
Staffing Matters and Urgency Committee

6th June 2008

Report of the Director of City Strategy

Approval to York's Local Area Agreement

Purpose

1. This report presents Members of the Staffing Matters and Urgency Committee with York's Local Area Agreement (LAA) and seeks approval to this on behalf of the Council. The LAA is to be considered by the Executive on 3rd June 2008. In order to comply with the Government Directive requiring it to be submitted by 12th June to the Government with the approval of the Council, this Committee is requested to consider this as a matter of urgency.

Background

2. The Local Government and Public Involvement in Health Bill received royal assent in October 2007. This introduced a statutory duty for all top tier local authorities to produce a Local Area Agreement (LAA) and to move the existing LAA (period 2007/08 – to 2009/10) to a 'new' LAA (period 2008/09 – to 2010/11).
3. It was specified that the revised LAA would include up to 35 indicators from a new national indicator set of 198 and 17 statutory indicators on educational attainment (which are included in the new national set). In addition, the 'new' LAA could also include local indicators (selected from the new national set or otherwise) to reflect local priorities.
4. There is now no other way of setting targets with central government and there is a statutory duty for specified partners to cooperate in the delivery of the LAA.

York's Local Area Agreement

5. The indicators that have been selected for the Local Area Agreement are included in the most appropriate thematic section within the draft Sustainable Community Strategy (SCS) and identified as an LAA indicator. They have been selected, with appropriate targets set where possible, with the strong involvement of partners through the Without Walls Local Strategic Partnership and its underlying strategic partnerships. Full details of the indicators, including baselines and targets where available, are shown at Annex A and Annex B for statutory attainment indicators.
6. Members of the SCS / LAA Steering Group have incorporated final target trajectories for most indicators through to 2011 in negotiation with Government

Office contacts. However, it has not been possible to set targets for some indicators for a variety of reasons, including:

- Data is not available to inform target setting until later in the year (e.g. the target is reliant on the Place Survey which is not scheduled to take place until September 2008);
 - We are awaiting further guidance or instructions from central government departments regarding the indicator definition (e.g. Home Office guidance on re-offending rate of prolific and priority offenders);
 - The target is reliant on other systems / organisations that are not able to make information available at present (e.g. Ofsted are not due to release baseline data from the 2008 survey on young people's participation in positive activities until November 2009).
7. This position, whilst not ideal, is consistent with the principle adopted in developing the LAA, i.e. that the 'technical process' of setting targets would not devalue the LAA negotiation progress. Consequently, if an outcome was identified as strategically important, then the issue took precedence over concerns about the robustness or reliability of the indicator.
8. The Government Office has indicated that for the first year of the LAA they are happy to accept target gaps. This approach is also now officially emerging from central government; for example, the following statements are made in recent guidance regarding Performance Reward Grant:
- A significant proportion of NPIs are new with little performance history to guide target setting, therefore, LAAs must be flexible to the new circumstances and changes may need to be made at the annual refresh, especially in the first 'transitional year';
 - Due to 2008/09 being a transitional year for the LAA it is proposed to base LAA Reward Grant on performance in years 2&3 of the LAA to enable baselines and trajectories to be 'locked down' in year 1;
 - This will allow areas more scope to include ambitious targets and spend year 1 planning in detail the interventions needed to deliver them and set the right level of target with more precision.
9. Without Walls have approved the LAA on 29 April, subject to ongoing work on reviewing indicators, establishing baselines and setting targets through its strategic partnerships. The LAA is to be considered by the Executive at its meeting on 3rd June. On 6th May the Executive considered a report on York's second Local Public Service Agreement (LPSA2) and the LAA; subsequently, briefing meetings were arranged for members regarding both the SCS and LAA.

Options for Council approval

10. It had been intended that following consideration of the LAA by the Executive on 3rd June, that the LAA would be presented to the meeting of Full Council on 30th June for final approval in conjunction with the SCS. In March, a Directive was issued by the Government requiring the LAA to be submitted by 30th May. There

was some confusion over this, with two differing versions of the Directive issued by Government. It was also unclear from this as to whether the Directive required full Council approval of the LAA or whether this responsibility could be allocated to the Executive. Clarification on these points was not forthcoming until early April when it was confirmed that a meeting of the Council could allocate to the Executive the local choice functions relating to LAAs (ie those specified at para 22 of Schedule 2, Local Authorities (Functions & Responsibilities) England) Regulations 2000, as amended. This was however too late to be considered at the meeting of full Council on 10th April and was considered inappropriate to raise at the Annual Council meeting on 22nd May. Government Office have been fully aware of the timetable for Council approval of the LAA. An amended Directive was issued on 28th May providing a variation to the date for submission of the LAA by 12th June. It has become apparent over the course of the last two weeks that the Government does require Council approval to the LAA before Ministerial sign-off can occur and that York may be one of only two local authorities unable to achieve the date set out in the Directive. Therefore, in order to fully comply with the Government Directive requiring the LAA to be approved by the Council by 12th June, the Staffing Matters and Urgency Committee are requested to approve the LAA on behalf of the Council as a matter of urgency. If this is not approved by the Staffing Matters and Urgency Committee, then this will need to be referred for consideration at the full Council meeting on 30th June, resulting in a delay in Ministerial sign-off of the LAA.

11. It is recommended that the Staffing Matters and Urgency Committee therefore approve the LAA on behalf of the Council in order to fully comply with the Government Directive and to limit the risk of damage to the Council's reputation.

Corporate Priorities

12. The LAA contributes to the seven Corporate Strategy Direction Statements, our ten priorities and the short term imperatives in respect of the Local Development Framework (LDF) and responding to York's changing population.

Implications

13. **Financial** - LAA Operational Guidance states that 'in agreeing targets for inclusion in LAAs, partnerships will want to consider how they will resource delivery of these priorities. Individual partners may wish to pool their mainstream resources, where this is possible'. It also acknowledges that the Local Government and Public Involvement in Health Act, 2007 emphasises the need for cooperation, including the possibility of shared commissioning across the different public service providers to better meet the expectation of citizens.
14. The Executive has also approved use of the residual Local Public Service Agreement (LPSA) 2 reward grant to support achievement of Local Area Agreement targets. The LPSA 2 grant of approximately £850,000 will be used to implement and manage schemes that have the greatest impact on achieving targets.
15. **Equalities** – There are specific implications for LAAs in relation to the six Equality strands i.e. gender, race, disability, age, sexual orientation, and religion and belief. All bodies involved in LAAs have **General Duties** under the Race Relations

(Amendment) Act 200, the Disability Discrimination Equality Act 2006, and the Equality Act 2006. Partners have capitalised on the SCS / LAA refresh process to ensure that they achieve their obligations under the Duties. Further, the Equality Standard for the public sector, requires public sector partners to monitor the impact of improvement activities in relation to all six Equality strands. In the context of the LAA, partners need to consider how the delivery of LAA outcomes is impacting on each of the six strands.

16. **Legal** – The Local Government and Public Involvement in Health Bill placed a statutory requirement on the local authority to develop a Sustainable Community Strategy and LAA and duties on named partners to co-operate with the authority. The functions relating to the LAA such as agreeing the content and approving the draft for signature have been designated as “local choice” functions which means that they may be undertaken by the Executive or by Full Council. However, it is a matter for Full Council as to how the functions are allocated.
17. **Crime and Disorder, Human Resources, Information Technology** – There are no implications in these areas.

Risk Management

18. Failure to agree the LAA would result in the Council missing national LAA Ministerial sign-off on 30 June 2008, which could damage the image and reputation of the council.

Recommendations

19. That the Staffing Matters and Urgency Committee approve York’s Local Area Agreement in order to comply with the Government Directive relating to Council approval of the LAA.

Reason: To ensure that the Council meets its statutory duty to produce a Sustainable Community Strategy and Local Area Agreement.

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Report Approved

Date 03-06-08

Specialist Implications Officer(s)

Financial – Patrick Looker
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Others – Report Author

Wards Affected:

All

For further information please contact the author of the report

Annexes

A – Local Area Agreement Targets 2008 - 2011

B – Local Area Agreement Statutory Educational Attainment Indicators

Background Papers:

- Creating Strong, Safe and Prosperous Communities – Statutory Guidance: Draft for Consultation – CLG – Nov 2007
- Negotiating New Local Area Agreements – CLG – Sep 2007
- Strong and Prosperous Communities – The Local Government White Paper – CLG – Oct 2006