

## Notice of meeting of

### **Staffing Matters & Urgency Committee**

**To:** Councillors Waller (Chair), Gillies, Potter, Runciman and Scott

**Date:** Thursday, 18 December 2008

**Time:** 5.30 pm

**Venue:** The 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. Exclusion of Press and Public**

To consider the exclusion of the press and public from the meeting during consideration of the following:

Annex E to Agenda Item 5 (West of York Household Waste Site – Land Option) 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 3 - 8)**

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 3 December 2008.

#### **4. 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. The deadline for registering is Wednesday 17 December 2008, at 5.00 pm.

#### **5. Land Purchase (Pages 9 - 22)**

This report asks Members to approve, subject to approval by the Executive, the purchase through the general capital programme, of a field at Harewood Whin which has come onto the market and is an option for a replacement of the Beckfield Lane Household Waste Recycling Centre (HWRC).

#### **6. Any Other Matters which the Chair decides are urgent under the Local Government Act 1972.**

#### Democracy Officer:

Name: Simon Copley

Contact details:

- Telephone – (01904) 551078
- E-mail – [simon.copley@york.gov.uk](mailto:simon.copley@york.gov.uk)

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

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

Contact details are set out above.

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- 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);
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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:

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

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City of York Council

Committee Minutes

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MEETING	STAFFING MATTERS & URGENCY COMMITTEE
DATE	3 DECEMBER 2008
PRESENT	COUNCILLORS WALLER (CHAIR), GILLIES, RUNCIMAN AND SCOTT
APOLOGIES	COUNCILLOR POTTER

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**18. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

No interests were declared.

**19. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of the following:

Exempt minute 17 under Agenda Item 3 (Minutes) (minute 20 refers) on the grounds that it contains information relating to any individual. This information is classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

**20. MINUTES**

RESOLVED: That the minutes of the Staffing Matters & Urgency Committee meeting held on 6 November 2008 be approved and signed by the Chair as a correct record.

**21. PUBLIC PARTICIPATION**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Nathan Fowles, the Chair of the York Tree Warden Group, addressed the Committee in relation to agenda item 5 (Transfer of Services from City Strategy to Neighbourhood Services, and between Neighbourhood Services and Learning, Culture and Children's Services – Further Information) (minute 22 refers), to raise concerns about the proposal to transfer the maintenance of housing tree stock from City Strategy to Neighbourhood Services. In particular, he was concerned that the

proposal constituted a fragmentation of the tree service and would undermine the Council's Tree Strategy.

Representations were also received, at the Chair's discretion, from Liz Young, on behalf of Unison, in relation to agenda item 5 (Transfer of Services from City Strategy to Neighbourhood Services, and between Neighbourhood Services and Learning, Culture and Children's Services – Further Information) (minute 22 refers), with regards to the impact of the proposal to transfer the maintenance of housing tree stock from City Strategy to Neighbourhood Services on the post of Arboricultural Officer. In particular, concerns were expressed that the postholder had not been consulted on the proposal and that the role of the post in protecting trees would be significantly reduced.

**22. TRANSFER OF SERVICES FROM CITY STRATEGY TO NEIGHBOURHOOD SERVICES, AND BETWEEN NEIGHBOURHOOD SERVICES AND LEARNING, CULTURE AND CHILDREN'S SERVICES – FURTHER INFORMATION**

Members received a report which responded to concerns raised by Staffing Matters & Urgency Committee members at their meeting on 6th November 2008 and sought approval for the transfer of some services from the City Strategy directorate to the Neighbourhood Services directorate, and between the Neighbourhood Services directorate and the Learning, Culture and Children's Services directorate.

The original report to the meeting on 6<sup>th</sup> November 2008 was attached as Appendix 1 of the report. In summary the changes proposed were:

- Stage one of the transfer of the highway maintenance service including staff, budgets and functions from City Strategy directorate (CS) to the Neighbourhood Services directorate (NS), with responsibility for implementing stage two being delegated to the Executive Member for Neighbourhood Services;
- The transfer of parking administration and enforcement services including staff, budgets and functions from CS to NS directorates.
- The transfer of some grounds maintenance responsibilities from NS to Learning, Culture and Children's Services directorate (LCCS), the client function for grounds maintenance (highways and housing) from LCCS to NS, and the client function for the maintenance of housing trees from CS to NS.

The report also sought approval for the Head of Civic, Democratic & Legal Services to be given delegated authority to amend the constitution in order to make changes to the Executive Member portfolios to reflect the changes in managerial responsibility.

The report provided further information on the following issues, as requested at the previous meeting of the Committee:

- Reassurance that the delivery of the services transferring to Neighbourhood Services would not be effected by the Director of Neighbourhood Services' departure from the authority at the end of

January 2009, including a detailed implementation plan for the transfer (attached as Appendix 2 of the report);

- An explanation as to why the CCTV service would not be recommended to transfer from City Strategy to Neighbourhood Services as originally envisaged;
- Clarification over the strategic highways functions that would remain within City Strategy.

In response to the comments made by the public speaker and the trade union representative (minute 21 refers), officers advised that the Arboricultural Officer would retain responsibility for the Council's Tree Strategy and that the changes proposed were merely to operational arrangements. They also confirmed that discussions had taken place with the postholder and that there were no plans to delete the post.

Members acknowledged the important work undertaken by the Arboricultural Officer and one Member expressed concern that the postholder did not feel he had been properly consulted on the proposals.

One Member expressed disappointment that the planned savings would not be made this year, and would have to be made up elsewhere in the revenue budget instead, and concern that officers were now making a different recommendation regarding the management of the CCTV control room to that made in May 2008.

Officers were thanked for their work producing the report and providing the additional information requested at the last meeting.

- RESOLVED:
- (i) That Phase One of the transfer of services and staff from City Strategy to Neighbourhood Services, and from Neighbourhood Services to Learning, Culture & Children's Services, as detailed in Annexes A-D of the original report, be approved;<sup>1</sup>
  - (ii) That it be noted that minor adjustments may be made as a result of operational experience;
  - (iii) That it be agreed that a report on Phase Two for the Highways part of the plan be brought to the Executive Member for Neighbourhood Services and Advisory Panel (EMAP) before the end of July 2009 and that this report will also detail how the anticipated £35k savings will be delivered in year;<sup>2</sup>
  - (iv) That it be agreed that the Head of Civic, Democratic & Legal Services be given delegated authority to amend the constitution to ensure that the Executive portfolios reflect the newly constituted lines of operational management within the effected directorates, as detailed in Annex E of the original report.<sup>3</sup>

REASON: To progress the Directorate Reorganisation agreed by the Staffing Matters & Urgency Committee in May 2008.

Action Required

1 - To implement Phase 1 of the transfer of services;	KS
2 - To add production of the report on Phase 2 of the transfer of the services onto the appropriate workplan;	KS
3 - To update the constitution.	GR

**23. RESOURCES RESTRUCTURE**

Members received a report which sought approval for the restructuring of the Resources Directorate.

The proposed structure for the Directorate was based around three Assistant Director posts with the following portfolios:

Assistant Director (Corporate Finance)

- Technical Finance
- Accounting Systems Management
- Financial Planning
- Service Accountants

Assistant Director (Customer Service & Governance)

- Internal Audit
- Performance and Business Assurance
- York Customer Centre (YCC)
- Financial Procedures

Assistant Director (Transformation & Efficiency)

- [Easy@York](#) Programme
- Efficiency and Procurement
- Information Technology and Telecommunication (ITT)

The overall impact of the proposals was to achieve the required £85,000 saving, and, within existing resources, to create extra capacity to drive forward the transformation and efficiency agenda and the policy and performance process.

One Member expressed concern that, although four managerial posts were being deleted, four more were also being created. It was also their view that the report was worthy of a more detailed discussion at the appropriate Executive Member and Advisory Panel (EMAP), where Members had more specialist knowledge of the areas covered, and that consultation on restructures should take place between, as well as within, directorates, to avoid a mentality of silo thinking.

Officers were thanked for their work producing the report.

RESOLVED: That the new Resources Directorate Structure set out in the report, including the creation and deletion of



posts detailed in paragraph 5 and the revised Assistant Director portfolios, be agreed.<sup>1&2</sup>

REASON: To reflect the Council's and the Directorate's key priorities.

Action Required

- 1 - To implement the new structure;
- 2 - To update the constitution.

SA  
GR

A WALLER, Chair

[The meeting started at 12.30 pm and finished at 1.20 pm].

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## Staffing Matters & Urgency Committee

18 December 2008

Report of the Director of City Strategy

### Land Purchase

#### Summary

- 1 Members are asked to approve, subject to approval by the Executive, the purchase through the general capital programme, of a field at Harewood Whin which has come onto the market and is an option for a replacement of the Beckfield Lane Household Waste Recycling Centre (HWRC).

#### Background

- 2 As part of the policy prospectus for 07/08, Members, via the group leaders, agreed that options relating to Beckfield Lane HWRC should be considered largely because of the position of the site within a residential area and the traffic congestion associated with the site.
- 3 Members also agreed to further development of the feasibility study to determine the most suitable location for the replacement facility and the detail design and cost for that facility. That work on site selection is complete and shows that Harewood Whin is an option to fulfil Members expectations to replace the Beckfield Lane HWRC.
- 4 A new facility would fulfil the objectives of providing an improved service for the west of the City by having longer opening hours and be able to operate to modern health and safety standards.

#### Consultation

- 5 As part of the consultation on the Issues and Options of the Allocations for the Development Plan Document (DPD), two sites at Harewood Whin were included for comment. See Annex C and D for details. During the feasibility study for an alternative for Beckfield Lane HWRC it became evident that the available land area at Site A has been very much restricted by the volume of Landscaping required to screen Harewood Whin Landfill Site. Also the access to this site, from the B1224 Wetherby Road, would not be easy to develop safely, due to its proximity of bends in the road. For these reasons that option has not been considered further.

6 The feedback from the DPD consultation has raised some issues and a selection of the types of comments made as part of the Allocations Issues and Options is summarised below:

- There are some comments that preference should be given to Option A as it does not effect the Flood Zone. Whilst it is too early to confirm at the moment, it is felt that the design of the HWRC scheme, Option B, could accommodate mitigation measure with respect to flooding issues.
- There is an aspiration to link Rufforth to the Outer Ring Road with a cycle track and a study is ongoing to explore this. One of the consultees raised the issue of safety for cyclists as the roadside edge of the field in question could be a potential route for this cycle track. Purchase of the field now would give the Council the potential to fulfil that aspiration because within the design of the proposed HWRC space would be allocated for the route of the cycle track and safe crossing to the access road into the HWRC.
- A concern was raised about the potential for queues to build up on the B1224 caused by traffic waiting to enter the HWRC. Officers had already recognised this as an issue and it is intended that within the design of the new HWRC a long off highway stacking lane would be provided within the site to accommodate queuing traffic. Whilst on the highway, the B1224 will be widened to accommodate a right-turn lane for vehicles to stand in, allowing Wetherby bound traffic to continue moving.

## **Options**

### Option 1 Do nothing

7 Members could choose to wait for the completion of the feasibility study to see what the full cost of the solution to the replacement of Beckfield Lane HWRC is and then make a decision as to what action to take.

### Option 2 Purchase the field.

8 Members could take the opportunity that exists at the moment to purchase the field and hold it in reserve for the potential development of the West of York HWRC.

## **Analysis**

### Option 1 - Do nothing

9 If Members choose this option there is the real potential that the existing owner will sell the field to another party and should Members wish, in future, to progress the HWRC scheme then the field may not be readily available. The Council may at best be faced with a delay due to having to negotiate to

secure the field at a premium rate, or as a last resort by Compulsory Purchase Order, or at worst it may fail to acquire the land.

Option 2 - Purchase the field and hold it in reserve.

- 10 By choosing this option Members would have the field available to construct the project in, should all the other planning and environmental assessments and processes achieve satisfactory outcomes. It would remove the potential concern about needing to resort to compulsory purchase order, and hence time delay etc, which may be needed to acquire the land. If however the development does not proceed then the field could be disposed of and all or part of the costs recovered.

### **Corporate Priorities**

- 11 Corporate Priority Number 1 is to decrease the tonnage of biodegradable waste and recyclable products going to landfill. A contribution to this priority would be made by improved facilities over and above that of the existing Beckfield Lane HWRC.
- 12 Corporate Priority Number 10 is to improve our focus on the needs of customers and residents in designing and providing services. This would be achieved by providing a more accessible, and easier to use facility.
- 13 Corporate Priority Number 12 is to improve the way the council and its partners work together to deliver better services for the people who live in York. This would be achieved by consulting with contractors on optimisation of facility design, and continuous monitoring of contractor performance.

### **Implications**

#### **Financial**

- 14 See confidential Annex E for details.

- **Human Resources (HR)**

- 15 There are no HR implications relating to this decision.

- **Equalities**

- 16 There are no Equality implications relating to this decision.

- **Legal**

- 17 The Authority has power, under s120 of the Local Government Act 1972, to purchase land by agreement, or compulsorily under s121 of the Act. If the land is to be purchased by way of a Compulsory Purchase Order, the process and risks referred to in confidential Annex E would need to be considered.

- **Crime and Disorder**

18 There are no Crime and Disorder implications relating to this decision.

- **Information Technology (IT)**

19 There are no IT implications relating to this decision.

- **Property**

20 An officer from Property Services has met the field owner to discuss possible terms for the land acquisition. We are advised that there is another party interested in acquiring part of the land for agricultural use. The owner wants to sell quickly and provisional agreement has been reached on a purchase price for the freehold. See confidential annex E for details.

21 Until the land is required for use by the Council the landowner would continue to occupy it on a grazing licence paying the current market rate which can be terminated on short notice.

22 When the design of the HWRC is complete, it is forecast that there will be a proportion of the field unused which could either be disposed of or let for agricultural use to offset some of the above mentioned costs.

23 It is noteworthy that if the Council elects not to purchase the field at the moment, but subsequently decides it wants to progress the HWRC it would have the power to compulsory purchase the land, but this carries risks and should only be considered as a last resort.

## **Risk Management**

24 There are a number of risks which relate to this report:

25 **Planning Permission:** As the feasibility study of the project is not yet complete it is not possible to indicate the likelihood of the scheme receiving planning permission. If it did not then there is a risk that the field could not be resold to recover the full costs originally expended. The proposed site is located within the Green Belt. Policy GB1 in the City of York Draft Local Plan and paragraph 3.4 of PPG2 (Green Belts) outlines a list of purposes which are appropriate development in the Green Belt. This proposal does not specifically correspond with any of these uses, therefore the applicant must be able to justify a 'very special circumstances' argument, as outlined in paragraph 3.2 of PPG2. It must be demonstrated that the harm to the Green Belt is clearly outweighed by the need for the development in that location. An assessment of potential sites must have been carried out, including both non-Green Belt and other Green Belt sites. Work has been carried out to view other urban and Green Belt sites, and that study will be considered by the Executive.

26 **Compulsory Purchase Order:** If members decide not to purchase the field now, but subsequently review that position in light of the outcome of the

feasibility study, the then owner may not be a willing seller and the Council would have to follow the CPO route. This would be open to challenge and the difficulty would be to prove that this site is the only one suitable in the area for the facility. The Council would have to draft the CPO and advise the parties affected and inform the Secretary of State (SoS). However, if there were any objections the SoS would call a public inquiry and the Council would have to prove that the site in question was the only one suitable in the western area of the city. It should be noted that without the site featuring in an adopted development plan CPO is likely to be difficult. It could therefore be a time consuming and expensive exercise with no guarantee of success.

- 27 **Financial:** Should members choose to proceed with the development of a HWRC to serve the west of York, at Harwood Whin, it could have a net cost in the order of £2.4m. This would be confirmed following a detailed appraisal of the project. See confidential Annex E for other details.

### **Recommendations**

- 28 Members are asked to approve the purchase of the land, costs as detailed in Annex E, at Harewood Whin from the general capital programme, subject to this option being approved by the Executive as the preferred option for detailed appraisal, and hold it in reserve as an option for the development of a Household Waste Recycling Centre to serve the west of York.

Reason:

To secure the land so it is available, if required in the future, for the construction of a Household Waste Recycling Centre, should that project come to fruition.

**Contact Details**

**Author:**  
**Ray Chaplin**  
**Head of**  
**Consultancy**  
**City Strategy**  
Tel No.1600

**Engineering**

**Chief Officer Responsible for the report:**  
**Bill Woolley**  
**Director City Strategy**

**Report Approved**



**Date** 15/12/08

**Specialist Implications Officer(s)**

Legal – Quentin Baker  
Financial – Ian Floyd/Patrick Looker  
Property – Philip Callow/Paul Fox

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

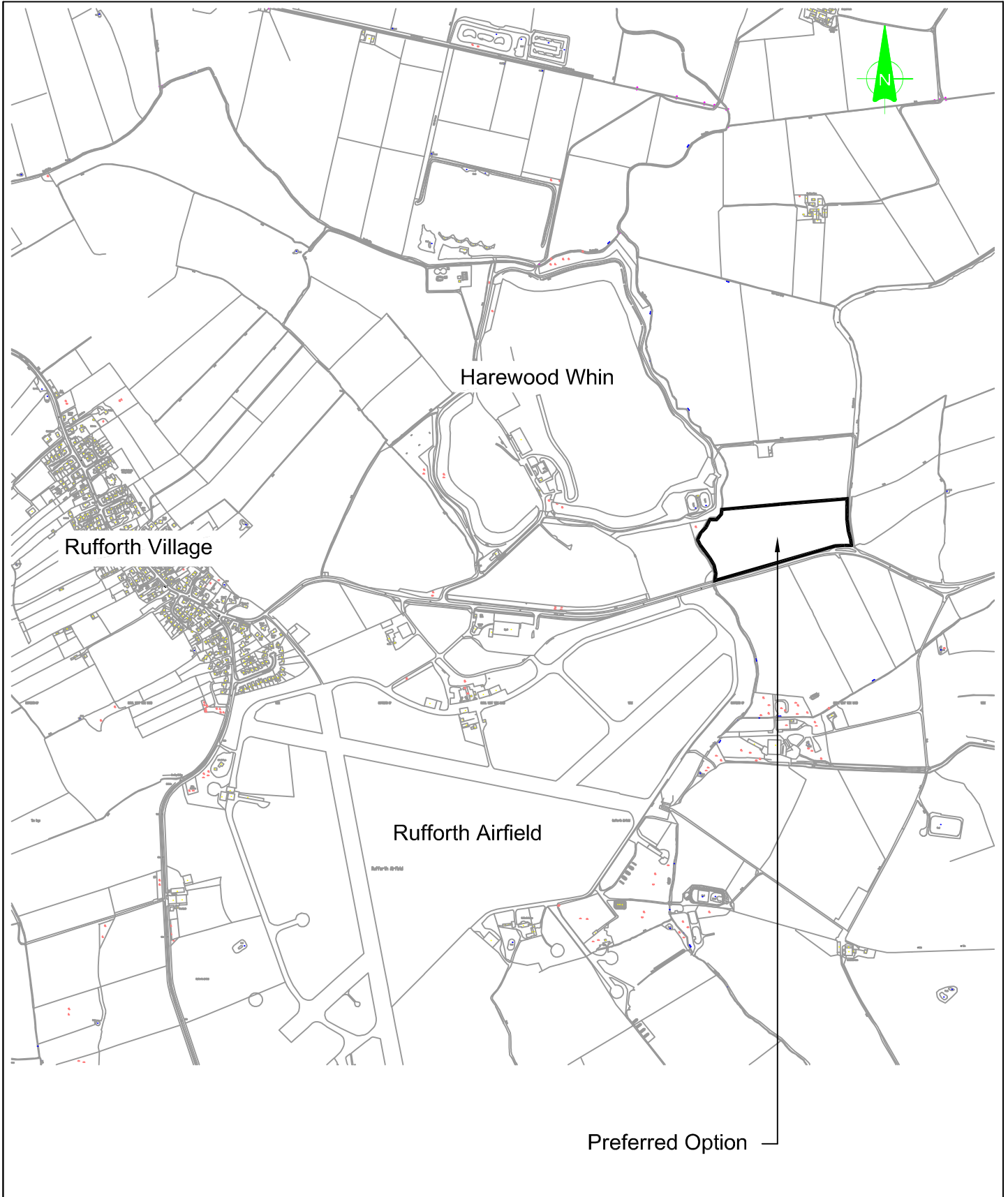
**Background Papers:**



Report to the Executive on 9 September 2008 “Waste Update”

**Annexes:**

Annex A Not used.  
Annex B Plan of Preferred Option.  
Annex C LDF Plan of Harewood Whin showing Option A.  
Annex D LDF Plan of Harewood Whin showing Option B.  
Annex E Confidential Data.

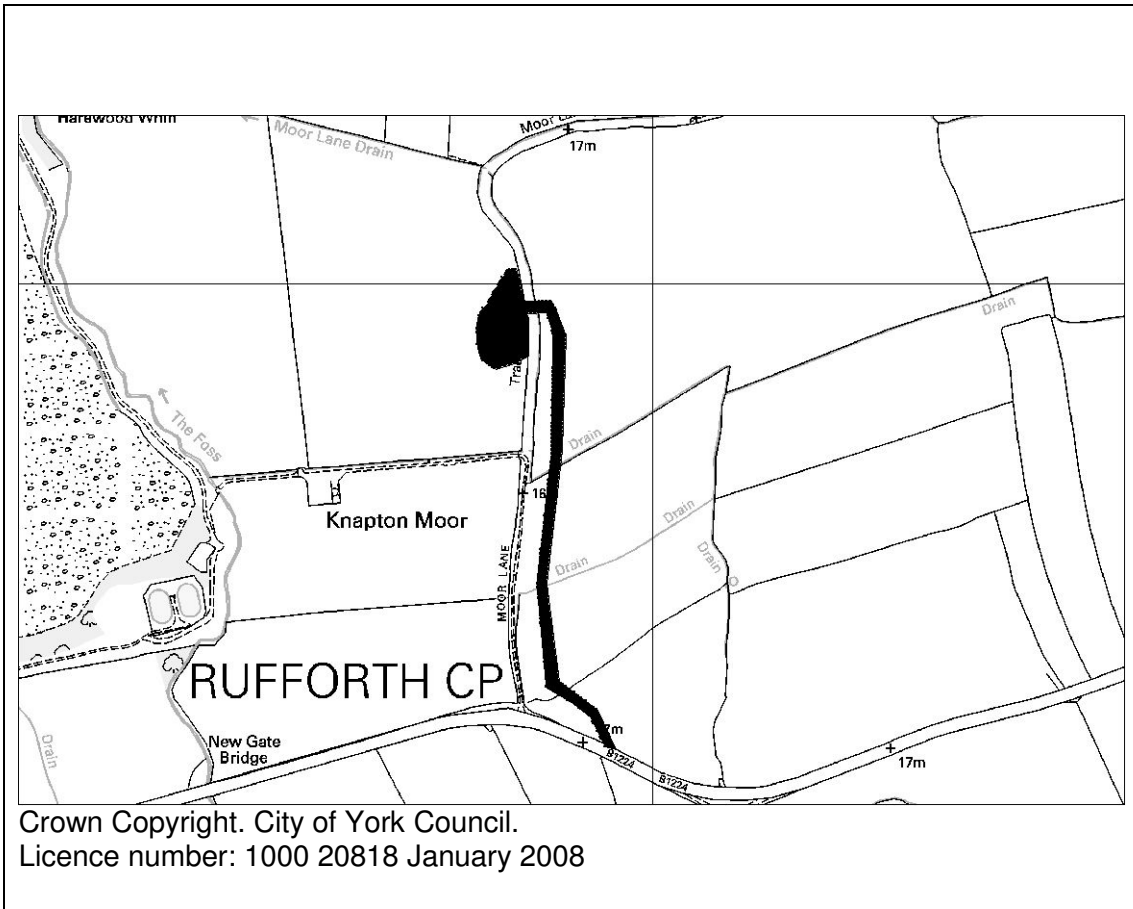




 		<h3>West of York Household Recycling Site</h3> <h3>Land Option</h3>			
REV	AMENDMENTS	DATE	DEC 07010188	SCALE	NTS A4
			Drawn PH	Checked RC	DATE 3/12/08
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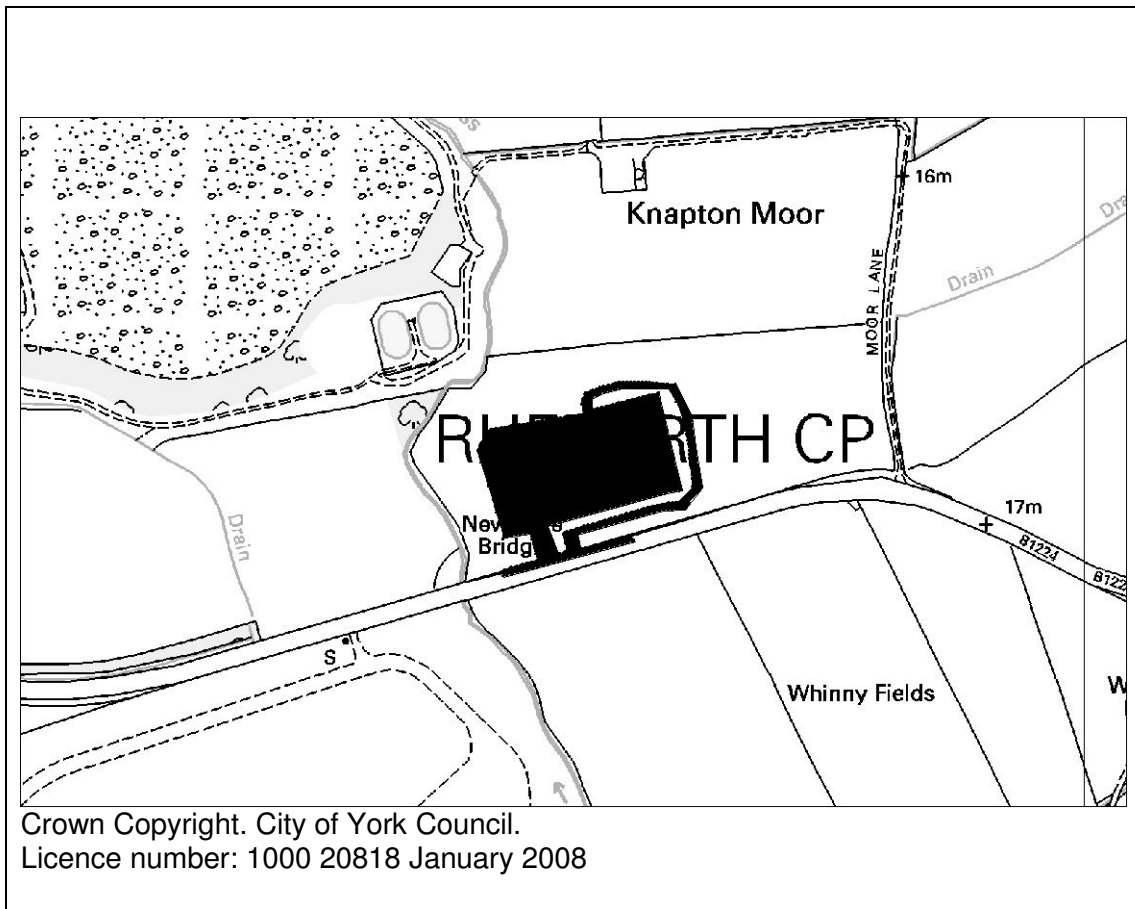
**Site: Harewood Whin- Option A**  
**Site Reference: WM/001**  
**Potential Use: Household Waste Recycling Centre**



Site address:	Harewood Whin Landfill Site, Rufforth, York.
Site size (ha):	2ha
Land Owner (if known):	City of York Council – leased to Yorwaste
Site availability:	
Existing use:	Majority of site is an active landfill site. Other uses on site include composting, wood shredder, construction & demolition waste recycling, and landfill gas and liquid waste
Potential use:	Household Waste Recycling Centre
How site identified:	Internal technical work

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**Site: Harewood Whin- Option B**  
**Site Reference: WM/002**  
**Potential Use: Household Waste Recycling Centre**



Site address:	Harewood Whin Landfill Site, Rufforth, York.
Site size (ha):	2ha
Land Owner (if known):	
Site availability:	
Existing use:	Agricultural land
Potential use:	Household Waste Recycling Centre
How site identified:	Internal technical work

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

Document is Restricted

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