

## Notice of meeting of

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

- To:** Councillors Alexander (Chair), Gunnell, Fraser, Runciman and Gillies
- Date:** Monday, 2 April 2012
- Time:** 1.00 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:

Annexes to Agenda Item 5 on the grounds that they contain information relating to individuals and financial affairs of particular persons. This information is classed as exempt under paragraphs 1,2 and 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 - 6)**

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 19 March 2012.

#### **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 **Friday 30 March 2012 at 5.00 pm**.

#### **5. Redundancy (Pages 7 - 8)**

This report advises the Staffing Matters and Urgency Committee of the expenditure associated with the proposed dismissal of a number of employees on the grounds of redundancy.

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

#### **7. Urgent Item: Hungate Haymarket Car Park Site (Pages 9 - 12)**

This report seeks urgent member approval to proceed with additional archaeological excavation works at Hungate Haymarket car-park site at a cost of £112k.

#### Democracy Officer:

Name: Judith Betts

Contact details:

- Telephone – (01904) 551078
- E-mail – [judith.betts@york.gov.uk](mailto:judith.betts@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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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.**

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interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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### **Holding the Cabinet to Account**

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or CMDS (Cabinet Member Decision Session)) agenda. The Cabinet 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 Cabinet 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?**

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City of York Council

Committee Minutes

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MEETING	STAFFING MATTERS & URGENCY COMMITTEE
DATE	19 MARCH 2012
PRESENT	COUNCILLORS ALEXANDER (CHAIR), GUNNELL, FRASER, RUNCIMAN AND GILLIES

**114. DECLARATIONS OF INTEREST**

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

Councillor Alexander declared a personal non prejudicial interest in Agenda Item 6 (Redundancy) as a member of GMB.

Councillor Fraser declared a personal non prejudicial interest in the same agenda item as a member of the retired sections of UNISON and Unite (TGWU/ACTS sections).

Councillor Gunnell also declared a personal non prejudicial interest in the same agenda item as a member of UNISON.

No other interests were declared.

**115. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during the consideration of annexes to agenda items 5 (Access York Park & Ride Land Purchase) and 6 (Redundancy) on the grounds that they contain information relating to the financial and business affairs of the authority, and information relating to individuals and the financial affairs of particular persons.

**116. MINUTES**

RESOLVED: That the minutes of the Staffing Matters and Urgency Committee held on 5 March 2012 be approved and signed by the Chair as a correct record.

**117. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

**118. ACCESS YORK PARK & RIDE LAND PURCHASE**

Members received a report which asked them to approve the purchase of land at Poppleton Bar and Askham Bar to enable the construction of two new Park & Ride sites.

Officers gave the Committee a brief outline of how the current situation had been arrived at and the reason for the urgency of the decision, in that an extension to purchase the land from the local land owners would end on 31<sup>st</sup> March 2012.

It was reported that funding had already been allocated in the Council's Capital Programme for the purchase of land, but that this provision was on the basis that the land would not be acquired before full approval had been obtained from the Department for Transport. Owing to delays caused by the suspension of the Major Scheme programme by the Government the options for land purchase therefore would lapse before full approval was obtained.

Some Members agreed that the recommended approach to purchase the land now was the most appropriate way forward, but highlighted the risk that if the scheme was not approved then the Council would be paying a premium price for the land, which could only be sold back at a lower agricultural value due to its location in the Green Belt.

Other Members asked what would happen to the two purchased areas of land before construction could take place.

It was noted that on the Poppleton Bar site farmers would be permitted to crop the land up until the end of the season removing the need for compensation to be paid for the value of the crop. However compensation would still need to be paid if the crop was damaged during site investigation work. It was reported that it was not expected that access for construction would be needed until January 2013. In relation to the Askham Bar site, Officers informed the Committee that the land would be prepared in the summer of 2012 ready to receive the material to be translocated from the proposed car park areas when construction would begin in January 2013.

Following a question from a Member about the possibility of renting the land temporarily to farmers following the purchase of the land. Officers suggested that the anticipated construction start date of January 2013 would not give sufficient time for a crop to be cultivated after harvest in 2012. If the start date was significantly delayed then the option to rent the land would be reconsidered.

- RESOLVED:
- (i) That the report be noted.
  - (ii) That Option 1-‘Purchase of Land for Askham Bar and Poppleton Bar before Expiry of Land Options’ be approved which includes;
    - Purchase of land for the Askham Bar site in accordance with the conditional agreement.
    - Purchase of Phase 1 land for the Poppleton Bar site in accordance with the conditional agreement.
    - Payment of the deposit for Phase 2 land for the Poppleton Bar site in accordance with the conditional agreement.
    - Authorisation of the Director of CBSS to reprofile the capital plan in accordance with the revised payment profiles.

REASON: To ensure that land is available for delivery of the Access York Park & Ride Project.

**119. REDUNDANCY**

Members received a report which advised them of the expenditure associated with the proposed dismissal of a number of employees on the grounds of redundancy.

Details of the four individual employees were contained in two business cases circulated at the meeting. All of the redundancies were voluntary and no discretionary enhancements were proposed.

Some Members requested that further information on the overall number of staff that had taken voluntary or compulsory redundancy in a specific service area along with information on the numbers expected to be needed after reorganisation in that area, be brought to the next meeting.<sup>1</sup>

**RESOLVED:** That the expenditure associated with the proposed dismissal of four employees on the grounds of redundancy, as detailed in Annexes A and B be noted.

**REASON:** So that Members have an overview of the expenditure.

Action Required

1. That further information requested by Members MB  
be brought to the next Committee meeting.

Councillor J Alexander, Chair  
[The meeting started at 1.05 pm and finished at 1.25 pm].





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**Staffing Matters and Urgency Committee****2 April 2012**

Report of the Director of Customer and Business Support Services

**Redundancy****Summary**

1. This report advises the Staffing Matters and Urgency Committee of the expenditure associated with the proposed dismissal of a number of employees on the grounds of redundancy.

**Background**

2. The background and detailed case surrounding each proposal are contained in the individual business cases to be circulated at the meeting as annexes to this report.

**Consultation**

3. All of the proposed redundancies have been subject to consultation in accordance with the Council's statutory obligations.

**Options**

4. The Committee has the power within the Council's procedures to approve discretionary enhancements to redundancy and/or pension payments. The Committee does not have the power to make lower payments. By law the decisions as to whether or not to make an employee redundant rests with the Chief Executive or Officers nominated by her.

**Analysis**

5. The analysis of each proposal can be found in the respective business case.

**Council Plan**

6. Whilst the actions being proposed in the report are not material to the Council Plan they are consistent with the required outcomes of the More 4 York programme.

**Implications**

- 7. The implications of each proposal can be found in the respective business case.

**Risk Management**

- 8. The specific risks associated with each proposal and how they can be mitigated are contained in each business case. In summary, the risks associated with the recommended option are financial, legal, operational and reputational.

**Recommendations**

- 9. Staffing Matters and Urgency Committee is asked to:

Consider and note each proposal presented on the grounds of redundancy as detailed in the annexes.

Reason: In order to provide an overview of expenditure and to consider whether the Council should exercise its discretionary powers to make enhancements.

**Contact Details**

**Author:**

Mark Bennett  
Head of HR Directorate  
Support  
Human Resources  
Ext 4518

**Chief Officer Responsible for the report:**

Ian Floyd  
Director of Customer and Business  
Support Services

**Report**  **Date** 23 March  
**Approved**  2012

**Specialist Implications Officer(s):**

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

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

**Background Papers: None**  
**Annexes**

Individual Business Cases (to be circulated at the meeting)



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**Staffing & Urgency Committee****2 April 2012**

Report of the Cabinet Member for Corporate Services

**Hungate Haymarket Car Park Site****Summary**

1. This report seeks urgent member approval to proceed with additional archaeological excavation works at Hungate Haymarket car-park site at a cost of £112k.
2. At Cabinet on 6 December 2011 members approved the current phase of archaeological investigation work at the Hungate site, with the funding of the work being from the future capital receipt at a cost of £115k.
3. The current phase of work is due to complete on 30 March 2012 and therefore the most cost effective option is to proceed with the additional works straight away.
4. The original capital receipt to be realised from the Hungate site is allocated to fund the capital programme. The current phase of investigation works at £115k are proposed to enhance the future value of the receipt to be realised. In addition, the archaeological excavation works at £112k are unavoidable costs that need to be incurred in order to maintain / increase the value of the capital receipt to be realised.

**Background**

5. The current phase of archaeological work at the Haymarket car-park has revealed an unexpectedly high density and height of burials which will pose a problem for future development of the site.
6. The current phase of work, at £115k, has been designed to map the extent of, but not remove, human remains associated with the medieval cemetery of All Saints Peaseholme Green. The excavation has demonstrated that these remains are widespread and lie very close to the modern ground surface.

7. It is likely that any future sale and/or development of this site would be “de-risked” if the excavation works were carried out and it would be more cost effective if City of York commissions the excavation of these human remains to follow straight on from the current phase of work.
7. This excavation will be an additional cost of £112k in the best case scenario (a) and (b) below. This has been estimated to be
  - (a) £66.5k to excavate the human remains which is a direct cost attributable to bringing the site into a condition to be operational and associated archaeological deposits
  - (b) a further mutually exclusive sum of up to £45k for the associated archaeological deposits to be deposited at the archive with the Yorkshire Museum which would be a planning requirement and therefore an unavoidable cost.
  - (c) If the work is not done now then the site will be covered up with an estimated additional cost of £10k to uncover it at a future date.
8. The current phase of work will end on 30<sup>th</sup> March 2012 and therefore to achieve the most cost effective option it is most appropriate to proceed now.
9. This additional capital expenditure of £112k will be included in the capital programme in the year 2013/14 which is also when the capital receipt is scheduled to be realised.
10. The company to complete the works will fund the additional costs until 31 March 2014 or until the site is sold whichever comes first. If the site is not sold prior to the Council incurring the capital expenditure then prudential borrowing will be used and Property Service’s revenue budget will incur the associated finance costs.
11. When the site is sold, if the amount realised is not sufficient to cover the level assumed in the capital programme, (which includes the original amount, plus the £115k approved at cabinet 6/12/11 and the £112k for the excavation works in this report) then there will be a shortfall in the capital programme. This will need to be considered in the future and potentially additional borrowing may be required.

12. It should be noted that the realisable value of the Hungate Site will be considered alongside the ongoing capital receipt schedule reviews done at regular intervals and included in capital programme quarterly monitoring reports to cabinet.
13. There has been considerable interest expressed in this Hungate site which could create additional jobs for the city. This is positive in the current volatile economic environment; however there is currently no firm agreement
14. In summary the additional archaeological excavation works at Hungate will need to be done as set out above before the site is developed. A cleared site will be more attractive and potentially realise a greater capital receipt. The costs of the work proposed will be offset by the enhanced value of the site.

### **Consultation**

15. This report has been written in consultation with property services

### **Options**

16. Approve or reject the recommendations.

### **Council Plan**

17. a. Create jobs and grow the economy.  
b. Protect the environment.

### **Implications**

### **Finance**

18. The financial implications are included in the body of the report.

### **Legal**

19. None.

### **Property**

20. Achieving the required capital receipt in 2013/4 will be dependant on the market conditions at the time and investor/occupier interest

**Human Resources**

21. None

**Risk Management**

22. There are no known risks with the recommendation.

**Recommendations**

23. Approve

- a. the additional archaeological excavation works at £112k
- b. the use of the capital receipt to fund the capital expenditure
- c. the capital expenditure to be included in the capital programme in the year 2013/14 and accept the company that completes the work will fund the expenditure until 2013/14
- d. if the capital receipt is not realised at an amount to cover the expenditure, then potential additional borrowing may be required, subject to a review of the overall capital programme
- e. finance costs as a result of the timing differences between the archaeological investigation costs incurred and the sale of the capital receipt to be funded from property services revenue budget

Reason: To enable the archaeological investigative work on the site to proceed in the most cost effective manner.

**Contact Details**

**Author:**

Louise Branford-White  
Technical Finance Manager

**Cabinet Member Responsible for the Report:**

Cllr Julie Gunnell  
Cabinet Member, Corporate Services  
**Chief Officer Responsible for the report:**

Ian Floyd  
Director of Customer & Business Support Services

Report Approved 30/3/12

**Ward Affected:**  
Guildhall

All  Yes

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