made, including the withdrawal of the planning application for the Hungate site and the costs involved to date, with a view to ensuring that any future decisions regarding the new council offices development are taken in a timely and cost efficient way.

* **Please explain briefly what you think any scrutiny review of your proposed**

topic should cover.

1. Why was the Hungate site chosen?
2. Why was the location on the Hungate site chosen?
3. What were the initial budget and overspend estimates?
4. What was the selection process which led to the design of the building?
5. Which CYC entity acted as the internal client and why?
6. Was the consultation process appropriate?
7. Why was the final design submitted?

*** Please indicate which other Councils, partners or external services could, in your opinion, participate in the review, saying why.**

York Civic Trust & English Heritage

*** Explain briefly how, in your opinion, such a review might be most efficiently undertaken?**

The review should be taken over a short period such as two or three days in October or November (as opposed to one meeting a month for six months) and should be completed by Christmas.

Estimate the timescale for completion.

- 1-3 months
- 3-6 months
- 6-9 months

Support documents or other useful information

None

Date submitted: Wednesday, 16th July, 2008, 11.50 am

Submitted by: Barbara Matthews on behalf of Cllr Jenny Brooks

Annexe B Hungate Report Accommodation Project - Scrutiny Topic

Overview

The accommodation project has been managed within a project management framework adopting the basic principles of the well-established PRINCE 2 project management methodology. This was a key component of the accommodation project business case approved by Members in November 2005.

The main features of the methodology include a modular planning approach with the project divided into manageable and controllable stages with a clearly defined organisational structure led by the project board made up of key directors and assistant directors representing each directorate. The board is responsible to the Corporate Management Team for the overall direction and management of the project within the parameters of the approved business case. Matters of policy or strategic interest or those, which fall outside the business case being directed to the Executive for discussion and/or approval. To support consultation across the council and timely decision-making the structure includes a Member steering group made up of representatives from each party. The project board meets on a monthly basis to review the status of the project, provide direction on issues and risk and give approvals as required.

The major controls for the project include the approved business case, project plan, risk register, issues logs, exception reports and end of stage assessments. The project is supported by a robust project filing structure where the entire project information is captured and recorded. This structure is the source of the information provided to the scrutiny committee.

Reference No.	Document Title
01	Administrative Accommodation: Project Initiation Document v4.0 (& 10* supporting annexes)

1. Why was the Hungate site chosen?

Through the review process, the council indicated a preference for a city centre one-site solution to maximise benefits through facilitating more collaborative team and partnership working, and rationalisation in areas such as ICT, post distribution and facilities management. A city centre location was also considered important in supporting the planning policy guidance (PPS 6) to retain the city's character as a place where people can both live and work and to retain the economic vitality of the town centre. A city centre location would also support the green travel plan whereby York currently enjoys a travel to work pattern, which is unique in that a large number of staff walk or cycle to work. In response to consultation with stakeholders, 80% of staff

placed working in the city centre as their top priority. It is for these reasons that a large out-of-town site was thought to be inappropriate.

In June 2004 property consultants Donaldsons worked with the council to carry out a site options appraisal to compile a short list of sites likely to be capable of responding to the future accommodation needs of the authority. At a meeting of the Executive on 1st February 2005, Members approved a site option appraisal to include the recommended short-listed sites at 84 Piccadilly, Blackfriars House (Rougier Street), 17-21 Piccadilly and Hungate. Each of the sites was appraised qualitatively in terms of its suitability and deliverability to meet the council's objectives using an agreed set of criteria. The one site solution at Hungate was the scheme, which represented the highest overall score in terms of suitability and deliverability and was recommended and approved as the scheme to be taken forward.

Reference No.	Document Title
02	Planning Policy Statement 6: Planning for Town Centres
03	Meeting of the Executive 1 st Feb 05: Accommodation Review – Site Option Appraisal (& 7* supporting annexes)
04	Meeting of the Executive 1 st Feb 05: Committee Minutes
05	Meeting of the Executive 22 nd Nov 05: Business Case (& 8* supporting annexes)
06	Meeting of the Executive 22 nd Nov 05: Committee Minutes

2. Why was the location on the Hungate site chosen?

The location on the site was chosen because a significant proportion (car park & Peasholme Hostel site) was in council ownership and available within the timescales of the project.

The Hungate masterplan designated the location for office use, providing an opportunity for a major office development of landmark status and sustainable design in the city centre.

Reference No.	Document Title
07	Hungate Master Plan Development Brief
08	Hungate Master Plan - Maps

3. What were the initial budget estimates and overspend estimates?

The information relating to the initial budget estimates and the current approved capital budget of £43.8m is detailed sequentially in the financial sections of the Executive reports listed below.

Reference No.	Document Title
05	Meeting of the Executive 22 nd Nov 05: Business Case (& 8* supporting annexes)
06	Meeting of the Executive 22 nd Nov 05: Committee Minutes

09	Meeting of the Executive 10 th Oct 06: Accommodation Project – Update (& 2* supporting annexes)
10	Meeting of the Executive 10 th Oct 06: Committee Minutes
11	Meeting of the Executive 24 th July 07 (& 4* supporting annexes)
12	Meeting of the Executive 24 th July 07: Committee Minutes
13	Meeting of the Executive 17 th June 08 (& 2 supporting annexes)
14	Meeting of the Executive 17 th June 08: Committee Minutes

4a. What was the selection process that led to the appointment of the design team?

Design Team selection, including the construction contractor, was carried out under Council financial and procurement regulations and through the OJEU procurement process. This included pre-qualification, tender and final interview stages. The outcome of the tender process was referred to the Executive (February 2007) to confirm acceptance of the most economically advantageous tender. The mechanism for selection is set out in reference document Admin_Acomm_Tender_Document_Sept06_v1 Appendix 3.

Reference No.	Document Title
15	Contract Documents for the Office Accommodation Project, York: September 2006
05	Meeting of the Executive 22 nd Nov 05: Business Case (& 8* supporting annexes)
06	Meeting of the Executive 22 nd Nov 05: Committee Minutes
09	Meeting of the Executive 10 th Oct 06: Accommodation Project Update (& 2* supporting annexes)
10	Meeting of the Executive 10 th Oct 06: Committee Minutes
16	Meeting of the Executive 13 th Feb 07: Administrative Accommodation Project (& 5* supporting annexes)
17	Meeting of the Executive 13 th Feb 07: Committee Minutes
11	Meeting of the Executive 24 th Jul 07: Accommodation Project Update (& 4* supporting annexes)
12	Meeting of the Executive 24 th Jul 07: Committee Minutes

4b. What was the process for developing and selecting the final design submitted for planning approval?

Refer to Design Team end of Stage Report and responses to question 6 and 7.

Reference No.	Document Title
18	RMJM Stage B Report: June 2007
19	RMJM Stage C Addendum: March 2008
20	RMJM Stage D Report: May 2008

5. Which CYC entity acted as the internal client and why?

Resources – Property Services as the Corporate Landlord responsible for the delivery of the councils Asset Management Plan and responsible for the management of the administrative accommodation portfolio.

Reference No.	Document Title
21	Corporate Asset Management Plan

6. Was the consultation process appropriate?

The council carried out extensive consultation with key stakeholders, including English Heritage, about the design of the proposed new headquarters prior to submitting the planning application.

Residents were also able to view designs for the Hungate headquarters at Back Swinegate and in the Guildhall reception.

The consultation regarding the planning application was carried out strictly in accordance with the council's Statement of Community Involvement and it was during this process that the application was withdrawn.

Reference No.	Document Title
22	RMJM Consultation Process: Pre-Planning Application (August 08)
23	Summary of External Feedback on Building Design: Dec 07 – Mar 08
24	Pre Planning Design Exhibition – Staff Feedback
25	Pre Planning Design Exhibition – External Feedback
26	Staff Pre-Planning Design Exhibition Comments
27	External Pre-Planning Design Exhibition Comments

7. Why was the final design submitted?

Following consultation and a presentation to the Corporate Management Team (CMT), the Project Board and Member Steering group approved the final design for planning submission in April 2008. The Executive on 17th June 2008 approved the revised business case for the final design.

Reference No.	Document Title
13	Meeting of the Executive 17 th Jun 08: Accommodation Project – End of Stage Update (& 2 supporting annexes)
14	Meeting of the Executive 17 th Jun 08: Committee Minutes
28	CMT Digest – 23 rd Apr 08
29	Project Board Meeting Minutes – 25 th Apr 08
30	Member Steering Group Meeting Minutes – 28 th Apr 08

* some annexes contain exempt information

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