Notice of a public meeting of

Executive

To: Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Lomas, Pavlovic, Ravilious, Steels-Walshaw and Webb

Date: Tuesday, 3 March 2026

Time: 4.30 pm

Venue: West Offices - Station Rise, York YO1 6GA

A G E N D A

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any decisions made on items* on this agenda, notice must be given to Democratic Services by **4:00 pm on Tuesday, 10 March 2026**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Corporate Scrutiny Committee.

1. Apologies for Absence

To receive any apologies for absence.

2. Declarations of Interest

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on

this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

(1) Members must consider their interests, and act according to the following:

Type of Interest	***You must***
Disclosable Pecuniary Interests	*Disclose the interest, not participate in the discussion or vote, and leave the meeting unless you have a dispensation.*
Other Registrable Interests (Directly Related) **OR** *Non-Registrable Interests (Directly Related)*	*Disclose the interest; speak on the item only if the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting unless you have a dispensation.*
Other Registrable Interests (Affects) **OR** *Non-Registrable Interests (Affects)*	*Disclose the interest; remain in the meeting, participate and vote unless the matter affects the financial interest or well-being:* *(a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and* *(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.* *In which case, speak on the item only if the public are also allowed to speak, but otherwise do not participate*

	in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

(2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.

(3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

3. Exclusion of Press and Public

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

- Annex A to agenda item 14 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).

- Appendices I and J to agenda item 15 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).

4. Minutes (Pages 9 - 24)

To approve and sign the minutes of the Executive meeting held on 27 January 2026.

5. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Executive.

Please note that our registration deadlines are set as two working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is **5.00pm on Friday, 27 February 2026.**

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

6. Forward Plan (Pages 25 - 26)

To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.

7. Report of the Budget and Medium-Term Financial Strategy Task and Finish Group (Pages 27 - 48)

To receive a report from the Director of Governance and Monitoring Officer presenting the final report and recommendations of the Budget and Medium-Term Financial Strategy Task and Finish Group, as agreed by the Corporate Scrutiny Committee at its meeting held on 19 January 2026.

8. Best Start in Life (BSiL) Local Plan (Pages 49 - 80)

To receive a joint report from the Corporate Director of Children and Education and the Director of Public Health, which seeks approval for the strategic approach to York's local Best Start in

Life (BSiL) plan, which focuses on early childhood development and reducing inequalities, with the aim of increasing the proportion of children achieving a Good Level of Development (GLD) by the end of Reception year.

9. Recycling Review (Pages 81 - 116)

To receive a report from the Director of Environmental and Regulatory Services which seeks to review the domestic recycling service, including how materials are presented at the kerbside. Also, to initiate public engagement and scrutiny to explore the benefits and costs of moving from recycling boxes to recycling wheeled bins for the majority of domestic properties in York.

10. City Centre Events and Permanent Anti-Terrorism Traffic Regulation Order (ATTRO) (Pages 117 - 158)

To receive a report from the Director of City Development presenting options in relation to an emerging approach to strategic city centre access and associated measures.

11. Consultation on a York Wide Smoke Control Area (SCA) (Pages 159 - 276)

To receive a report from the Director of Environmental and Regulatory Services outlining the results of public consultation on proposals to further reduce emissions of $PM_{2.5}$ and other pollutants from solid fuel burning through a York wide Smoke Control Area (SCA).

12. Appropriation of Land at Bootham Stray for Highway Purposes (Pages 277 - 294)

To receive a report from the Director of City Development which seeks consent to appropriate land on a small part of Bootham Stray for highway purposes.

13. Delivery of the Gypsy and Traveller accommodation improvement and expansion programme (Pages 295 - 340)

To receive a report from the Director of Housing and Communities which seeks authorisation to proceed with delivery

of the programme, subject to further Executive approvals being sought at identified key points within the programme.

14. Delivering More Affordable Housing in York - Castle Mills (Pages 341 - 378)

To receive a report from the Director of Housing and Communities which seeks support with a proposed delivery route for affordable housing at the Castle Mills site.

(Please note that Annex A is considered exempt from publication for reasons set out in agenda item 3.)

15. Update on the Asset Management Strategy - 2026 to 2031 (Pages 379 - 484)

To receive a report from the Director of Finance presenting an Asset Management Strategy covering the period 2026-2031, to benefit both social outcomes and financial performance, arising from the council's land and property assets.

(Please note that Appendices I and J are considered exempt from publication for reasons set out in agenda item 3.)

16. Urgent Business

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

Contact details:

Guy Close, Democratic Services Manager
Mobile – (07922) 517103
E-mail – guy.close@york.gov.uk

For more information about any of the following please contact the Democratic Services Manager using the above contact details:

- Registering to speak
- Business of the meeting
- Any special arrangements
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- For receiving reports in other formats.

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We can also translate into the following languages:

我們也用您們的語言提供這個信息 **(Cantonese)**

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। **(Bengali)**

Ta informacja może być dostarczona w twoim własnym języku. **(Polish)**

Bu bilgiyi kendi dilinizde almanız mümkündür. **(Turkish)**

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ **(Urdu)**

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City of York Council	Committee Minutes
Meeting	Executive
Date	27 January 2026
Present	Councillors Kilbane (Vice-Chair), Kent, Lomas, Ravilious, Steels-Walshaw and Webb
In attendance	Councillor Ayre (Opposition Group Leader)

184. Apologies for Absence

An apology for absence was submitted by Councillor Douglas due to her attendance at a Holocaust Memorial Day event on behalf of the Council.

Councillor Pavlovic also submitted an apology for absence due to a family bereavement.

185. Declarations of Interest

There were no declarations of interest.

186. Minutes

Resolved: That the minutes of the Executive meeting held on 2 December 2025 be approved and then signed by the Chair as a correct record.

187. Public Participation

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

Gwen Swinburn spoke on governance matters in relation to procurement and the budget. It was referenced that the procurement report stated that the strategy was to be presented directly to Executive for approval. That meant there was no routine independent scrutiny of a document that guided procurement decisions worth hundreds of millions of pounds.

It was added that in those circumstances, recognised good practice, including CIPFA and National Audit Office guidance, would expect the strategy itself to operationalise governance.

That meant setting out decision routes, member oversight points, treatment of key decisions and cumulative value, handling of extensions and variations, escalation, and routes to audit and scrutiny. It was felt that on that basis, the proposed strategy fell short. That whilst it asserted strong governance and accountability, it did not embed those mechanisms in the strategy itself.

There was also a specific concern about risk. That the decision report stated that there were “no known risks” associated with this strategy. That statement was considered objectively unsustainable. That the Audit and Governance Committee tomorrow contained extremely critical audit reports on capital projects massive overspends. Good practice would expect those inherent risks to be acknowledged and addressed within this strategy and they were not.

This represented a clear change from York’s previous approach. An earlier procurement strategy explicitly embedded governance in the document itself. It linked procurement to key decision thresholds, required significant procurements and contract extensions to appear on the Forward Plan, and treated extensions and cumulative contract value as governance decision points. Those safeguards were no longer set out in the proposed strategy and had not been replaced. That was considered a material diminution of governance. It reduced clarity, visibility, and democratic control over how major procurement decisions were taken.

Given the scale of spend this strategy will guide, and the absence of Audit and Governance scrutiny, Members were requested not to determine the strategy this evening, but to refer the strategy to Audit and Governance at its next meeting.

Reference was made to a specific, evidence-based table addressing the governance issues that had been raised, which enabled the team and that Committee to consider whether the strategy adequately operationalised the Council’s own governance arrangements before approval.

Joe Nasson spoke in relation to agenda item 10, Financial Strategy 2026/27 to 2030/31. He stated that it was a deeply disappointing budget for so many people who expected that with a Labour Council that they would start to see reductions in the cost of living, more affordability, and better local services. That

the budget included further cuts to day-to-day local services that residents relied on and that it would only get worse in the next few years.

He added that even with a maximum council tax rise of 4.99% each year, York will be the lowest spending council per head of its kind in the country by 2028. That instead of a budget to start repairing the damage done to local councils over the last 15 years, we were offered more than £4m of cuts in 2026 with a further £2m written in for 2027 and cuts to vital support for some of our most vulnerable residents. This included £400,000 reduction in government funding for the household support fund and discretionary housing payments. That many York residents, which included many households in work, relied on these grants to supplement low household incomes.

That instead of providing hope for 2026, the budget promised the start of a £2.5m transformation programme to further cut local services to close the £20m funding gap for the next two years. That every aspect of council spending was to be considered, ranging from libraries to bus subsidies to grants to voluntary organisations. That there will be no areas left unaffected. More services will be distanced from residents through digitisation and more public assets will be sold off.

As a Green Party campaigner, it was considered a let-down for York residents. That we lived in one of the richest countries in the world and were unable to provide decent services for residents to tackle the high cost of living. The Executive was urged to challenge central government and put this right.

188. Forward Plan

Members received and noted details of items that were on the Forward Plan for the next two Executive meetings at the time of agenda publication.

189. Procurement Strategy

The Director of Finance submitted a report which sought Executive approval to implement the Procurement Strategy to allow the council's procurement priorities to continue to be provided and improved on.

Chloe Wilcox, Head of Commercial Procurement, presented the report.

The following annexes were attached to the report:

- Procurement Strategy
- Equalities Impact Assessment (EIA).

The key areas of discussion were:

- The Head of Commercial Procurement advised that it had been necessary to update the Procurement Strategy due to a change in procurement legislation. That it had resulted in changes to internal policies and procedures as well as the Procurement Strategy. The intention when developing the Procurement Strategy was to ensure it was a user-friendly document that incorporated standard policies and new policies linked to procurement. In relation to key decisions, variations and extensions these were covered in the Council's Constitution. There was also an opportunity to strengthen the governance section at the end of the strategy.
- The Opposition Group Leader expressed concern that there had not been sufficient opportunity for the Corporate Scrutiny Committee to consider and review the strategy. That it would have been helpful for the item to appear on the Forward Plan earlier as it had done in previous years.
- The Executive Member thanked the Head of Commercial Procurement and all those involved in developing the strategy. That it was an overarching piece of work that brought together different policies, procedures and legislation that governed procurement processes at City of York Council (CYC).

Resolved (unanimously) – That Executive approves the proposed Procurement Strategy, and for this to be implemented and acted upon.

Reason: To reflect the additional transparency and compliance requirements in accordance with the Procurement Act 2023.

190. Quarter 3 2025/26 Finance and Performance Monitor

The Director of Finance submitted a report which set out the projected financial position and the latest performance

information for the period covering 1 April 2025 to 31 December 2025.

Debbie Mitchell, Director of Finance, presented the report.

The following annex was attached to the report:

- Quarter 3 Performance Tables - City Outcomes and Council Delivery Indicators 2023-2027.

The key areas of discussion were:

- The Director of Finance reported that adult social care remained a significant area of concern. A programme of work had been put together to support the level of improvement needed and deliver savings.
- The Opposition Group Leader raised concern about a forecasted overspend of £7m at quarter three in relation to adult social care. Whilst it was acknowledged that adult social care was a national issue it was felt that there was a need to significantly improve the financial and general performance of the service.
- The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion highlighted the ever-increasing demands on services and the hard work that had been undertaken to reduce the overall overspend. That the quarter three monitor showed a reduction in overspend to £2.2m. That Councils were under more pressure to deliver more for less. It was acknowledged that there was an overspend in adult social care and this reflected the complexity and demand on the service. That improvements were delivered through early intervention and prevention, through driving initiatives that supported public health and well-being throughout communities. That the council was investing in those areas, and it will take years to see a reduction in costs as a result of that investment.

Resolved (unanimously) – That Executive

a) Notes the finance and performance information.
b) Notes and supports the need to undertake mitigation action identified within the report.

Reason: To ensure expenditure is kept within the approved budget.

In relation to acceptance of the funding from the York and North Yorkshire Combined Authority, Executive:

i) Accepts funding from the Authority, delegating authority to the Chief Strategy Officer to progress the below, in consultation with the Executive Member for Housing, Planning and Safer Communities or the Executive Member for Climate Change and the Environment:
a) £421k for the Carbon Negative Challenge Fund
b) £154.5k for the Mayors Renewal Fund (in addition to the £216k funds agreed at Monitor 2)

ii) Delegates the Director of City Development in consultation with the Director of Finance, to negotiate and agree the final year 2 Trailblazers Financial receipt, Grant Funding Terms and delivery programme.

In relation to acceptance of other external funding Executive accepts the following funding, delegating authority to the Chief Strategy Officer in consultation with the Executive Member of Climate and the Environment:

a) Accepts £149k from Innovate UK to extend the Retrofit One-Stop-Shop for York (ROSSY)
b) Accepts £100k from the Heat Network Delivery Unit at the Department of Energy Security and Net Zero to undertake techno-economic feasibility for a York Heat Network.

Reason: To secure funding to progress programmes of work related to each funding stream to enable activity that will support a more prosperous, affordable, accessible and equal city.

191. Capital Programme - Monitor 3 2025/26

The Director of Finance submitted a report which set out the projected outturn position for 2025/26 including any under/overspends and adjustments, along with requests to re-profile budgets to/from current and future years.

Debbie Mitchell, Director of Finance, presented the report.

The following annex was attached to the report:

- Capital Programme 2025/26 to 2029/30.

Resolved (unanimously) – That Executive

a) Recommends to Full Council the adjustments resulting in a decrease in the 2025/26 budget of £23.432m as detailed in the report.
b) Approves the allocation of £40k from contingency to fund a Changing Places Toilet at SEND Central Family Hubs.
c) Approves the purchase of £162k property to support the Rough Sleeping Programme funded from grant.
d) Notes the 2025/26 revised budget of £139.034m as set out in paragraph 10 and Table 1 of the report.
e) Notes the restated capital programme for 2025/26 – 2029/30 as set out in Annex 1 of the report.

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

192. Treasury Management 2025/26 Quarter 3 report and review of Prudential Indicators

The Director of Finance submitted a report which provided an update on treasury management activity together with the latest update of prudential indicators.

Debbie Mitchell, Director of Finance, presented the report.

The following annex was attached to the report:

- 2025/26 Quarter 3 Prudential Indicators.

The Director of Finance reported that it was a statutory requirement to present an update on treasury management activities. That the report was also being considered at tomorrow's Audit and Governance Committee meeting.

Resolved – That Executive notes

a) The 2025/26 Treasury Management activity for the period ending 30 November 2025.
b) The Prudential Indicators outlined in Annex A of the report (updated where applicable) and notes the compliance with all indicators.

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies with policies set.

193. Financial Strategy 2026/27 to 2030/31

The Director of Finance submitted a report which presented the financial strategy 2026/27 to 2030/31, including detailed revenue budget proposals for 2026/27, and asked Members to recommend to Council approval of the proposals.

Debbie Mitchell, Director of Finance, presented the report.

The following annexes were attached to the report:

- 2026/27 Budget Summary
- 2026/27 Savings Proposals
- 2026/27 Fees and Charges
- Impact Assessment
- Housing Revenue Account (HRA) 2026/27 Budget
- Risk Analysis
- Flexible Use of Capital Receipts Policy.

The key areas of discussion were:

- The Director of Finance reported that whilst not unexpected, the severe negative impact of the Fair Funding Review meant that the council's financial position remained incredibly challenging. Members were also referred to an error in the report. In paragraph 162 the figure quoted in relation to the overall Housing Revenue Account (HRA) reserve forecast at the end of 2026/2027 should have read £10,494m (as stated in annex 5) and not the £3m figure stated.
- The Opposition Group Leader expressed concern about the budget consultation process and the lack of engagement with members of the public and businesses. That with a three-year settlement and just over 10 months to the announcement of the 2027/28 budget, there was a need to start consulting the public now on the next budget setting process.
- The Executive Member for Environment and Climate Emergency highlighted the positive investment in

neighbourhood caretakers. That it reflected pride in local communities, in public spaces and overall pride in the city. Reference was also made to increased investment to bring weed control in-house. This was to ensure better control and more bespoke possibilities to respond in a more agile way.

- The Executive Member for Transport highlighted the positive work that had been undertaken to work through the backlog of res-parking applications. Additional areas had been approved that had enabled parking charges to remain the same for this year. In relation to car parking fees, the £3 fee for community car parks also remained the same. A parking review was underway, and all feedback was being considered. In the city centre, parking fees were to increase by 3% in line with inflation. In addition, the structure of the fees had been maintained so that the first two hours of parking remained in line with the cost of a family bus ticket. This continued to support transport strategy objectives to reduce congestion and increase bus use.
- The Executive Member for Health, Wellbeing and Adult Social Care reported that an additional £10.8m was being invested in adult social care. Demand was rising sharply, and the complexity of people's needs was increasing year on year. And this was driven by national policy requirements, demographic change, and a growing number of residents living longer with multiple health conditions. These were real pressures that shaped the daily experience of the workforce and the lives of the people we support. At the same time, cost inflation in adult social care consistently ran ahead of inflation measures. The price of residential placements, supported living and specialist provision had risen far faster than general inflation. Workforce costs had increased significantly, and the fees paid by individuals did not come close to the growth in expenditure. In practical terms, this meant that even to stand still, there was a need to spend significantly more every year. Adult social care had been asked to deliver within its means, avoid further overspending, and implement both its improvement plan and its cost reduction plan. The funding set out in the report was about stabilising it so it could meet its statutory duties and deliver the improvements that the administration and residents expected. York faced an ageing population. Increasing diagnoses of neurodiversity, rising mental health needs

and pressures in relation to residential care and learning disability services where complexity was increasing, and costs were escalating. Adult social care could not refuse care. It was a statutory duty. York had a higher average number of people who chose to retire here and as their needs grow CYC must also respond. An outcome following the Care Quality Commission (CQC) review was that CYC was heading in the right direction but there was more work to do, and the investment set out in the report enabled that work to continue. But improvement was not only about spending more. It was about spending better. Costs had been reduced through stronger contract management, better commissioning, and a focus on value for money. Early intervention and prevention were the most effective ways to reduce long-term demand. When people were supported earlier, when they remained connected to their community, and people lived independently for longer, outcomes improved, and costs fell. This funding was therefore not only the right thing to do but also a strategic investment.

- The Executive Member for Children, Young People and Education reported that one of the main challenges was responding to the significant level of change and policy that was being driven by central government that needed to be addressed, dealt with and implemented in the city. That CYC delivered an outstanding service and Department for Education (DFE) officials were coming to CYC to discuss how to run things. Central government recognised the level of changes required and had awarded additional grants to tackle these changes. One specific additional grant was £664,000, added to the £400,000 of CYC investment to review casework capacity and oversight to support young people in our care system and their families. This was to prevent young people entering the care system in the first place with early help and preventative services. Reference was also made to £20,000 funding for the continuation of the film making in schools' project. This project had been running for a couple of years. The intention of the project was for school children in secondary schools to be offered the opportunity to work with industry leading specialists in schools to develop five-minute films. These were opportunities that children in state schools would not ordinarily get and represented a positive step forward.

- The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion reported on the process leading up to submission of the budget reports to Executive. That there had been a Fair Funding Review that had taken longer than anticipated since development of the new funding formula was not straightforward. The key issue was that overall funding for local government was not enough, which had resulted in a difficult outcome for CYC. Reference was also made to the positive work undertaken by the Scrutiny Task and Finish Group to review the budget process, which included a recommendation to communicate more widely with residents, business and stakeholders about the budget process. This had been acknowledged and was to be acted upon. It was reported that most of the budget was spent on services for children and adults. That more resources were being invested in both services to meet demand for the good of everyone in our communities. But that did come at a cost. A transformation programme was in place focussed on cutting waste, cutting inefficiency, and delivering more for less money.
- The Deputy Leader of the Council and Executive Member for Economy and Culture wished to point out on behalf of the Executive Member for Housing, Planning and Safer Communities that an additional £1m was being invested in council estates, particularly focussed on communal areas. He also highlighted the positive work undertaken in ensuring a balanced budget, with no cuts to services and some important areas of investment referred to earlier in the meeting.

Resolved (unanimously) – That Executive recommends to Council approval of the budget proposals as outlined in this report. In particular:

a) The net revenue expenditure requirement of £187.009m.
b) A council tax requirement of £127.181m.
c) The revenue growth proposals as outlined in paragraphs 75 to 77 of the report.
d) The 2026/27 revenue savings proposals as outlined in annex 2 of the report.
e) The fees and charges proposals as outlined in annex 3 of the report.
f) The Housing Revenue Account (HRA) 2026/27 budget set out in annex 5 of the report.

g) The Dedicated Schools Grant (DSG) proposals outlined from paragraph 168 of the report.
h) The Flexible Use of Capital Receipts Policy set out in annex 7 of the report, including delegation to the Director of Finance to determine the costs that can be charged to the transformation programme.

Reason: To ensure a legally balanced budget is set.

In addition, that Executive

i) Approves the average rent increase of 4.8% to be applied to all rents for 2026/27.

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.

194. Capital Budget 2026/27 to 2030/31

The Director of Finance submitted a report which set out the capital programme for 2026/27 to 2029/30, and in particular, proposals to continue the Council's approach to prioritise investment in the economy, housing, transport and to invest to save, including energy efficiency.

Debbie Mitchell, Director of Finance, presented the report.

The following annexes were attached to the report:

- Capital Budget Growth 2026/27 to 2030/31
- Restated Capital Budget 2026/27 to 2030/31.

The key areas of discussion were:

- The Executive Member for Transport highlighted the positive investment in the highways maintenance programme, with over £12m to be spent on maintaining highways, bridges and street lights. The focus was on preventative maintenance such as surface dressing and large patch repairs, which maintained highways for significantly longer and reduced future spend. Efforts were also being made to ensure that highway maintenance supported sustainable travel and road safety with priority given to repairing bus routes and key cycle routes with

additional investment for pavement repairs and walk / cycle network repairs.

- The Executive Member for Environment and Climate Emergency highlighted the additional £1m to be spent on retrofit. This was to ensure warmer homes, lower energy bills, healthier people and cutting emissions.
- The Deputy Leader of the Council and Executive Member for Economy and Culture highlighted further improvements to be made to the crematorium, which included expanding the size of the waiting room, improvements to waiting facilities and accessibility.

Resolved (unanimously) – That Executive recommends that Council:

a) Agrees to the revised capital programme of £382.998m that reflects a net overall increase of £42.180m (as set out in table 2 and in Annex 1 of the report. Key elements of this include:

- New schemes funded by prudential borrowing totalling £0.785m as set out in table 3 of the report;
- Extension of prudential borrowing funded Rolling Programme schemes totalling £1.125m as set out in table 4 of the report;
- Extension of externally funded Rolling Programme schemes totalling £37.950m as set out in table 7 of the report;
- An increase in HRA funded schemes totalling £2.320m funded from a combination HRA balances/capital receipts as set out in table 8 of the report;

b) Notes the total increase in Council borrowing as a result of new schemes being recommended for approval is £0.179m the details of which are considered within this report and the financial strategy report.

c) Approves the full restated programme as summarised in Annex 2 totalling £382.998m covering financial years 2026/27 to 2029/30 as set out in table 13 and Annex 2 of the report.

d) Recommends that officers undertake a review of the capital programme with a view to seek to reduce the fund future years within the current agreed funding levels.

Reason: To ensure a legal budget is set and that the capital programme is fully funded.

195. Capital Financing and Investment Strategy

The Director of Finance submitted a report which provided a high-level overview of how capital expenditure and capital financing contribute to the provision of services, along with an overview of how associated risk is managed.

Debbie Mitchell, Director of Finance, presented the report.

The following annex was attached to the report:

- Capital Financing and Investment Strategy.

Resolved (unanimously) – That Executive recommends to Full Council approval of the capital and investment strategy at annex A of the report.

Reason: To meet our statutory obligation to comply with the Prudential Code 2017.

196. Treasury Management Strategy Statement 2026/27 - 2030/31

The Director of Finance submitted a report which sought the recommendation of Executive to Full Council for the approval of the Treasury Management Strategy and Prudential Indicators for the 2026/27 financial year.

Debbie Mitchell, Director of Finance, presented the report.

The following annexes were attached to the report:

- Interest Rate Forecast
- Specified and Non-Specified Investment Categories
- Approved Countries for Investments
- Treasury Management Scheme of Delegation
- Approved Sources of Long and Short-term Borrowing.

Resolved (unanimously) – That Executive recommends that Council, in accordance with the Local Government Act 2003 (revised), approves:

a) The proposed Treasury Management Strategy for 2026/27, including the Annual Investment Strategy and the Minimum Revenue Provision policy statement.
b) The prudential indicators for 2026/27to 2029/30 in the main body of the report.
c) The specified and non-specified investments schedule (Annex B of the report).
d) The scheme of delegation and the role of the Section 151 officer (Annex D of the report).

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies with policies set.

197. Urgent Business

There were no urgent items of business to consider.

Councillor Kilbane, Chair

(The meeting started at 5.30 pm and finished at 6.55 pm).

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Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 14 April 2026

Title and Description	Author	Portfolio Holder
Carers Strategy 2026-2032 **Purpose of report:** The Carers Strategy sets out a shared commitment to improving outcomes for unpaid carers in York. Executive is asked to approve the Carers Strategy and associated governance arrangements.	Corporate Director of Adult Services and Integration	Executive Member for Health, Wellbeing and Adult Social Care

There are currently no items scheduled on the Forward Plan for the Executive Meeting provisionally scheduled to take place on 12 May 2026 (2026-27 council and committee meeting dates are to be agreed at the March Council meeting)

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Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Bryn Roberts, Director of Governance
Portfolio of:	Councillor Lomas, Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion

Decision Report: Report of the Budget and Medium-Term Financial Strategy Task and Finish Group

Subject of Report

1. This report presents Executive with the final report and recommendations of the Budget and Medium-Term Financial Strategy Task and Finish Group (TFG), as agreed by Corporate Scrutiny Committee at its meeting held on 19 January 2026.

2. The final report of the TFG is attached at Annex A, including seven recommendations relating to ongoing budget scrutiny, the budget-setting process, Adult Social Care, member training and development, communications and engagement, and tracking progress made against these recommendations.

Benefits and Challenges

3. The TFG recommendations aim to contribute to the development of a structured and consistent approach to budget scrutiny, into the new municipal year and beyond. Not endorsing the report and recommendations could delay or disrupt the development of such an approach.

Policy Basis for Decision

4. The Council has a statutory duty to set a balanced budget each year. It is also required to have a Medium-Term Financial Strategy

(MTFS) which projects forward likely income and expenditure over the next three years. The MTFS aims to ensure that, as far as possible, resources are aligned to the Council's priorities.

5. The recommendations of the TFG align with the decision of Council in March 2025 to scrutiny to take a 'more deliberate and planned approach to budget scrutiny through the year', as detailed below.

6. Additionally, as highlighted in the TFG's final report, best practice guidance issued by the Local Government Association (LGA) and Centre for Governance and Scrutiny (CfGS) emphasises the importance of early and ongoing scrutiny involvement in the budget cycle.

Financial Strategy Implications

7. As noted below, the recommendations can be resourced with current budgets. They include continuing scrutiny of the MTFS, budget process, and financial challenges within Adult Social Care; effective scrutiny of these areas may be able to contribute to reducing costs.

Recommendation and Reasons

8. Executive is asked to endorse the report and recommendations 1-7 of the Budget and Medium-Term Financial Strategy Task and Finish Group.

   Reason: To contribute to the development of a structured and consistent approach to budget scrutiny.

Background

9. On 27 March 2025, Council endorsed a series of recommendations arising from a review of the Council's scrutiny function conducted by the Centre for Governance and Scrutiny (CfGS) during the 2024/25 municipal year. These included the following recommendation in respect of the need to develop a structured approach to budget scrutiny: 'Scrutiny taking a more deliberate and planned approach to budget scrutiny through the year. This should include a focus upon service delivery beyond finances.'

10. At the Corporate Scrutiny Committee meeting held on 9 June 2025, members considered a report of the Director of Finance outlining the Council's annual budget setting process, including the role of the Medium-Term Financial Strategy (MTFS) in projecting forward likely income and expenditure over the next three years. The Committee resolved to establish a Task and Finish Group (TFG) to provide financial scrutiny of the budget setting process and the MTFS.

11. A formal TFG proposal was brought to the Committee's next meeting held on 7 July 2025 and following amendments by the Committee, the aims and objectives of the proposal were agreed as follows:

    - Review the council's MTFS.
    - Review the process through which the council will engage with residents, businesses and other stakeholders as it develops and engages on its 2026/27 budget proposals.
    - Review the process through which the MTFS informs the approach to budget-setting.
    - Consider whether and how the budget proposals align with the Council Plan and the ten-year strategies.
    - Review responses to the public consultation on budget proposals and consider any recommendations to Executive.
    - Consider any improvements to the budget-setting process which could be adopted for future years.

12. The proposed timeline entailed completing this work in time to present a report and recommendations to the January 2026 meeting of the Corporate Scrutiny Committee for consideration and approval, ahead of presentation to the Council's Executive.

13. The membership of the TFG, consisting of Cllrs Ayre, Baxter, Hook and Moroney, was agreed in August 2025.

Consultation and Findings

14. The TFG began its work in September 2025 and held five in-person meetings. Owing to the limited time available, Members decided to prioritise several key areas, including developing an understanding of the MTFS and the potential impact of the

Government's Fair Funding Review, the process of consultation with residents and businesses around budget proposals, cost pressures around Adult Social Care, and capital investment.

15. Consultation took place with the Director of Finance, the Assistant Director of Finance, the Head of Communications and Engagement, and the Finance Manager for Adult Services, as well as with the Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion.

16. Based on its findings in relation to ongoing budget scrutiny, the budget-setting process, Adult Social Care, member training and development, communications and engagement, and tracking progress made against these recommendations, the TFG agreed seven recommendations.

17. These were presented as part of a draft report to the Corporate Scrutiny Committee at its meeting held on 19 January 2026, and endorsed by the committee for referral to the Executive. The agreed recommendations are set out below:

- Recommendation 1: That the Budget and Medium-Term Financial Strategy (MTFS) Scrutiny Task and Finish Group is re-established for the start of the next Municipal year, with a continued focus on the MTFS, the budget setting process, and the form that scrutiny of these should take.

- Recommendation 2: That the re-established Task and Finish Group reviews the format of budget and budget monitoring (including how savings are being delivered) reports with a view to ensuring greater accessibility and a sufficient level of detail to understand the impact of decisions taken on the budget.

- Recommendation 3: That the Corporate Scrutiny Committee recommends to the Council's Executive that the budget-setting process commence earlier in the municipal year, to enable proposed savings to be shared sooner with Elected Members and the Task and Finish Group, allowing for greater engagement and more in-depth scrutiny of the proposals to better inform recommendations to the Executive.

- Recommendation 4: That the Corporate Scrutiny Committee and the People Scrutiny Committee establish a standing joint

Task and Finish Group to review the financial challenges within Adult Social Care on a regular basis.

- Recommendation 5: That the Committee request, as part of the Joint Standards Committee's review of Member training and induction, that the Council looks to provide enhanced training and guidance for Members on the Council's financial position, including capital and treasury management.

- Recommendation 6: That the Council identifies ways to further develop the level of communication and engagement with stakeholders and communities on the reality of the budget situation affecting the Council, which includes encouraging feedback aimed at increasing responses as part of the budget consultation process.

- Recommendation 7: That the level of progress made against the recommendations will be reviewed by Corporate Scrutiny Committee as part of an agreed tracking process.

18. The final report of the TFG at Annex A provides further detail on each of these recommendations. Taken together, while acknowledging the pressures under which the Council operates, the recommendations aim to contribute to the development of a structured and consistent approach to budget scrutiny which can be carried forward into the new municipal year and beyond.

Options Analysis and Evidential Basis

19. The Executive may choose to endorse, either wholly or in part, the final report and recommendations of the TFG, or not to endorse the report and recommendations.

20. The recommendations aim to contribute to the development of a structured and consistent approach to budget scrutiny. This is line with best practice guidance from the Local Government Association and the Centre for Governance and Scrutiny, as well as the decision of Council on 17 March 2025 as referred to above.

21. As the recommendations of the TFG have been approved by the Corporate Scrutiny Committee, work has begun in relation to those recommendations where the Committee has authority to take action, including initial discussion around membership of the re-established TFG (Recommendations 1 and 2), consultation with members of the People Scrutiny Committee in relation to the

proposed joint TFG (Recommendation 4), while the Corporate Scrutiny Committee will consider a report setting out a proposed approach to recommendation tracking at its meeting on 2 March 2026 (Recommendation 7).

Organisational Impact and Implications

22. The following implications have been identified:

- **Financial**: The recommendations can be resourced with current budgets. Members will need to be mindful however that there is only limited capacity available within the finance service to support any future task and finish group and therefore demands will need to be prioritised.

- **Human Resources (HR)**: None arising directly from this report.

- **Legal**: None arising directly from this report. The Council has a statutory duty to deliver a balanced budget. There is a connected requirement to set a MTFS setting out the authority's financial plans for the next three years.

- **Procurement**: None arising directly from this report.

- **Health and Wellbeing**: None arising directly from this report.

- **Environment and Climate action**: None arising directly from this report.

- **Affordability**: None arising directly from this report.

- **Equalities and Human Rights**: An overarching Equalities Impact Assessment attempting to look at the cumulative impact of the budget is included in the annual budget report, while individual budget proposals which require their own assessments and consultation with service users will be undertaken separately at the appropriate time.

- **Data Protection and Privacy:** None arising directly from this report.

- **Communications**: Development of internal and external communications will be required to ensure visible and consistent approaches to promoting the work of overview and scrutiny.

- **Economy:** None arising directly from this report.

Risks and Mitigations

23. There could be a risk to the development of a more structured and consistent approach to budget scrutiny should the report and recommendations not be endorsed. No other risks arising directly from this report have been identified.

Wards Impacted

24. All Wards.

Contact details

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Date:	23 February 2026

Background papers

Report of the Director of Finance, Budget Setting Process and Scrutiny. Corporate Scrutiny Committee, 9 June 2025, https://democracy.york.gov.uk/documents/s183621/Budget%20scrutiny%20June%202025.pdf

Report of the Director of Governance, Budget and Medium-Term Financial Strategy Scrutiny Task and Finish Group. Corporate Scrutiny Committee, 7 July 2025, https://democracy.york.gov.uk/documents/s184224/Task%20and%20Finish%20scoping%20cover%20report_Budget%20Scrutiny.pdf

Report of the Head of Democratic Services, Draft Report of the Budget and Medium-Term Financial Strategy Task and Finish Group, Corporate Scrutiny Committee, 19 January 2026, https://democracy.york.gov.uk/documents/s186854/Cover%20report.pdf

Centre for Governance and Scrutiny (CfGS), *Scrutiny Impact Report: City of York Council* (January 2025), https://democracy.york.gov.uk/documents/s182228/Annex%20A%20York%20Scrutiny%20Impact%20Report.pdf

Additional background papers used by the Task and Finish Group in the course of its work are listed in Annex A.

Annexes

- Annex A: Final Report of the Budget and Medium-Term Financial Strategy Task and Finish Group

CITY OF YORK COUNCIL

Report of the

Budget and Medium-Term Financial Strategy Task and Finish Group

January 2026



Report of the Budget and Medium-Term Financial Strategy (MTFS) Task and Finish Group to the Corporate Scrutiny Committee, 19 January 2026

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Task and Finish Group Members



Cllr Nigel Ayre



Cllr Anna Baxter (Chair)



Cllr Anne Hook (Vice-Chair)



Cllr John Moroney



Chair's Introduction

Councillor Anna Baxter

I am pleased to share with the committee the findings of the Budget and Medium-Term Financial Strategy (MTFS) Task and Finish Group.

Firstly, I would like to thank everyone involved in this review: the members of the cross-party task group, who worked collaboratively in sharing their experiences; and the officers for their support with the task at what is a very busy time for them. I am also grateful for the support of the Executive Member and her commitment to open and transparent budget processes.

Our role was to provide financial scrutiny of the budget and MTFS by reviewing the process of engaging residents and businesses with the council's budget proposals, as well as the process of how the MTFS is used to inform budget setting.

Given the limited time available before the budget is considered by Council, we decided to focus on a small number of key issues.

This report sets out our recommendations and how we believe we can move forward, while acknowledging the funding gap that makes medium and long-term planning a significant challenge requiring difficult choices to be made to ensure the delivery of a balanced budget that provides best value and meets the needs of our residents. The recent government announcement of a consultation and a multi-year funding settlement for local government, (covering 2026-27 to 2028-29), should help improve the Council's ability to plan ahead.

Recommendations

1. That the Budget and Medium-Term Financial Strategy (MTFS) Scrutiny Task and Finish Group is re-established for the start of the next Municipal year, with a continued focus on the MTFS, the budget setting process, and the form that scrutiny of these should take.

2. That the re-established Task and Finish Group reviews the format of budget and budget monitoring (including how savings are being delivered) reports with a view to ensuring greater accessibility and a sufficient level of detail to understand the impact of decisions taken on the budget.

3. That the Corporate Scrutiny Committee recommends to the Council's Executive that the budget-setting process commence earlier in the municipal year, to enable proposed savings to be shared sooner with Elected Members and the Task and Finish Group, allowing for greater engagement and more in-depth scrutiny of the proposals to better inform recommendations to the Executive.

4. That the Corporate Scrutiny Committee and the People Scrutiny Committee establish a standing joint Task and Finish Group to review the financial challenges within Adult Social Care on a regular basis.

5. That the Committee request, as part of the Joint Standards Committee's review of Member training and induction, that the Council looks to provide enhanced training and guidance for Members on the Council's financial position, including capital and treasury management.

6. That the Council identifies ways to further develop the level of communication and engagement with stakeholders and communities on the reality of the budget situation affecting the Council, which includes encouraging feedback aimed at increasing responses as part of the budget consultation process.

7. That the level of progress made against the recommendations will be reviewed by Corporate Scrutiny Committee as part of an agreed tracking process.

Background

As noted by the Centre for Governance and Scrutiny (CfGS), the ability to engage with financial information and the way in which the Council addresses its financial challenges is one of scrutiny's most pressing tasks. The need to develop a structured approach to budget scrutiny was one of the areas highlighted by the CfGS in its review of City of York Council's scrutiny function during the 2024/25 municipal year, with its final report recommending:

> 'Scrutiny taking a more deliberate and planned approach to budget scrutiny through the year. This should include a focus upon service delivery beyond finances.' (CfGS, Scrutiny Impact Report: City of York Council, recommendation 5).

This recommendation was approved by Full Council in March 2025. The CfGS report noted that while scrutiny had had the opportunity to review, for the first time, the results of the budget consultation for the 2025/26 budget in November 2024, there was a need to focus on ensuring effective resource management by reviewing the allocation, monitoring and use of resources, paying close attention to the Council's budgeting process from planning to delivery. Scrutiny could add value by looking at how financial and service planning fit together, and by focusing on the bigger picture rather than small details.

Remit of the Review

At the Corporate Scrutiny Committee meeting held on 9 June 2025, members considered a report of the Director of Finance outlining the Council's annual budget setting process, including the role of the Medium-Term Financial Strategy (MTFS) in projecting forward likely income and expenditure over the next three years.

The report noted the importance of financial scrutiny in ensuring clear links between budget setting and strategic plans, identifying evidence-based options for reducing costs, generating income or introducing new models of delivery, challenging the allocation, use and impact of resources, and providing an additional and transparent challenge to the Executive's management of Council's finances. It was suggested that a Task and Finish Group (TFG) could be formed to review the MTFS and the budget process, to help shape, before public consultation, the proposals being consulted on, and after public consultation to review the outcomes and make suggestions to Executive about how to proceed.

The Committee resolved to establish a TFG to provide financial scrutiny of the budget setting process and the MTFS. A formal TFG proposal was brought to the Committee's next meeting held on 7 July 2025 and following amendments by the Committee, the aims and objectives of the proposal were agreed as follows:

- Review the council's MTFS.
- Review the process through which the council will engage with residents, businesses and other stakeholders as it develops and engages on its 2026/27 budget proposals.
- Review the process through which the MTFS informs the approach to budget-setting.
- Consider whether and how the budget proposals align with the Council Plan and the ten-year strategies.
- Review responses to the public consultation on budget proposals and consider any recommendations to Executive.
- Consider any improvements to the budget-setting process which could be adopted for future years.

The initial timeline proposed involved reviewing the MTFS and the budget-setting process by 30 September 2025; reviewing budget proposals prior to public consultation; and following the public consultation, reviewing the outcomes and making suggestions to Executive about how to proceed, for the Corporate Scrutiny meeting 17 January 2026.

The membership of the TFG was agreed in early August 2025.

Structure of the Review

The Task and Finish Group held five in-person meetings as below:

- 4 September 2025
- 6 October 2025
- 3 November 2025
- 10 November 2025
- 5 January 2026

Witnesses

The Group would like to thank all the witnesses who provided evidence:

- Cllr Katie Lomas, Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion
- Debbie Mitchell, Director of Finance and Section 151 Officer
- Patrick Looker, Assistant Director of Finance
- Mike James, Head of Communications and Engagement
- Steve Tait, Finance Manager for Adult Services

Findings

The Group began its work in September 2025, and owing to the limited time available decided to prioritise several key areas, including developing an understanding of the MTFS and the potential impact of the Government's Fair Funding Review, the process of consultation with residents and businesses around budget proposals, cost pressures around Adult Social Care, and capital investment.

From this work, the Group has agreed seven recommendations as detailed below, based on its findings in relation to ongoing budget scrutiny, the budget-setting process, Adult Social Care, member training and development, communications and engagement, and tracking progress made against these recommendations. Taken together, while acknowledging the pressures under which the Council operates, the recommendations aim to contribute to the development of a structured and consistent approach to budget scrutiny which can be carried forward into the new municipal year and beyond.

Ongoing Budget Scrutiny

As part of their work the Group reviewed guides to best practice in financial scrutiny produced by the CfGS, the Chartered Institute of Public Finance and Accountancy (CIPFA), and the Local Government Association (LGA). It was clear that a structured, regular approach across the budget cycle should form part of any best practice financial scrutiny. Budget scrutiny should function as a 'rolling programme', based on early and ongoing engagement across the budget process, examining the assumptions behind emerging budget proposals rather than being confined to querying individual budget lines later in the year.

The Group also considered best practice examples from other local authorities, noting the broad range of approaches taken to budget scrutiny.

Re-establishing the Budget and Medium-Term Financial Strategy Task and Finish Group for the next municipal year would enable the work of scrutinising the budget setting process and the MTFS to continue in a structured way from early in the process. This would contribute to developing the 'deliberate and planned approach to budget scrutiny through the year' recommended by the CfGS. The re-established TFG would also provide an opportunity to review the most appropriate form for budget scrutiny at City of York Council.

Recommendation 1
That the Budget and Medium-Term Financial Strategy (MTFS) Scrutiny Task and Finish Group is re-established for the start of the next municipal year, with a continued focus on the MTFS, the budget setting process, and the form that scrutiny of these should take.

Although members were unable to spend time examining the budget documentation in detail, the Group noted that the published budget and budget monitoring information could, subject to available resources, be presented in ways that made them more accessible to residents, with clearer labelling and more detailed explanations on the reasoning behind the decisions being made. This would enable residents and members to gain a clearer understanding of the impact of decisions taken on the budget. Greater use could also be made of available comparative data, for example, from previous years.

A re-established TFG would provide a suitable opportunity for a review of the format of budget and budget monitoring reports.

Recommendation 2
That the re-established Task and Finish Group reviews the format of budget and budget monitoring (including how savings are being delivered) reports with a view to ensuring greater accessibility and a sufficient level of detail to understand the impact of decisions taken on the budget.

The Budget-setting Process

Best practice guidance suggests that engagement with the budget process early from an early stage makes for more impactful and effective financial scrutiny. In particular, CfGS guidance suggests that scrutiny throughout the budget cycle, as set out below, can help shift the focus away from a line a line-by-line examination of the budget and towards earlier and more strategic engagement with the assumptions that underpin the proposals.

- Early Summer: Understand needs, review Medium Term Financial Strategy (MTFS), assess likely resources.
- Summer into Autumn: Set priorities, begin developing savings and growth proposals (intensive period of activity for Cabinet).
- Autumn into Winter: Publicise proposals, subject them to public debate at scrutiny, and refine.
- Late Winter: Formal budget and policy framework approval at full Council. The budget and policy framework is generally agreed in February. Billing authorities (unitary councils and shire districts) must complete and approve their budgets, and set their council tax, by 11 March. (CfGS, Financial Scrutiny: A Guide for Members, p. 17).

Similarly, guidance produced by CIPFA highlights ways in which scrutiny might engage with the budget setting process and the MTFS across the financial year.

The Group acknowledged the impact of the timing of the Local Government Financial Settlement on the budget-setting process, noting that the recent multi-year settlement should help facilitate an earlier start to the process over the next two budget cycles.

Commencing the budget-setting process earlier in the year would facilitate the embedding of best practice financial scrutiny at the Council by enabling proposals and the assumptions behind them to be shared sooner with Members, facilitate greater engagement and more impactful scrutiny to better inform recommendations to Executive.

Recommendation 3
That the Corporate Scrutiny Committee recommends to the Council's Executive that the budget-setting process commence earlier in the municipal year, to enable proposed savings to be shared sooner with Elected Members and the Task and Finish Group, allowing for greater engagement and more in-depth scrutiny of the proposals to better inform recommendations to the Executive.

Adult Social Care

The Group acknowledged that approximately 40% of the Council's budget is spent on Adult Services. They also noted the cost pressures on this service area, which continue to grow due to increased demand and high staffing costs. It was suggested that the current focus on short-term interventions meant there was a need for a long-term plan within Adult Social Care, noting that City of York Council remained one of the lowest funded local authorities and health economies in the country.

As such it was felt that scrutiny of the financial challenges within Adult Social Care could be usefully undertaken on a regular basis by a smaller group, and that a standing joint Task and Finish Group with the People Scrutiny Committee, under whose remit Adult Services fell, would be the most appropriate way to develop this work.

Recommendation 4
That the Corporate Scrutiny Committee and the People Scrutiny Committee establish a standing joint Task and Finish Group to review the financial challenges within Adult Social Care on a regular basis.

Member Training and Development

All councillors carry the same legal duty to safeguard the interests of local taxpayers in the management of council finances, ensuring that the budget meets community needs and is managed effectively. Through the course of the work, the Group recognised that Members need a sufficient level of knowledge and skills to meaningfully scrutinise financial documents, monitor financial

performance and participate effectively in budget discussions. As the LGA's financial scrutiny workbook explains, Members do not need to be financial experts to carry out effective scrutiny. However, they do need a reasonable understanding of the Council's financial position and the ability to ask relevant questions about it.

The development of suitable training and guidance will enable members to better discharge their responsibilities in this area. It would be appropriate for this to be considered as part of the review of Member development and training currently being undertaken through the Joint Standards Committee.

Recommendation 5
That the Committee request, as part of the Joint Standards Committee's review of Member training and induction, that the Council looks to provide enhanced training and guidance for Members on the Council's financial position, including capital and treasury management.

Communications and Engagement

The Group noted that, with the exception of engaging with businesses in the city, there was no statutory requirement to carry out a comprehensive budget consultation. Part of this year's public consultation would involve an awareness campaign around what the Council does, with case studies re-purposing existing material to convey the breadth of services delivered. It was noted that this aligned with the draft Corporate Communications and Engagement Strategy which was considered by the Corporate Scrutiny Committee in October 2025.

Group Members had a timely discussion with the Head of Communication and Engagement which led to the development of the approach to engaging with residents through the use of bite-size educational videos on the reality of the budget situation affecting the Council using social media platforms. These were delivered by the Executive Member for Finance and aimed to start conversations around council budget priorities.

While noting the limited resources available to the Council's Communications team, it was suggested that the level of communication and engagement with stakeholders and communities could be further developed.

Due to the by-election taking place in the Heworth Ward, Council communications (including around the budget consultation) have been restricted during the pre-election period which began on 8 December 2025 and runs until 15 January 2026. It has therefore not been possible for the TFG to conduct a full review of responses to the public consultation on budget proposals.

Recommendation 6
That the Council identifies ways to further develop the level of communication and engagement with stakeholders and communities on the reality of the budget situation affecting the Council, which includes encouraging feedback aimed at increasing responses as part of the budget consultation process.

Tracking Progress

The Executive / Scrutiny Protocol for City of York Council, which was incorporated into the Council's Constitution following agreement by Full Council in September 2025, states that:

> 'Recommendations from Scrutiny will be logged and tracked by Democratic Services and Scrutiny Committees will receive formal reports twice each year on the number of recommendations that have been accepted and incorporated through the decision-making process and the level of progress made against the recommendations.' (Article 8, Paragraph 14.5.3)

As such progress against the above recommendations should be tracked in this way.

Recommendation 7
That the level of progress made against the recommendations will be reviewed by Corporate Scrutiny Committee as part of an agreed tracking process.

Next Steps

Should the Committee agree to endorse the report and recommendations of the Budget and MTFS TFG, these will be referred to the Executive for consideration.

With reference to Recommendation 1 above regarding the re-establishment of the Task and Finish Group, in order to ensure that this work can be undertaken in a timely and meaningful way and avoid delay, it would be advisable to seek agreement on the membership of the re-established TFG as soon as is feasible.

With reference to Recommendation 4 above regarding a standing joint Task and Finish Group to review the financial challenges within Adult Social Care, the agreement of the People Scrutiny Committee would need to be sought, and a remit agreed.

Glossary

CfGS	Centre for Governance and Scrutiny
CIPFA	Chartered Institute of Public Finance and Accountancy
Democratic Services	A Council function supporting the democratic and decision-making processes.
Executive	The group of councillors appointed by the Leader to take decisions on behalf of the Council.
LGA	Local Government Association
MTFS	Medium Term Financial Strategy
TFG	Task and Finish Group – a cross-party working group set up to look in detail at a topic identified by the relevant scrutiny committee.

Background Papers

Report of the Director of Finance, Budget Setting Process and Scrutiny. Corporate Scrutiny Committee, 9 June 2025, https://democracy.york.gov.uk/documents/s183621/Budget%20scrutiny%20June%202025.pdf

Centre for Governance and Scrutiny (CfGS), *Scrutiny Impact Report: City of York Council* (January 2025), https://democracy.york.gov.uk/documents/s182228/Annex%20A%20York%20Scrutiny%20Impact%20Report.pdf

Centre for Governance and Scrutiny (CfGS), *Financial scrutiny: a guide for members* (November 2023), https://www.cfgs.org.uk/wp-content/uploads/2023-12-11-Finance-Scrutiny-guide.pdf

Chartered Institute of Public Finance & Accountancy (CIPFA) and Centre for Public Scrutiny (CfPS), *Financial Scrutiny Practice Guide* (June 2020), https://www.cfgs.org.uk/wp-content/uploads/Financial-scrutiny-practice-guide_proof3.pdf

Local Government Association, *A councillor's workbook on scrutiny of finance* (November 2017), https://www.local.gov.uk/sites/default/files/documents/11.85%20A%20councillor%27s%20workbook%20on%20scrutiny%20of%20finance_v03.pdf

Ministry of Housing, Communities and Local Government, Fair Funding Review 2.0 Consultation, https://www.gov.uk/government/consultations/the-fair-funding-review-20/the-fair-funding-review-20

Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Martin Kelly, Corporate Director of Children and Education Peter Roderick, Director of Public Health
Portfolio of:	Councillor Webb, Executive Member for Children, Young People and Education Councillor Lucy Steels-Walshaw, Executive Member for Health, Wellbeing and Adult Social Care

Decision Report: Best Start in Life (BSiL) Local Plan

Subject of Report

1. York is a city of significant advantages yet it also has marked inequalities that affect children from their earliest years. While most children thrive, those experiencing vulnerability or hardship do not, and the gap in outcomes is one of the widest in the country by age five. A recent analysis of 12,000 York children over seven years shows that inequalities in development are already identifiable by a child's first birthday and statistically significant by age two. Although existing educational data shows the gap widening as children grow older, this local evidence makes clear that the roots of inequality emerge much earlier.

2. By the time a child begins school, around 90% of their brain development has already taken place. The period from conception to age five is therefore a decisive window in which the foundations for learning, emotional resilience, physical health and long-term wellbeing are laid. These early years shape the architecture of the brain and influence outcomes across the life course.

3. Children's development is not determined by biology alone. Their earliest experiences — the quality of relationships, the stability and safety of their environment, the stress levels around them,

and the support available to their families — all have a profound and lasting impact. When these conditions are positive, children build strong foundations that endure. When they are not, the effects can persist into adulthood, influencing educational attainment, health, employment, and the likelihood of requiring support from public services.

4. The early years are therefore not only a period of vulnerability but also one of extraordinary opportunity. Evidence consistently demonstrates that investment at this stage yields the greatest return — improving outcomes for children and families while reducing future demand on high- cost services. Early support is not a peripheral consideration; it is central to long- term system sustainability and to the city's wider social and economic ambitions.

5. This report seeks approval for the strategic approach to York's local Best Start in Life (BSiL) plan, which focuses on early childhood development and reducing inequalities, with the aim of increasing the proportion of children achieving a Good Level of Development (GLD) by the end of Reception year. The plan sets out how York will meet the statutory targets for 2028 established by the UK Government.

6. Publication of a local Best Start in Life plan is a statutory requirement under the Government's Giving Every Child the Best Start in Life strategy, which identifies three core areas of focus:

    - Better support for families, with a particular emphasis on parenting and the Home Learning Environment
    - More accessible early education and childcare
    - Improving quality in the early years, including Reception

7. In addition, every local area must designate at least one Best Start Family Hub.

8. The proposed approach brings together multiple strands of work — including Neighbourhood Health, Family First reforms, and SEND improvement — into a coherent strategy for the first five years of life. It depends upon a full partnership approach with families being effectively supported across health, children's services, education and the community and voluntary services

9. The report also seeks delegated authority for the Executive Member for Children and Education to approve the final version of the local plan.

10. Finally, the report requests approval to pursue an enhanced ambition: positioning York as a Centre of Excellence for early childhood development starting from September 2026, working in partnership with Ebor Multi- Academy Trust, the University of York, York St John University, the voluntary and community sector, and — where appropriate — private sector partners. This ambition would run alongside the statutory BSiL requirements and would place particular emphasis on the conception- to- age- two period (the first 1001 days)

11. Timely approval is essential to meet statutory expectations, address persistent inequalities, and ensure partners can align resources and activity around a shared approach.

Benefits and Challenges

Benefits:

12. The proposed approach enables York to meet national expectations while advancing the ambitions set out in the Council Plan, the Joint Health and Wellbeing Strategy, and the Children and Young People's Plan. By strengthening prevention and early intervention, the plan is expected to reduce long- term demand on high- cost services, including social care, SEND provision and health interventions.

13. A coordinated early- years strategy will help address the stark inequalities in child development, health and school readiness that exist across the city. It will also strengthen multi- agency collaboration across health, education, early years providers, and the voluntary and community sector, creating a more coherent and accessible system for families.

14. Pursuing a Centre of Excellence ambition would position York as a leader in early- years innovation, increasing opportunities for external investment, research partnerships and national recognition. Ultimately, the approach represents a long- term investment in the wellbeing and prosperity of York's communities.

Challenges and Risks:

15. Delivering a whole-system early-years strategy requires strong and consistent engagement from partners. Without clear governance and shared outcomes, there is a risk of fragmentation.

16. Financial pressures across the system also present challenges, although these will be mitigated through phased implementation, use of Government BSiL funding, and pursuit of external investment.

17. Tight timescales for publication of the plan risk delays if decision-making is not streamlined. Delegated authority will help ensure timely progress.

Policy Basis for Decision

18. The Childcare Act 2006 places statutory duties on local authorities across three key areas: early years outcomes, sufficiency of childcare, and provision of information to families and providers. The proposed plan directly supports delivery of these duties, which have been the subject of legal challenge nationally when not met.

19. The approach directly contributes to the Council Plan vision to establish the conditions of a healthier, fairer, more accessible, place with many of the development opportunities taking place now, through The Local Plan and York Central development, being completed ready for the homes and jobs of today's early years cohort. the national Best Start in Life strategy; the City of York Joint Health and Wellbeing Strategy; the Children and Young People's Plan; and the Humber and North Yorkshire Integrated Care Board's strategy for children and young people. It complements existing initiatives such as York Hungry Minds, The Place, and Poverty Proofing.

Financial Strategy Implications

20. The Government has allocated funding to the City of York Council to support delivery of the Best Start in Life programme, as set out below. This table shows how Government funding over a three year settlement is directed towards the first of the three strands of the local plan 'Better Support for Families' through allocation of

funds for Best Start Family Hubs, Parenting Support and support for the Home Learning Environment.

Strand	%	2026 – 27 Allocation	2027 – 28 Allocation	2028 – 29 Allocation
Best Start Family Hubs Delivery grant – programme	50%	£340,300	£278,300	£285,800
Best Start Family Hubs delivery programme – capital	12%	£68,100	£69,400	£70,800
Parenting support	17%	£97,600	£98,900	£103,200
Home learning environment support	22%	£127,700	£129,300	£135,000
Total		£633,700	£575,900	£594,700

21. Delivery of the programme will be funded through these allocations and existing earlyyears, family support and public health budgets. No additional council funding is requested. Over time, improved earlyyears outcomes are expected to reduce demand for highcost services, although these savings have not yet been built into future budgets. A phased approach will support cost control and prioritisation of highimpact activity, and opportunities for external funding will be actively pursued.

22. No additional funding has been awarded for strands two and three and whilst 75 local authorities have been awarded additional funding the ‘Start for Life services’ (infant feeding; perinatal mental health; and parent-infant relationships) York has not received this additional funding. Government is also directing local authorities to spend this allocation on support for children and families who will be turning 5 up to 2028, in order to meet the statutory target.

23. For the ambitions around the Centre of Excellence we would look to secure additional investment into this work through a variety of approaches. Philanthropic donations would be sought to raise significant additional resources, as has been achieved through the Local Authority's Hungry Minds approach and the University of York's funding for 'The Place'. Through partnerships with the universities we would seek to unlock research and development grant funding which has already been achieved through the Raise Yor Research Network. Finally, organisations with specific interests in early childhood development remain keen to work in partnership with ambitious and innovative local areas.

Recommendation and Reasons

24. In order to enable the timely development of an ambitious local Best Start Plan and wider ambitions, it is recommended that the Executive:

25. **Endorse the strategic Best Start in Life approach**, focused on reducing inequalities and improving early childhood outcomes in order to meet the Government's statutory targets for the proportion of children achieving a Good Level of Development by age five.

26. **Approve delegated authority** to the Executive Member for Children and Education to sign off the final local Best Start in Life plan.

27. **Agree the ambition to position York as a Centre of Excellence** for early childhood development, working with Ebor Multi Academy Trust, the University of York, York St John University, and other partners, including the voluntary and community sector and — where appropriate — private sector investors. This ambition will include a particular focus on the first 1001 days.

28. These recommendations support statutory compliance, strengthen system leadership, and enable York to take a more ambitious and evidence driven approach to improving early childhood outcomes.

Background

29. Investing in the early years is one of the most evidence based and cost effective actions a local area can take. When children and families are well supported from pregnancy to age five — as set out in the Government's *Giving Every Child the Best Start in Life* strategy — communities become healthier, future pressure on services is reduced, and longterm social and economic outcomes improve. Research from Marmot (2010, 2020) and others demonstrates that early childhood experiences shape lifelong health, wellbeing and opportunity. Early investment also helps close the developmental gaps that emerge in the first years of life and drive longterm inequalities. As Sally Hogg of the 1001 Days Movement has said, "Society is what happens when babies grow up."

30. The Childcare Act 2006 places statutory duties on local authorities across three key areas, all of which this work will support. These include duties to provide early years services and work jointly to reduce inequalities; duties to ensure sufficient early education and childcare; and duties to provide adequate information to families and providers. These duties are wellestablished in legislation, and several councils nationally have faced legal challenge where they have not been met.

31. Under the Health and Social Care Act 2012, local authorities also hold statutory public health responsibilities for children aged 0–5 (and up to 19), including delivery of the Healthy Child Service. This is the only universal service that offers mandated contacts to every family between birth and age five, making it a critical component of the Best Start in Life approach.

32. The Government has set statutory targets for the City of York to be achieved by the end of the 2027/28 academic year. These require that:

    - At least **79%** of children achieve a **Good Level of Development (GLD)** at the end of Reception

    - At least **58.1%** of children eligible for Free School Meals achieve a GLD

33. The GLD measure is based on statutory teacher assessments across five domains: Physical Development;

Personal, Social and Emotional Development; Communication and Language; Literacy; and Mathematics. It is a binary judgement across 12 aspects, with no adjustment for age, despite the significant developmental variation between children who have just turned five and those approaching six.

34. Although the Government's targets focus on children currently aged two to four, the evidence base strongly supports intervention from conception to age two — the first 1001 days — as the period of greatest developmental sensitivity. Seventyfive local authorities receive additional funding for "Start for Life" services focused on this period; York is not among them, making a coherent local strategy even more important.

35. The Best Start in Life plan will deliver action that supports the ambitions of several existing local strategies. The Council Plan identifies the proportion of children achieving a GLD as a key performance indicator. The Joint Health and Wellbeing Strategy identifies "York's children have the best possible start in life" as one of its four priority areas. The Children and Young People's Plan also includes Best Start in Life as a core priority. The Integrated Care Board strategy emphasises safe, healthy and thriving children and young people, and the York Health and Care Partnership workplan commits to improving outcomes through prevention, early help and identification of need.

36. The Best Start in Life plan is not an additional strategy but a mechanism to mobilise and coordinate action across these existing commitments working in partnership with families and the many parts of the system that support early childhood development including health services, children's services and the community and voluntary sectors.

37. York's data shows persistent inequalities in early childhood outcomes, including health, speech and language development, and school readiness. These inequalities are evident by age two and widen over time. Multiple partners deliver prevention, early intervention and family support, but services are fragmented and lack an overarching strategic framework. The local authority has a critical role in leading a joined up, evidence based approach to improve outcomes and reduce inequalities from the earliest stages of life.

38. In line with the Government strategy, the local plan will focus on:

- Better support for families
- More accessible early education and childcare
- Improving quality in the early years, including Reception

39. Working together across these three areas will give York a far greater chance of improving outcomes by age five than isolated activity.

40. The Government places particular emphasis on parenting and the Home Learning Environment, reflected in the funding allocations for Family Hubs. The Department for Education expects local plans to:

- Set a bold vision for improving child development and health outcomes
- Identify local needs and address gaps in provision
- Demonstrate how delivery will be coordinated, tracked and adapted

41. Use test and learn approaches to drive innovation

42. The plan will be built around four core pillars:

- **Proportionate universalism** — ensuring universal access while targeting additional support where it is most needed
- **Prevention and early intervention** — acting early to improve outcomes and reduce longterm costs
- **Evidencebased practice and coproduction** — combining research evidence with the expertise of families and practitioners
- **Greater system integration** — reducing fragmentation and strengthening collaboration

43. The initial plan will cover three years, in line with Government requirements, and will be published by 31 March 2026. This first version will be highlevel due to tight timescales but will evolve over time as learning emerges.

44. To achieve York’s wider ambitions, a longerterm plan will also be developed. This will go beyond minimum Government

expectations and explore the potential to position York as a **Centre of Excellence for early childhood development**. This would involve partnership with the University of York, York St John University and Ebor MultiAcademy Trust to test innovative practice, evaluate impact rigorously — including longitudinally — and build on York's strengths in highquality implementation.

45. A Centre of Excellence would include:

- A **Targeted Child Development Centre**, offering universal and targeted early years provision, specialist support, parenting programmes and family outreach
- A **Training and Innovation Hub**, supporting workforce development, developing new programmes, and disseminating learning across the system
- A **Research Observatory**, conducting longitudinal studies, rapid impact assessments and implementation research

46. Partnership with Ebor MultiAcademy Trust offers opportunities to draw on their earlyyears expertise and utilise available space for colocation of professionals — an evidencebased approach to improving earlyyears systems. Collaboration with the universities builds on the success of the Raise York Research Network, which has already delivered research with direct benefits for families and attracted additional investment.

47. The child development centre will focus on closing the gap in outcomes in the early years through a multi-disciplinary approach to delivering targeted interventions to address the impact of developmental delay. Research shows that closing these developmental gaps early will have the greatest impact on life-time outcomes across education, health and care. The focus on addressing these health and education inequality gaps will be used as a focus for attracting philanthropic support and investment and would help to build community capacity to break the cycle of intergenerational poverty in the city.

48. The development of York as a centre of excellence would also build on existing local evidence based good practice including the Early Talk for York programme and the Family Seeing approach in social care. In particular, the role of Family Seeing in creating the scaffolding around children by harnessing family support networks to enhance evidenced based interventions.

Consultation Analysis

49. Extensive engagement has taken place with partners across health, education, early years, and the voluntary and community sector. This engagement consistently highlights the need for a more coordinated and accessible early years system, with families reporting challenges around navigating services, accessing support and overcoming isolation.

50. The Raise York Family Hubs programme has been coproduced with families, generating outcomes that align closely with the ambitions of the Best Start in Life plan. Families have emphasised the importance of reducing isolation, increasing confidence, building social networks, and having clear information about where to access support. Learning from coproduction work in other areas, such as SEND Central, is also directly relevant. Co-production will be at the heart of the development and delivery of the Best Start in Life plan ensuring that as the plan is developed families are involved in service design and delivery inclusive and accessible to all and is grounded in what works for families in York.

51. Partners including Ebor MultiAcademy Trust, the University of York and York St John University have expressed strong support for a collaborative approach and for exploring the potential to position York as a Centre of Excellence.

52. Internal council teams have contributed to the development of the proposals, ensuring alignment with existing programmes and priorities.

53. All of this feedback is being used to directly shape the priorities and design of the Best Start in Life local plan.

Options Analysis and Evidential Basis

54. Option 1: Approve the proposed BSiL approach, delegated sign off and Centre of Excellence ambition (recommended)

55. This option enables timely and strategic action to reduce inequalities, strengthens system leadership, and positions York to

innovate and attract investment. It aligns with statutory duties and local priorities.

56. Option 2: Approve the BSiL approach and delegated signoff but defer the Centre of Excellence ambition

57. This option focuses on core statutory delivery and reduces complexity in the short term. However, it misses the opportunity to lead innovation and secure external investment at a time when early childhood development is a national priority.

58. Option 3: Do not approve the BSiL strategy or delegated authority

59. This option avoids new arrangements but would make meeting statutory expectations extremely difficult, perpetuate fragmented service delivery, and risk widening inequalities.

60. **Evidential basis:** York's data demonstrates the urgency of addressing earlyyears inequalities. National and international evidence shows that early investment delivers the greatest longterm impact. Consultation feedback indicates strong support for a coherent, ambitious local approach. Early Talk for York provides a proven local example of successful implementation. The recommended option gives the greatest chance to success both in terms of meeting the government expectations as well as giving the children of York the very best start in life.

Organisational Impact and Implications

61. **Financial:** All of the activity proposed in the report will be funded from the additional government grants set out in the table in paragraph 23 and existing early years, family support and public health budgets. No additional council funding is being requested.

62. As a result of the Best Start in Life programme there is an expectation of improved control of future years revenue costs through reduced demand for social care, SEND and health services, although savings to future years budgets have not yet been assumed.

63. **Legal**: Any and all services and/or supplies required to deliver the priorities set out within this report must be procured under a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the

Procurement Act 2023 (see Procurement below). Any and all such contracts must be drafted with the advice of the Legal Services team and in line with the council's Contract Procedure Rules.

64. **Procurement**: Whilst there are no direct procurement implications in the report itself, procurement will be a main tool used to deliver some of the upcoming priorities set out by Government to commission family support programmes. All services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Further advice regarding the procurement process and development of procurement strategies must be sought from the Commercial Procurement team.

65. **Data Protection and Privacy** The data protection impact assessment (DPIAs) screening questions have been completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA for those. However, work is underway and will continue on the DPIA for delivering the Government's 'Giving Every Child the Best Start in Life' strategy at a local level.

66. **Human Resources**
No immediate workforce implications can be identified at this stage. As proposed work is taken forward, further consideration will be undertaken to support any resourcing and learning and development requirements in accordance with the relevant policy and procedures.

67. Communications
A coordinated communications plan will be required to ensure consistent internal and external messaging.
Clear communication will support community awareness, partner engagement and the reputation of the council as an early-years leader.

68. Health and Wellbeing
The proposal positively impacts population health through strengthened primary prevention, early intervention and targeted support for families experiencing the greatest inequalities. The proposed plan will ensure a greater focus on one of the big four

communities in the Health and Wellbeing Strategy to ensure York's children have the Best Start in Life.

69. Equalities and Human Rights

The equalities impacts are assessed within the EIA in the Annex. The action plan will be monitored upon implementation

70. Environment and Climate Action

No direct environmental implications.
Place-based service delivery and community access improvements may support reduced and active travel and more sustainable local provision.

71. **Economy**

Improved early childhood outcomes contribute to long-term economic resilience and workforce readiness.
Centre of excellence status may generate opportunities for inward investment, research partnerships and innovation activity within the local area.

73. **Affordability**

The EIA covers the affordability element well for residents:

The proposal is expected to have a significant positive impact by improving access to early years support, reducing isolation, and addressing inequalities that disproportionately affect families experiencing poverty.

Risks and Mitigations

74. Risk: Fragmented partner engagement

Mitigation: Raise York Board has been established as the governance structure with a plan to determine defined roles, shared outcomes. There will be regular multi-agency forums to foster collaboration and ownership.

75. Risk: Insufficient resources or funding to deliver enhanced ambitions

Mitigation: Adopt a phased implementation approach prioritising high-impact activities; actively pursue external funding, grants, and partnership opportunities to supplement existing budgets.

76. Risk: Delays in delivery due to lack of delegated decision-making authority
Mitigation: Seek approval for delegated authority to the Executive Member for Children and Education for final plan sign off to enable timely plan finalisation and adaptive decision-making.

77. Risk: Potential data-sharing and privacy concerns as collaboration increases
Mitigation: Conduct Data Protection Impact Assessments (DPIAs) and ensure robust information governance frameworks are in place and adhered to.

78. Risk: Challenges in demonstrating impact and managing expectations
Mitigation: Develop a clear outcomes framework with measurable indicators, regular monitoring, and transparent reporting to partners and stakeholders.

79. Risk: Equalities issues if vulnerable groups are not effectively reached
Mitigation: Undertake a comprehensive Equalities Impact Assessment to inform targeted interventions and continuous review to ensure inclusive access. Coproduction using inclusive approaches to ensure involvement of vulnerable groups.

Wards Impacted

80. All wards would be impacted as this is a city-wide approach

Contact details

For further information please contact the authors of this Decision Report.

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Service Area:	Education, Skills and SEND
Report approved:	Yes
Date:	3 February 2026

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Report approved:	Yes
Date:	3 February 2026

Background papers

None.

Annexes

Annex A: Equalities Impact Assessment (EIA)

City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Children's and Public Health
Service Area:	All
Name of the proposal:	Best Start in Life Local Plan
Lead officer:	Rob Newton
Date assessment completed:	February 2026

Names of those who contributed to the assessment:

Name	Job title	Organisation	Area of expertise
Rob Newton	Local Evidence Lead	City of York Council	Best Start in Life and evidence use
Kate Horne	Public Health Principal	City of York Council	Public Health
Maxine Squire	Assistant Director	City of York Council	Education, Skills and SEND

Step 1 – Aims and intended outcomes

1.1	**What is the purpose of the proposal?** Please explain your proposal in Plain English avoiding acronyms and jargon.
	The proposal seeks approval for York's local Best Start in Life (BSiL) plan, which sets out a coordinated, multi-agency approach to improving early childhood development from conception to age five. The plan aims to reduce the significant inequalities in child development that are evident by age two and widen by school entry. It brings together health, early education, children's services, and the voluntary and community sector to create a more coherent and accessible system of support for families. The proposal also seeks delegated authority for final sign-off of the plan and outlines an enhanced ambition to position York as a Centre of Excellence for early childhood development. This would strengthen York's capacity to innovate, attract investment, and deliver high-quality, evidence-based early years support.

1.2	**Are there any external considerations?** (Legislation/government directive/codes of practice etc.)
	The proposal is shaped by several statutory and national requirements, including: • The Childcare Act 2006, which places duties on local authorities to improve early years outcomes, ensure sufficient childcare, and provide information to families. • The Government's Giving Every Child the Best Start in Life strategy, which requires each local area to publish a BSiL plan and meet statutory targets for Good Level of Development (GLD) by 2028. • Statutory public health duties under the Health and Social Care Act 2012, including delivery of the Healthy Child Service. • National expectations around Family Hubs, parenting support, and the Home Learning Environment. These duties have been subject to legal challenge nationally, making compliance essential.

1.3	**Who are the stakeholders and what are their interests?**
	Stakeholders include: • Children aged 0–5 and their families, particularly those experiencing disadvantage, who stand to benefit from improved access to support, early intervention, and reduced inequalities. • Early years providers, schools and academies, who have a direct role in supporting child development and school readiness. • Health partners, including midwifery, health visiting, and primary care, who deliver universal and targeted early years services. • Voluntary and community sector organisations, who provide family support, outreach, and community based provision.-based provision. • Universities and research partners, who contribute to evidence generation, evaluation and workforce development. • Council services, including children's services, public health, SEND, and education, who are responsible for statutory delivery and system leadership. • All stakeholders share an interest in improving outcomes for young children, reducing inequalities, and ensuring services are accessible, coordinated and effective.

What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
The proposal aims to: • Increased proportion of children achieving a GLD (to 79% by 2027/28 and beyond to meet our local ambition) • Increased GLD for children eligible for FSM (to 58.1%) • Improve and Reduce inequalities in early childhood and maternity outcomes

- A sustainable, integrated early years system closer to home that delivers better outcomes for all children
- Learning from evidence based approaches and lived experience.
- Families have clarity of and understand typical development at each stage.
- Families make more informed decisions on how to support their children to achieved GLD.
- Clear progress reporting, so we know if we are making a difference.
- Early identification of those children not on track to achieve GLD/ or with additional needs
- Families feel more supported, which includes the fundamental building blocks.
- Increased parental confidence to support their child/ren to achieve GLD and reduced isolation.
- Strengthened community capacity and provision in the EY.
- There are better home learning environments
- More consistent developmental assessment and support from professionals and families.
- Families have a better experience across the EY integrated pathway.
- Increased engagement from families with the potential to benefit the most
- Stronger sense of belonging and trust in local services
- Children and families feel safer
- More confident, skilled leaders across ECEC settings.

Step 2 – Gathering the information and feedback

2.1	**What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?** Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.

Source of data/supporting evidence	**Reason for using**
Local analysis of 12,000 children's development over seven years	Demonstrates early emergence of inequalities and informs targeting

Early Talk for York evaluation	Provides evidence of effective early years interventions locally
Healthy Child Service data	Identifies health inequalities and developmental trends
School readiness and GLD data	Shows persistent gaps between disadvantaged and non disadvantaged children-disadvantaged children
Raise York Family Hubs coproduction	Provides direct insight into family experiences, barriers and priorities
Consultation with early years providers, health partners and VCS organisations	Ensures system-wide understanding of needs, strengths, gaps, fragmentation and opportunities, as well as agreed prioritisation.
National research (Marmot, Centre for Young Lives, IPPR, 1001 Days Movement, EIF)	Provides robust evidence on early childhood development and the impact of early intervention, as well the importance of integration at the community level centred around families, rooted in where they spend their everyday lives. Evidence suggests this trusted approach will help to reach families that need this the most (tackling inequalities).
Feedback from SEND Central and other coproduction forums	Highlights the importance of accessible, inclusive design and early identification
SEND parent carer survey	Highlights improving the early years offer for this cohort is a priority.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.
Gaps in data or knowledge	**Action to deal with this**
Limited local data on experiences of: - - minority ethnic families in early years services -Dad's -Gypsy travellers	Strengthen engagement with community groups starting with inclusive community research; improve analysis of ethnicity data across services
Limited insight into barriers faced by LGBTQ+ parents	Work with local networks and Family Hubs to gather targeted feedback
Incomplete understanding of the needs of families with no recourse to public funds	Collaborate with advice services and community organisations to gather evidence
Limited data on experiences of families in more rural areas	Use Family Hub outreach and health visiting data to identify access barriers
Need for more granular data on children with emerging developmental needs	Strengthen early identification pathways and data sharing across health and education

Step 4 – Analysing the impacts or effects.

4.1	**Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?** Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations**.**		
Equality Groups and Human Rights.	**Key Findings/Impacts**	**Positive (+) Negative (-) Neutral (0)**	**High (H) Medium (M) Low (L)**

Age	The proposal is wholly focused on improving outcomes for children aged 0–5 and their families. It is expected to have a strong positive impact, particularly for younger children (conception to age two) where inequalities emerge earliest.	Positive	High
Disability	Children with SEND and developmental delays are likely to benefit from earlier identification, targeted interventions, and improved coordination across services. Families of disabled children may also experience improved access to support. Family Hub provision will be reviewed for accessibility.	Positive	High
Gender	Possible differential impact is anticipated for children. (Females currently achieve more highly than males) Currently female parents/carers are more likely to feel included and access support available. The proposal should seek to develop more male inclusive approaches by working with them through co production processes and engaging with national representative organisations.	Positive	Medium
Gender Reassignment	No direct impacts identified. Inclusive practice and accessible services will ensure trans parents and carers are supported.	Neutral	Low
Marriage and civil partnership	No differential impact identified.	Neutral	Low
Pregnancy and maternity	Significant positive impact expected through strengthened support in pregnancy, the first 1001 days, and early parenthood.	Positive	High
Race	Families from minority ethnic backgrounds may face additional barriers to accessing services. The proposal's focus on proportionate universalism and targeted outreach is likely to improve access and reduce inequalities.	Positive	Medium/High

Religion and belief	No direct impacts identified. Services will be delivered in a culturally sensitive and inclusive manner.	Neutral	Low
Sexual orientation	No direct impacts identified. Inclusive family support will ensure LGBTQ+ parents and carers can access services without discrimination	Neutral	Low
Other Socio-economic groups including :	**Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?**		
Carer	Parents and carers of young children, including those caring for disabled children, will benefit from improved support, information and early intervention	Positive	Medium/High
Low income groups	The proposal is expected to have a significant positive impact by improving access to early years support, reducing isolation, and addressing inequalities that disproportionately affect families experiencing poverty.	Positive	High
Veterans, Armed Forces Community	No specific impacts identified, though improved access to universal services may benefit families.	Neutral	Low
Other	Families experiencing social isolation, insecure housing, or limited access to transport may benefit from improved outreach and place-based delivery.	Positive	Medium
Impact on human rights:			
List any human rights impacted.	The proposal supports the rights to: • Education (improving early learning and school readiness) • Health and social care (strengthening prevention and early intervention) • A decent standard of living (reducing inequalities and supporting families facing hardship)	Positive	High

	• Equality and non-discrimination (targeting support where inequalities are greatest) Overall, the proposal enhances human rights and does not restrict any rights.		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

High impact (The proposal or process is very equality relevant)	There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
Medium impact (The proposal or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
Low impact (The proposal or process might be equality relevant)	There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	**Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?**

The assessment identifies no unlawful or unmitigable negative impacts. However, to maximise positive impacts and ensure equitable access:

- Strengthen targeted outreach to families experiencing disadvantage, minority ethnic communities, and those with limited access to transport.
- Ensure all services are inclusive of LGBTQ+ parents, single parents, kinship carers and families with complex needs.
- Embed coproduction with families, including those who are seldom heard, throughout the development and delivery of the plan, using inclusive approaches.
- Improve data collection on protected characteristics to monitor access and outcomes.
- Ensure the Centre of Excellence model includes inclusive design principles and avoids creating barriers for families who cannot travel easily.
- Target and employ workforce to reflect the make-up of communities.
- Target and recruit peers and volunteers reflective of the communities we serve. Seek to capacity build and shift power to communities through coproduction approaches and involving them in the delivery of the plan, rather than “doing to.”

Step 6 – Recommendations and conclusions of the assessment

6.1	**Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:**

- **No major change to the proposal** – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.

- **Adjust the proposal –** the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.

- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty

- **Stop and remove the proposal –** if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	**Conclusions/justification**
No major change to the proposal	The EIA demonstrates that the proposal is robust, strongly aligned with equalities and human rights duties, and likely to have significant positive impacts for children and families across York. The proposal directly addresses inequalities and advances equality of opportunity. No adverse impacts have been identified that require changes to the proposal.

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	**Action to be taken**	**Person responsible**	**Timescale**
Barriers for minority ethnic families and low income groups	Targeted engagement and outreach through Family Hubs and VCS partners	Family Hubs Lead	Ongoing
Limited insight into dads and LGBTQ+ parents' experiences	Work with local networks and nationally representative organisations to gather feedback and improve inclusivity	Public Health & Family Hubs	Year 1–2
Access barriers for families in more rural areas	Strengthen place-based delivery and outreach	BSiL Programme team	Ongoing
Need for inclusive coproduction and shifting of power, where communities are involved in decisions and delivery.	Embed coproduction with diverse families in all workstreams	BSiL Programme Team	Immediate and ongoing

A workforce that is reflective of the communities we serve.	Target and recruit a workforce, peers and volunteers that is reflective of the communities the plan will serve.	BSiL Programme team	Immediate and ongoing.

Step 8 - Monitor, review and improve

8. 1	**How will the impact of your proposal be monitored and improved upon going forward?** Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The impact of the proposal will be monitored through: • A comprehensive outcomes framework aligned with GLD, health indicators and early identification measures. • Regular reporting to the Raise York Board and Executive Member. • Ongoing coproduction with families to identify barriers, test new approaches and refine delivery. • Improved data collection on protected characteristics to assess whether services are reaching those most affected by inequalities.

	• Annual review of the EIA to ensure learning is embedded and emerging issues are addressed. The approach will support continuous improvement, ensuring that York's early years system becomes increasingly inclusive, equitable and effective.

Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Dave Atkinson; Director of Environmental and Regulatory Services
Portfolio of:	Councillor Jenny Kent; Executive Member for Environment and Climate Change

Decision Report: Recycling Review

Subject of Report

1. To review the domestic recycling service including how materials are presented at the kerbside and initiate public engagement and scrutiny to explore the benefits and costs of moving from recycling boxes to recycling wheeled bins for the majority of domestic properties in York.

2. To undertake domestic recycling collections safely for the Council's operational teams and efficiently for residents, while reducing operating costs.

Benefits and Challenges

3. The implementation of recycling bins in place of recycling boxes would increase domestic recycling capacity for those who transition on to recycling bins.

4. Having bins for storing recycling materials would contain contents much better, helping with the management of material and enhancing the environment by reducing litter.

5. Wheeled bins are easier to manoeuvre. This will reduce the bending, carrying and lifting for residents when moving recycling boxes and will reduce musculoskeletal injuries within the service, reducing sickness absence and agency costs.

6. The optimal operating model for the majority of properties would mean collecting recycling bins on a two weekly cycle and alternating between Paper/Card and Tins/Plastics/Glass. Wheeled bins would have over twice the capacity per stream and each stream would be collected every 4 weeks.

7. The move would mean a majority of the city would move from 3 boxes to 2 wheeled bins for recycling. While this is likely not to pose a problem for most, this could present challenges for storage and presentation for some

8. It would not be possible to move to one recycling bin as government guidance dictates that paper and card is kept separate from other materials. This keeps paper and card at a higher quality to be able to recycle and the Council's disposal arrangements mean co-mingling and separation would be costly.

Policy Basis for Decision

9. **Affordability:**

   a) Kerbside collection costs are funded by council tax contributions and therefore there will be no increase in collection costs.
   b) Currently recycling boxes are free to residents with no limit on the number of boxes required, however currently on average households have 3 recycling boxes. Replacement wheeled bins will be chargeable to residents if lost or damaged, unless by the council's collection teams.

10. **Environment:**

   a) The move to recycling bins would increase recycling capacity increasing opportunity to recycle.
   b) Simpler recycling reforms mean in March 2027 the Council will need to collect soft film and plastics from the kerbside. Bins will contain new and existing materials better, reducing litter on the streets.

11. **Equalities and Human Rights:**

   a) Kerbside recycling collections are a universal service and therefore all domestic properties will continue to receive kerbside recycling collections.

b) It may not be possible for some domestic properties to store additional bins and they may have to remain on box collections. These properties will not be included in any first phase of this proposal. Where possible, recycling bins will be offered to those who want them.

12. **Health**:

a) The introduction of recycling bins has many benefits including increased capacity per household, which contributes to a sustainable environment.
b) Recycling bins have musculoskeletal benefits for residents and operational staff with no crouching, bending, lifting or carrying required.

Financial Strategy Implications

13. The draft Financial Strategy 2026/27 to 2029/30 includes proposed savings of £520k from the transformation of Waste Services to be achieved over the next 2 years. It is assumed these savings will be delivered from route rationalisation. The implementation of recycling bins sits alongside this transformation work and would deliver further efficiencies. There will need to be a capital investment in recycling bins and depending on the operating model further savings can be found in revenue and potentially future capital for Fleet replacement if single cell vehicles are used for collection. This will be the subject of a future report, if a proposal is taken forward.

Recommendation and Reasons

14. Executive are recommended to:

a) Approve the commencement of public engagement around moving from recycling boxes to recycling bins and the emerging business case to be presented to Scrutiny in May 2026. The scope of properties will be determined by the engagement exercise to inform a business case to be brought to a future Executive meeting.

Reason: To seek ways to improve efficiency of collections, increase recycling capacity, reduce operating costs, decrease musculoskeletal injuries and reduce street litter.

Background

15. Kerbside recycling collections started in the 1990s under a series of trials. City wide fortnightly recycling collections were introduced in 2005.

16. Recycling was collected in three streams (Paper/Card, Tins/Plastics, and Glass). Households on average had three recycling boxes, one for each stream.

17. In 2020, this moved to a twin stream, and the glass was able to be mixed with tins and plastics due to improvement to material recycling facilities by our disposal contractor.

18. Recycling is taken to the Harewood Whin facility, treated to further separate out the collected materials and then traded to generate income for the Council.

19. In November 2025, the Council increased the recycling materials collected from kerbside to include tetra packaging and toothpaste tubes to comply with simpler recycling reforms due in March 2026.

20. In March 2027, simpler recycling reforms meant further expanding collections to include soft films https://www.gov.uk/government/publications/simpler-recycling-in-england-policy-update/simpler-recycling-in-england-policy-update

21. Collecting soft films presents a new challenge for collection Authorities who do not currently collect this waste type. Officers are investigating how best to gather soft films so they can be recycled, but they are currently permitted to be collected with tins/plastic/glass streams.

22. The Council is not required to offer food waste collections from domestic properties in March 2026 due to having a transitional arrangement in place until 2043.

23. Residual waste is processed through a mechanical treatment plant at the Allerton Waste Recovery Park (AWRP) waste disposal facility to remove any remaining metal and plastics for recycling.

24. AWRP also operates an anaerobic digestion plant that treats the organic waste, such as food waste, and produces a biogas which generates renewable electricity.

25. An energy from waste plant burns the waste which remains after separation of the recyclables and treatment of organic waste, producing steam to feed an electricity generating turbine that produces enough electricity to supply circa 66,000 homes.

26. CYC operates a commercial waste collection service and in March 2025, businesses with 10+ employees were mandated to separate recycling materials from residual waste, including food waste. This new legislation expands to all businesses in March 2027.

27. CYC offers a commercial food collection for businesses as part of our service to collect other recyclable materials and residual waste. All business food waste CYC collects is disposed of at a larger anaerobic digestion plant to create renewable energy.

28. The Council already complies with simpler recycling reforms that mandate paper/card materials, which are kept separate to other dry recycling streams.

29. Some local authorities currently mix all dry recycling materials together, but simpler recycling reforms are likely to mean they need to separate the materials at kerbside as York do currently.

30. Keeping Paper/Card and Tins/Plastics/Glass in two streams is a cleaner way of recycling and as a commodity has much higher value. This currently generates £800k of income for the Council annually and it is critical to maintain this income for Council finances and to meet our environmental objectives of reducing waste and increasing high quality recycling.

31. St Nicks undertake city centre recycling collections on behalf of CYC under contract and includes circa 2568 properties. Collections are aligned to CYC's recycling streams. These properties would not be eligible for bins due to storage challenges.

32. The collection of bins is much more efficient than collecting boxes, and as the service undertakes an optimisation of the whole waste service in 2026, there is an opportunity to ensure that recycling collections are as efficient as possible by moving to recycling wheeled bins.

33. The collection of recycling in boxes does cause challenges with litter. Spilt or dropped materials are sometimes not recovered or weather conditions can lead to materials being blown into the highway. Recycling bins offer better containment of materials.

34. Although recycling boxes are an approved standard of material, they are susceptible to damage, bins are much more durable. CYC provides recycling boxes free to residents at a cost of circa £70k per annum on average to the Council.

35. Emptying of recycling boxes requires crouching, bending, lifting and carrying. Emptying of bins only requires a pushing and pulling movement, which is much safer for operational crews and residents.

36. In the calendar year of 2024, 1281 absence days were recorded as musculoskeletal related. In 2025 calendar year, 1386 absence days were recorded as musculoskeletal related.

37. Absence days are either covered by pool staff or by agency employees, which increases operating costs. CYC should ensure we do what we can to mitigate risk of injuries and increase welfare of employees, and reduce agency staffing costs wherever possible

38. The proposal to move to recycling bins would not initially include properties in the scope of the recent Bags to Bins project during 2025 and 2026. Further investigation would need to be undertaken to determine if these properties, and those in some other parts of the city, have the capacity to store additional wheeled recycling bins before any decision is made on a changeover.

39. The optimal operating model for properties “in scope” would mean collecting recycling bins on a two weekly cycle and alternating between Paper/Card and Tins/Plastics/Glass. Wheeled bins would have over twice the capacity per stream and each stream would be collected every 4 weeks.

40. The properties that are identified as “out of scope” will be the subject of a further review where suitability to move to wheeled recycling bins will be assessed and options explored.

41. By collecting bins and a single recycling stream at a time, a key benefit is the service would be able to also take small amounts of

side recycling waste and larger items which we currently are not able to do. The service will also review the missed bin policy.

42. DEFRA propose to introduce a future deposit return scheme, (DRS) however the proposals are not yet clear on how such a scheme would work and what the impact on kerbside collections would be.

43. North Yorkshire Council (NYC), with whom the Council share disposal arrangements, are harmonising and optimising their collection routes to follow the method outlined above.

44. Collecting recycling wheeled bins under a new method, would mean single cell vehicles could be procured in the future for recycling collections, meaning reduced capital investment would be required and CYC would have a standardised waste fleet which offers much more flexibility for the service.

Consultation Analysis

45. A Local Authority recycling collection review has been undertaken in order to gain a high level view of the viability of moving from recycling boxes to recycling bins and possible optimal models.

46. An engagement exercise will be undertaken to examine the opportunities and challenges and the scale of the properties that would be “in scope”. The properties in the recent phase of bags to bins would be “out of scope” as a minimum. The business case will then be developed with this information. When public engagement is undertaken it will be clearly mapped in terms of what properties will be “out of scope”.

47. Further engagement will be undertaken as part of second phase with those properties “out of scope” not included in the initial transition to wheeled bins for recycling collections. This is circa 8000 properties included in the Bags to Bins roll out during 2025 and 2026 and other streets identified in the above engagement.

Options Analysis and Evidential Basis

48. Options for recycling collections below:

    a) Do nothing and continue with the collection of recycling boxes. This doesn’t address ongoing musculoskeletal risks

for operational crews and residents. There is also less opportunity to reduce operational costs and optimise recycling rounds to optimum efficiency, and means continued complaints around street litter from boxes, including associated costs to the public realm team of reactive clearing.

b) Explore the introduction of recycling wheeled bins to replace recycling boxes. This presents an opportunity to reduce operational costs and increase recycling rates. Also to reduce the physical stress and injury risks for residents of lifting and moving boxes. Collecting bins also reduces the musculoskeletal risks for operational crews. Better containment of materials will contribute to less litter and an improved, cleaner environment.

Organisational Impact and Implications

49. Below are the implications for this subject:

- ***Financial****: T*he report seeks consultation with residents over the introduction of new collection arrangements for recycling across the city. The cost of consultation can be met within waste budgets. The costs of changing arrangements will need to be fully modelled taking into account the capital cost of new bins, the impact on the number and staffing arrangements on rounds and impact on level of recyclates and income levels will all need to be considered in a full business case taken forward to a future Executive report. Any new borrowing will need Full Council Approval.

- ***Human Resources (HR)****:* The proposal has the potential to have a positive impact on the wellbeing of the workforce specifically in relation to muscular skeletal issues. Any changes to operating practices will be managed in accordance with the Councils workforce change policies

- ***Legal****:* Any commissioning of an any new waste receptacles must be done so with advice from the Commercial Procurement Team (see Procurement below). An appropriate form of contract for the supply of any waste receptacles and/or equipment will need to be drafted and completed with support from Legal Services.

- ***Procurement**:* Any proposed works or services will need to be commissioned via a compliant procurement route under the Council's Contract Procedure Rules and where applicable, Procurement Act 2023 and any other relevant procurement regulations. All tenders will need to be conducted in an open, fair, and transparent way to capture the key principles of procurement. Further advice regarding the procurement routes, strategies and markets must be sought from the Commercial Procurement team.

- ***Health and Wellbeing**:* The move to more manoeuvrable containers with less lifting will be of benefit to both residents presenting waste and operating loading the material.

- ***Environment and Climate action**:* Waste management accounts for the emission of 21,000 tonnes of carbon dioxide equivalent (CO_2e) in York (3% of total emissions). There is a need to increase reuse, repair and recycling rates, which is acknowledged in Objective 4.2 of the York Climate Change Strategy. The proposals in this review have the potential to contribute to that objective with improved messaging for residents and a simplified collection process. Changes to recycling rates should be monitored as a result of any new processes being introduced.

- ***Affordability**:* There would be no additional cost to residents with a move from boxes to bins.

- ***Equalities and Human Rights**:* The equalities impacts are assessed within the initial draft EIA in **Annex A**. The action plan will be monitored upon implementation.

- ***Data Protection and Privacy:*** The completion of data protection impact assessment (DPIA) screening questions evidenced there would be no processing of personal data, special categories of personal data or criminal offence data processed, so there is no requirement to complete a DPIA

- ***Communications**:* The introduction of recycling wheeled bins will require a clear, timely and well-planned communications approach to ensure residents understand the reasons for the change, how it will work in practice, and what it means for their household. Communications will need to explain the benefits in terms of safety, efficiency, capacity

and environmental outcomes, set out container arrangements (including the two-tier model for properties unable to store bins), and provide clear guidance on collection schedules and acceptable materials. Targeted engagement will be important for affected groups, including residents with limited storage space, city-centre properties, and those transitioning from boxes to bins, alongside internal communications to support operational staff. Effective communication will be critical to managing expectations, minimising confusion during implementation, and maintaining public confidence in the recycling service.

- ***Economy**:* The planned investment will result in net savings to the authority whilst better safeguarding our workforce and improving its resilience, placing the authority and city in a better position to support our economy.

Risks and Mitigations

50. There may be a significant capital investment needed to introduce recycling bins, however, there could be significant revenue and future capital savings in changing the operating model.

51. There are ongoing musculoskeletal risks inherent in collecting boxes. Musculoskeletal related absences are the biggest contributor to lost absence days for the service.

Wards Impacted

52. All Wards.

Contact details

For further information please contact the authors of this Decision Report.

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Report approved:	Yes
Date:	23 February 2026

Background papers

EPAT Scrutiny Bags to Bins
https://democracy.york.gov.uk/documents/g14754/Public%20reports%20pack%20Tuesday%2029-Apr-2025%2017.30%20Economy%20Place%20Access%20and%20Transport%20Scrutiny%20Commi.pdf?T=10

EMDS Waste Services
https://democracy.york.gov.uk/documents/s162668/Waste%20Report%20October%202022.pdf

Executive Waste Services – Service Updates
https://democracy.york.gov.uk/documents/s172775/Waste%20Report%20January%202024%20FINAL.pdf

Annexes

- Annex A: Draft Equalities Impact Assessment (EIA)

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City of York Council and Centre for Applied Human Rights

Human Rights and Equity Analysis Tool (HREAT)

An Equity Analysis Tool is an evidence-based approach designed to help organisations ensure that any Policy, Criterion or Practice (PCP), is fair and does not create barriers to participation or disadvantage any protected groups from participation. This covers both strategic and operational activities.

City of York Council (CYC) combines this approach with York's commitment as a Human Rights City to produce a Human Rights and Equity Analysis Tool (HREAT).

This document enables CYC to evidence its legal duty to give 'due regard' to those with protected characteristics under the Equality Act and consider Human Rights at the same time.

Whether a HREAT is needed or not will depend on the likely impact that a PCP may have and relevance of the activity to Equity and Human Rights.

The HREAT should be started when the need for a new PCP is first identified, or when an existing one is reviewed. It is essential to continue to update the HREA during the life of the PCP, as and when new information is learned. It is not complete until the PCP is complete.

Non-discrimination is a minimum standard. The development of the HREAT should prompt critical discussion and highlight disproportionate impacts.

Balancing residents' rights and CYC duties can be very complex and sometimes there will be no 'win-win', so compromises or mitigations may need to be identified to ensure the best outcomes.

Finally, the value in a HREAT is in both the short and long term, by investing in this process CYC will create robust, meaningful, and empowering policies that are more likely to stand the test of time.

Who is submitting the proposal?

Directorate	Environmental and Regulatory Services
Service Area	Environmental Services – Waste
Name of proposal	Recycling Review
Lead Officer	Ian Hoult
Date Assessment Started	02.02.2026
Date Assessment Completed	11.02.2026

Names of those who contributed to the assessment

Name	Job Title	Organisation	Area of Expertise
Ian Hoult	Head of Environmental Services	City of York Council	Environmental Services
David Smith	Access Officer	City of York Council	Access and Disability

Step 1 – Aims and intended outcomes

Environmental and Regulatory Services	**What is the purpose of the proposal**
	Please explain your proposal in plain English avoiding acronyms and jargon. Consider using Age 9 English.
	To replace most kerbside recycling boxes with wheeled bins (paper/card in one bin; tins/plastics/glass in another), increasing household recycling storage capacity, improving health and safety for crews and residents by reducing lifting and carrying, and enabling operational efficiencies and cost reductions. A two-tier model will retain boxes for properties that cannot safely store bins. **Simpler Recycling** **'Simpler Recycling'** reforms and changes to national policy state that paper and card should be collected at kerbside separately to tins, plastics and glass. CYC are already complying with new national policy and would not be exempted to change to kerbside mixed collections. For too long, households in England have been presented with a muddled and confusing patchwork of approaches to bin collections. This policy statement sets out the government's approach to delivering Simpler Recycling in England, subject to spending review outcomes. This government inherited legislation that could have required households to have up to 7 bins, placing an unnecessary burden on people and businesses. We are simplifying the rules to make recycling easier for people in England, while stimulating growth and maximising environmental benefits. Simpler Recycling will enable consistent, more streamlined collections from all households, businesses and relevant non-domestic premises (such as schools and hospitals). Local authorities and other waste collectors will be able to co-collect some waste streams by default meaning that they will no longer need to collect 7 separate streams. These common-sense changes will not lead to the proliferation of bins but will ensure the same set of materials are collected everywhere in England.

	https://www.gov.uk/government/publications/simpler-recycling-in-england-policy-update/simpler-recycling-in-england-policy-update Therefore CYC will be providing two separate bins to ensure paper and card are kept separate to tins, plastics, and glass. City of York Council (CYC) have done this since introducing recycling collections to maintain the quality of materials and ensure continued strong income for the Council. Mixed materials are harder to trade and have significantly lower value. For this reason, the **Material Recovery Facility** was not invested in to treat mixed materials. For residents, in addition to kerbside collections, the main recycling and disposal sites are **Hazel Court Household Waste Recycling Centre (HWRC)** (YO10 3DS) and **Towthorpe/Strensall HWRC** (YO32 9ST) where there are separate recycling streams.

1.2	**Are there any external considerations?**	
	Legislation / government directive / codes of practice etc.	
	Yes. The proposal aligns with national “Simpler Recycling” reforms mandated by Department, Environment, Food, Rural Affairs (DEFRA), including the separate collection of paper/card and the planned inclusion of soft plastics/films by March 2027 https://www.gov.uk/government/publications/simpler-recycling-in-england-policy-update/simpler-recycling-in-england-policy-update It is underpinned by the Environmental Protection Act 1990 s45–46 duties on waste collection authorities to specify receptacles https://www.legislation.gov.uk/ukpga/1990/43/section/45 A transitional arrangement exempts CYC from mandatory food waste collections until 2043. This is because the authority has a recycling process in place for food waste. Residual waste is taken to our waste disposal facility and treated. Food waste, where possible, is removed from the residual waste and treated through an anaerobic digestion plant that treats the organic waste part and produces a biogas which generates renewable electricity.	

	DEFRA recognise we have this process in place under a long term contract and have granted the exemption until the end of the contract. In York, material recovery and waste processing are primarily managed through the Allerton Waste Recovery Park, which uses mechanical treatment, anaerobic digestion, and energy-from-waste technologies to process household waste. Allerton Waste Recovery Park, processes up to 320,000 tonnes of waste annually, diverting over 90% from landfills by recovering metals and plastics and generating energy.

	Who are the stakeholders and what are their interests?
	Consider both internal and external stakeholders.
	• Residents • St Nicks (A partner organisation that has charitable status and the work they do is for environmental benefit). • Waste collection crews and supervisors • Trade unions (Unison / GMB / Unite) • Procurement and finance • Yorwaste (Harewood Whin facility)

1.4	**What results / outcomes do we want to achieve and for whom?**
	Explain what outcomes you want to achieve for stakeholders, staff and the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans. Highlight how the proposal meets the objectives of Equalities, Affordability, Climate and Health.

	• Safer collections with fewer musculoskeletal injuries for crews and residents • Increased contained capacity (per 4 weeks on average) and reduced litter • Clear, equitable service offer across York with a two-tier model where bins cannot be stored • Financial sustainability: revenue savings from operating efficiencies and reduced absence • Readiness for future materials (e.g., soft plastics) consistent with national simpler recycling reforms and national policy • Contribution to Council Plan objectives on Equalities (fair access to recycling containers and presentation points), Climate (higher recycling, less litter), Health (reduced injuries), and Affordability (cost control).

Step 2 – Resources utilised

	What sources of data, evidence and consultation feedback have you used to help understand the impact of the proposal on equality rights and human rights?	
	Please consider a range of sources, including consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data / supporting evidence	**Reason for using this source**
	Service data (injury absence days 2024–2025)	Quantified benefits, operational risks, and financial implications.
	Environmental Protection Act 1990	Establishes statutory powers to specify receptacles
	DEFRA Simpler Recycling policy	External driver shaping materials collected and service design choices.

	Operational experience: box vs bin collection ergonomics; littering from uncontained materials	Identifies likely equality and health impacts (manual handling; street environment).
	Stakeholder knowledge	Understanding constraints for dense/heritage areas
	NYC Route harmonisation and optimisation	Regional alignment.

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Step 3 – Screening the impacts or effects.

3.1	**Equality-related obligations derive from the Equality Act of 2010 and the Human Rights Act of 1998.**
	Once you have engaged with stakeholders you will need to identify how this proposal impacts on their human rights and equalities. Although the table below one looks complex, its purpose is to facilitate an initial screening of equalities and human rights impacts of your proposal. Many human rights and equalities will not be affected by the decision you are seeking Executive or Council approval for and so can be left blank. The aim here is to identify pressure points regarding human rights and equalities that require attention. Please see the Appendix for details of the protected characteristics and human rights to consider The rights listed below in the first column are the relevant ones from the Human Rights Act, and the York Human Rights City Network Indicator Report (non-discrimination, education, health and social care, housing, a decent standard of living). The human rights in the Indicator Report were selected by residents of York as their priority rights. In the first row the protected characteristics under the Equality Act are listed, to which 'Everyone' has been added to capture impacts that affect everyone without distinction.

Step 3.1 Table 1 – Screening the impacts or effects

Equalities Human Rights	Everyone	Age including financial, digital exclusion impacts	Disability Including financial, digital exclusion impacts	Gender	Gender reassign-ment Including Trans, Non-binary, Intersex	Marriage and civil partnership	Pregnancy and maternity	Race	Religion and belief	Sexual orientation	Carers inc financial, digital exclusion impacts	Low-income groups inc financial, digital exclusion impacts	Veteran, armed forces community	Those with experience of Care
Right to life*														
Prohibition of torture*														
Prohibition of slavery and forced labour*														
Right to liberty, movement and security (including freedom of movement)***														
Right to a fair trial*														
No punishment without law*														
Right to private and family life***														
Freedom of thought, conscience, and belief***														
Freedom of expression***														
Freedom of assembly***														

Right to marry* **														
Right to property* **														
Right to education* **														
Right to free elections* **														
Right to housing* **														

David Grant

Step 3.2 Table 2 – Assessing the impact of your proposal

Here you will need to record the details on all the impacts identified for both Human Rights and those with Protected Characteristics.

Where you have identified an impact on a protected characteristic / human right in the table above, please indicate whether this is positive or negative and give a description of this impact. If you run out of rows, please add as necessary.

Rights clashes and restrictions

Where rights clash or are being restricted, you will need to explain how the decision has been taken, that the limitation on human rights is provided by law, for a legitimate purpose (justified), and proportionate (the minimum necessary restriction on rights).

First, think about what equalities or rights might be engaged by the proposal, and describe the likely impact of the proposal, and provide an evaluation.

Use the following questions to inform your responses if human rights or equalities are limited or qualified in any way:

- Why are a person's rights being restricted?
- What is the problem being addressed by the restriction on someone's rights?
- Will the restriction lead to a reduction in the problem?
- Does that restriction involve a blanket policy, or does it allow for different cases to be treated differently?
- Does a less restrictive alternative exist?
- Has sufficient regard been paid to the rights and interests of those affected?
- Do safeguards exist against error or abuse?

Table 2

Characteristic or Human Right affected	Positive or Negative impact	Impact Description	Evaluation or justification
Disability (including mobility impairments, visual impairments)	Positive	**Negatives:** Potential barriers where residents cannot manoeuvre / store wheeled bins. **Positives:** Reduced carrying versus boxes.	Retain box service where bins cannot be stored; assisted collections; property-level assessments; guidance on safe placement.
Age (older people)	Positive	Similar to disability; risks where steps/long distances exist; benefits from reduced lifting.	Assisted collections
Low-income households	Neutral	**Negative:** Replacement charges for lost or damaged bins could create financial pressure (Note initial containers will be provided free).	Transparent charging; possible discretion for hardship through ASC and Housing; minimise losses through numbering and clear presentation points.
Carers & Pregnancy/Maternity	Positive	**Positive**: Less lifting and carrying than boxes; clearer set-out routine.	Clear guidance and calendars; reasonable adjustments when required.
Everyone (Right to property; private/family life)	Positive	Change in container type may affect home storage; improved street cleanliness and hygiene.	Lawful under EPA; proportionate to achieve safety/efficiency/environment aims; two-tier model provides

			flexibility for those with storage challenges.
Workers (H&S – crews)	Positive	Reduced musculoskeletal risks; potential reduction in absence and agency costs.	Monitor H&S data; union engagement; training in safe bin handling.
Digital exclusion (cross-cutting)	Negative risk if comms only online	Residents without internet access may miss changes during rollout.	Multi-channel comms: printed leaflets/calendars, contact centre support.

Step 4 – Gaps in data and knowledge

4.1	**What are the main gaps in information and understanding of the impact of your proposal?**		
	When conducting your screening, you may have discovered gaps in data or knowledge that make it difficult to assess whether your proposal had a positive or negative impact on human rights/equalities. Please indicate actions you will take to resolve this gap. As your proposal progresses you may be able to resolve this knowledge gap –please indicate when it was resolved.		
	Gaps in data or knowledge	**Action to deal with this**	**Date resolved**
	Exact count of properties unable to store bins by ward/type	Undertake desktop and on-street storage audits; use GIS and crew knowledge to refine two-tier list.	
	Impact on injury absence post-implementation	Baseline 2024–2025 data; track monthly and annually post-rollout.	

	Resident sentiment and behaviour change	Pre and post change surveys; monitor side-waste and contamination; adjust comms	
	Financial hardship due to replacement charges	Monitor requests/complaints. (Note initial containers will be provided free).	

Step 5 - Maximising positive impacts

	What has been done to optimise opportunities to advance equality / human rights or foster good relations?
	• Clear assisted-collection policy and proactive identification of eligible residents via referrals (adult social care, housing and self-referral). • Offer reasonable adjustments (alternative presentation points) where feasible following assessment. • Inclusive communications for digital and non-digital access. • Property-level assessments for storage; two-tier model (retain boxes) for constrained properties including many city-centre addresses. • Numbered bins and guidance to reduce loss/damage; fair and transparent replacement charging. • Staff training on ergonomics and safe use of moving containers through service H&S training. • Monitor litter incidents around collection days.

Step 6 – Recommendations and conclusions of the assessment

6.1	**Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision.**
	Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column. There are four main options you can take:

	No major change to the proposal	The HREAT demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality / human rights and foster good relations, subject to continuing monitor and review.
	Adjust the proposal	The HREAT identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
	Continue with the proposal (despite the potential for adverse impact)	You should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations
	Stop and remove the proposal	If there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Option Selected	**Conclusion / justifications**
	No major change to the proposal – there is no unlawful discrimination against any groups and the proposal offers flexibility for those properties with storage challenges and residents in need of assisted collections.

Step 7 – Summary of agreed actions resulting from the assessment

Adjust the proposal	**What action, by whom, will be undertaken as a result of the impact assessment.**
	List below the actions or mitigations that have been identified and who will be responsible to carrying them out. Add as many lines as you need.

	Impact / Issue	Actions to be taken	Person Responsible	Timescale
	Residents unable to store bins	Complete storage audits, confirm two-tier list and maintain box service	Environmental Services	During roll-out of bins.
	Disabled/older residents needing assistance	Publicise and process assisted collection applications; proactive identification via partners	Environmental Services	During roll-out of bins or if already identified through refuse collection.
	Digital exclusion	Issue printed to Ward Councillors and Council offices/buildings (Libraries etc.)	Communications	From comms launch
	Financial hardship from replacement charges	Publish charging, track impacts	Environmental Services	No change to policy in place for replacement refuse bins.
	Crew H&S outcomes	Training on bin handling (already in place) monitor musculoskeletal absences monthly and annually.	Environmental Services	Post roll-out and ongoing.
	Service performance, recycling rates and contamination	KPIs on presentation rates, side-waste, contamination, recycling rates increase/decrease.	Environmental Services	Post roll-out and ongoing.

Step 8 - Monitor, review and improve

8.1	**How will the impact of your proposal be monitored and improved upon going forward?**
	Consider how will you identify the impact of activities on protected characteristics, other marginalised groups and human rights going forward? How will any learning and enhancements be capitalised on and embedded?
	Monitoring dashboard aligned to service KPIs. Disaggregate complaints and assisted collection uptake by ward and protected characteristics where appropriate. Report quarterly to Directorate Management Team and publish a summary. Review mitigations at 3, 6 and 12 months post-implementation, and adjust operational practices and communications accordingly.

Sandwell MBC

Appendix

Equity, Diversity & Inclusion (EDI): Protected characteristics

Under the public sector duties introduced by the Equality Act 2010 public bodies must have due regard for the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act, such as the failure to make reasonable adjustments for disabled people
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

These duties relate to the nine protected characteristic groups defined by the Equality Act 2010 (outlined in the table below).

The Council recognises that a person's socio-economic background and whether they live in a rural or urban location can be important factors in determining fair access to services, employment and treatment. When carrying out analysis, you must also consider socio-economic issues and rural / urban location issues. In addition to the nine protected characteristic the HREAT includes the following equality groups:

- Carers
- Low income groups
- Veterans, armed forces community
- Experience of care/Other (other groups that are impacted)

Human rights differ from equalities in two main ways:

- First, human rights apply to everyone and not just groups with protected characteristics.
- Second, they allow for the balancing of rights, priorities, and risks. Many rights are not absolute and can be limited or qualified in particular circumstances.

The following guidance identifies which rights are most likely to be engaged by proposals in certain policy areas. This doesn't mean that you should not consider whether other rights might be engaged.

Three types of human rights

There are three types of human rights in the Human Rights Act:

- **Absolute rights** – cannot be breached in any circumstances e.g. right to life and to protection from torture and inhuman or degrading treatment.
- **Limited rights** – can only be restricted in specific situations e.g. a person can be deprived of their liberty if they are convicted of an offence and imprisoned.
- **Qualified rights** – human rights can be restricted if it is in the interests of the wider community or to protect other people's rights e.g. freedom of movement and assembly were restricted during the Covid-19 pandemic in the interests of public health.

As limited and qualified rights are not absolute, they sometimes have to be balanced in decision making. In Table 1, absolute rights are indicated with an *; limited rights with a **; and qualified rights with a ***.

	Description[1]	**Focus Area**
Right to life	Nobody, including the Government, can take someone's life away. Public authorities must take appropriate measures to safeguard life including by protecting people whose life might be in danger. Public authorities should also consider the right to life when making decisions that might endanger or affect life expectancy. When public officials may be involved in an instance when someone died, public authorities must conduct an investigation.	• Benefits and money • Births, deaths and marriages • Children and families • Environment and animals • Health and social care • Housing • Planning and building • Waste and recycling

Freedom from torture and inhuman or degrading treatment	Torture consists in causing very serious and cruel physical or mental pain or suffering. Inhuman treatment or punishment is treatment which causes intense physical or mental suffering. Degrading treatment means treatment that is extremely humiliating and undignified. Inhuman or degrading treatment could include: serious physical assault; very severe detention conditions or restraints; serious physical or psychological abuse in a health or care setting.	• Children and families • Health and social care
Prohibition of slavery and forced labour	Slavery is when someone owns someone else like a piece of property. Servitude is when someone provides services to a person for no reward and is unable to stop due to coercion. Forced or compulsory labour is when someone is forced to do work to which they have not agreed to, under the threat of punishment.	• Children and families • Jobs, training and volunteering • People and communities
Right to liberty and security	It focuses on protecting individuals' freedom from unreasonable detention, as opposed to protecting personal safety. However, there is case law from other jurisdictions where this right also covers personal safety in conditions other than detention. Under the HRA 1998 and the ECHR, it means that no one can be imprisoned or detained without good reason.	• Health and social care • Housing • People and communities

Right to a fair trial	This right is triggered when someone is charged with a criminal offence and have to go to court, or a public authority is making a decision that has an impact on someone's civil rights or obligations.	• Environment and animals • Health and social care • People and communities • Streets, roads and pavements
No punishment without law	No one can be charged with a criminal offence for an action that was not a crime when it was committed. Public authorities must explain clearly what counts as a criminal offence so that people know when they are breaking the law.	• Environment and animals • People and communities • Streets, roads and pavements
Right to private and family life, home and correspondence	This includes one's right to determine their sexual orientation, lifestyle, and the way one looks and dresses. It also includes the right to control who sees and touches one's body. It further covers one's right to develop their personal identity and to forge friendships and other relationships, the right to participate in essential economic, social, cultural and leisure activities. In some circumstances, public authorities may need to facilitate the enjoyment of one's right to a private life, including their ability to participate in society. It also means that personal information about anyone (including official records, photographs, letters, diaries and medical records) should be kept securely and not shared without their permission, except in certain circumstances.	• Benefits and money • Births, deaths and marriages • Children and families • Health and social care • Jobs, training and volunteering • Parking and permits • Planning and building • Schools and education • Sports and leisure
Freedom of thought,	This may include the right to change religion or beliefs, the right to put one's thoughts and beliefs into action, for example by exercising the right to wear religious clothing,	• Business • Schools and education

conscience and belief	the right to talk about one's own beliefs or take part in religious worship. Public authorities cannot stop anyone from practising their religion, without very good reason. This right protects a wide range of non-religious beliefs including atheism, agnosticism, veganism and pacifism.	
Freedom of expression	This includes the right to express views aloud (for example through public protest and demonstrations) or through published articles, books or leaflets, television or radio broadcasting, works of art, the internet and social media. It further protects the right to receive information from other people by, for example, being part of an audience or reading a magazine.	• Business • Environment and animals • People and communities • Schools and education • Sports and leisure
Freedom of assembly and association	This encompasses the right to form and be part of a trade union, a political party or any another association or voluntary group. Nobody has the right to force anyone to join a protest, trade union, political party or another association.	• Environment and animals • Jobs, training and volunteering • People and communities • Travel and transport • Streets, roads and pavements
Right to marry and start a family	Right of men and women of marriageable age to marry and to start a family.	• Births, deaths and marriages • Children and families
Right to property	No public authority, without very good reason can take away one's property, which may include things like land, houses, objects, shares, licences, leases, patents, money, pensions and certain types of welfare benefits. This right applies to companies as well as individuals.	• Benefits and money • Business • Council tax • Environment and animals • Housing • Planning and building

		• Travel and transport • Streets, roads and pavements • Waste and recycling
Right to education	This right protects one's right to an effective education within the UK's existing educational institutions. It relates to primary, secondary, and higher education. Parents have a right to ensure that their religious and philosophical beliefs are respected during their children's education.	• Children and families • Environment and animals • Jobs, training and volunteering • People and communities • Schools and education • Sports and leisure
Right to free elections	Public authorities must support the right to free expression by holding free elections at reasonable intervals. These elections must enable anyone to vote in secret.	• Births, deaths and marriages • People and communities
Right to housing	Adequate housing must provide more than four walls and a roof. For housing to be adequate, it must, at a minimum, meet the following criteria: Security of tenure, that is legal protection against forced evictions, harassment and other threats; availability of services, materials, facilities and infrastructure; affordability, which means that housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights; Habitability, which relates to physical safety or adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards; accessibility, in that it must accommodate the specific needs of disadvantaged and	• Benefits and money • Housing • People and communities • Planning and building • Waste and recycling

	marginalised groups; location, which means that it must not be cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or it must not be located in polluted or dangerous areas; cultural adequacy, which means that it must respect and take into account the expression of cultural identity.	

[1] The wording of each description box has been adapted from the following sources: Equality and Human Rights Commission or British Institute for Human Rights.

Subject to Contract

Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Garry Taylor, Director of City Development
Portfolio of:	Councillor Claire Douglas, Leader of the Council

Decision Report: City Centre Events and Permanent Anti-Terrorism Traffic Regulation Order

Subject of Report

1. York city centre is the beating heart of the city and region – a key hub for people to meet and come together, for cultural and knowledge exchange, social activity, commerce, and much more. This is a crucial function for our residents and communities, those in the wider region and those who visit the city. In an increasingly polarised and divided society, there is a need for the city centre to do all it can to draw people together. In this context, it is vital that the centre is accessible for all, both in terms of how it is configured and served by key infrastructure, and in terms of how key activity including city events is managed, to provide access for all. It is the ambition of the Council to provide full independent access for all to the city centre at all times, to live out our status as a Human Rights City.

2. There is a broad national direction of travel from police and security advisors toward greater security and control of vehicular movement within high footfall areas. The historic core of York is both incredibly popular, and physically constrained, concentrating pedestrian movement in the foot streets area. With the implementation of a temporary Anti-terrorism Traffic Regulation Order (ATTRO) in late 2025, a permanent ATTRO has also been recommended by North Yorkshire Police (NYP). This would operate year-round as an underlying regulatory framework for the City Centre, but would be substantively ‘dormant’, with its additional controls and measures capable of being ‘activated’ in response to specific planned or unplanned City Centre events.

Formal consultation on the ATTRO is required, and is planned to commence in February (having not been possible prior to this due to interaction with the temporary ATTRO, and pre-election period). Outcomes of this consultation will be reported to Executive in early summer.

3. With the potential for impacts and challenges of restricting vehicular access to be felt across a broader spectrum of events and period of time that previously was the case, and without predetermining the outcomes of the ATTRO consultation, there is a need to consider whether the city centre's current events functions represent the right strategic approach to best meeting our community's needs, and how their impacts can be better managed.

4. An overriding need, in line with key corporate policies, is for the city centre and its essential services (as well as events themselves) to be as accessible as possible for all - this should include improvement from current arrangements, where the wide extent of the protected area (the area within the Hostile Vehicle Measures, or HVM) excludes many, including cyclists (and those using cycles as mobility aids), and Blue Badge holders. There is a need as well, in the context of increasing societal division and polarisation, for more community building and resident focussed events and activities to be facilitated in the city centre. There is also an acknowledgement and understanding of the significant underpinning of the city centre economy which events drive.

5. Interim accessibility improvement measures and approaches will be required in the shorter term, as part of a well communicated, co-designed and deliverable roadmap to long term solutions. Significant improvements to current levels of accessibility in the City Centre will rely on delivery of new infrastructure, for which there will be a significant period for implementation (with feasibility, consultation, funding, procurement and delivery giving a minimum 3-5 year horizon in reality).

6. Given the long lead times for the commercial and operational planning of events, and a live calendar underway throughout the year, there is a need to define direction of travel and the feasible parameters of change in this report, in advance of the ATTRO consultation report.

Benefits and Challenges

7. City Centre events drive significant footfall and activity in York, sustaining and underpinning its retail, food & beverage and social offer, bringing people together and driving vibrancy and attractiveness. The Christmas Market event in particular is enormously successful, and generates significant direct income, sustaining the market operator Make it York's (MiY) broader operations throughout the year and city. There is an opportunity, with significant national scrutiny on York, for us to become an exemplar city in terms of how events are managed to optimise benefits for all.

8. With a very broad protected area covering much of the city centre, and the statutory need to consider and protect events from terrorist attack including Vehicle as Weapon (VAW) attack, many city centre users are unable to access essential services and activities in the centre when events are operating, and even during standard operating mode of the city centre, many are marginalised. Previous reports have principally considered the needs around mobility access such as Blue Badge holders, but a broader spectrum of our communities is impacted, with the events having the potential to marginalise those with a wide range of physical and non-physical conditions.

9. Structural and movement related change to the constrained and historic City Centre is challenging and takes significant time. Given the interdependency of movement across alternative modes and spaces, there is a need for clear policy driven strategy to making change – the 'Movement and Place Plan' will define this approach, and is currently in initial procurement stages with outputs anticipated later this year. The Council and partners are also constrained financially, with significant resource pressures, and both short term mitigation measures and longer-term change present resource pressures. Smaller scale and community events do not have the financial margins to support the costs of significant additional reactive measures as were put in place for the Christmas market 2025, and a proportionate approach to risk management will also be required.

Policy Basis for Decision

10. The 10-year plan sets a vision that everyone can benefit from and take pride in the city with the Council Plan setting a priority that the Council will set the conditions for a healthier, fairer, more affordable, more sustainable, and more accessible place where everyone can feel valued.

11. This vision sets a clear policy that an accessible place is a priority for the Executive. The Executive has set out Four Core objectives in the Council Plan which are those outcomes they believe will most support the delivery of their vision. One of which is: "Equalities and Human Rights - Equality of Opportunity - We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.".

12. The Council's Local Transport Strategy establishes a vision by 2030 of an 'accessible, affordable and resilient transport network', and a city that is accessible to everyone. The Council's 10-year Economic Vision seeks to promote a vibrant and resilient city centre economy, supporting the city's strong independent businesses, and promoting inclusive growth. The My City Centre 10-year vision defines objectives including creating a welcoming and accessible city centre for all, ensuring the city centre meets the needs of residents and supporting economic vibrancy. These strategies recognise the importance of events within the city centre economy, and their role in supporting businesses and the visitor economy

Financial Strategy Implications

13. There are no Council budgets currently available for additional infrastructure, operational or staffing costs associated with improving city centre accessibility. The costs of additional risk and impact mitigation and operating protocols identified as part of the 2025 Christmas Market as a result of the ATTRO were met by CYC and MIY, with final costs in the order of £90k. A more planned and permanent approach to managing these activities gives scope to secure efficiencies (and longer-term change to how

the protected area is managed may result in some cost savings – the current costs of staffing barriers to enable Blue Badge access throughout the year are significant). However, the general movement toward additional control and tightened security in city centre areas will mean that increased operating costs may be felt over longer periods of the year.

14. The principle of cost sharing of the direct operational impacts of event management between the Council and event operators would again be followed, with a baseline assumption that additional costs (such as security or waste management arrangements) should be met by event operators (though acceptance of limited financial capacity to support this in smaller scale and community events, and need for a proportionate approach). Longer term strategic capital infrastructure works would require a budget to be established, likely from within Transport Capital Programme and Mayoral investment, though visitor levy, Community Infrastructure Levy and broader funding streams may also play a role. The initial measures set out in this report at paragraph 26 form part of an allocation that is proposed under the York and North Yorkshire Combined Authority Transport Capital programme 2026-2030.

15. Events drive significant footfall and spend in the City Centre, underpinning economic performance and indirectly, Council income through Business Rates, Parking income and other streams.

16. A vehicular attack in the city would have very severe impacts, with an extreme human cost to such an event, as well as financial and economic implications given the composition and nature of the city economy.

Recommendation and Reasons

17. Executive are recommended to note the work to date, strategic direction, and emerging approach to strategic city centre access and associated measures, and;

    i. Agree the recommended option of maintaining a wide range of City Centre events, and managing their impacts over the short medium and long term through co-designed

improvements to how events are accessed, managed and operated, and how city centre infrastructure operates.

ii. Approve the emerging package of short term measures as set out at Paragraph 26, the further work to refine and develop these through ongoing co-design, and the initial budget allocation of up to £70k to implement identified measures, and to be funded through existing integrated transport block budgets, but with a proposal also being submitted to the York & North Yorkshire Combined Authority Transport Capital Programme 2026-2030 to establish a new dedicated allowance for this work package.

iii. Receive a subsequent paper setting out the outcomes of formal ATTRO consultation and associated actions.

Reason: To support the long term economic and social vibrancy of the City Centre, manage the impacts of events over the short, long and medium terms, and anticipate future decisions around the implementation of permanent ATTRO.

Background

18. City centre events, and the Christmas Market in particular make a significant contribution to York's economic performance, helping to contribute to the city's £2bn tourism and visitor economy, through driving footfall, overnight stays and high street spend. Make it York report a positive impact on the city economy in the region of £80-£100m directly flowing from the Christmas Market alone. The most recent retail spend data from Beauclair shows slight pressure year on year in terms of consumer numbers and overall spend in the City Centre, and customer segment analysis reveals that as a proportion of total spend within the City Centre, there is a slight reduction in the percentage from within the urban area itself. Retail vacancy rates in York are significantly below regional and national comparators though, typically at around 6% over recent months, against 13 and 15% in the country and region respectively. Nationally, the retail outlook is cautious, with an ongoing trend toward consolidation of outlets amongst national multiples in the context of operating cost challenges and changed consumer habits, and a shift toward experiential offers weakening conventional demand in larger centres. Events also have an important role in the cultural identity and national brand presence of the city, and community and cultural events play an essential

role in bringing people together and supporting social cohesion and wellbeing.

19. Inevitably though as well, city centre events (and the types of additional access restrictions associated with them) have a disruptive impact on businesses operating within the city centre, and residents and visitors using it. Members of our local community as well as visitors are prevented and put off from fully accessing the city centre including shops and services. The Christmas Market in particular has a major impact on the flow and pedestrian experience of the city centre at an important and busy time of year, and whilst improvements to the configuration and management of the event have been made year on year, and customer feedback is improving, such a popular event will always have a level of impact.

20. As part of the 2025 Christmas Market, and informed by detailed officer risk assessment, a range of operational protocols were established to maintain security, enable controlled vehicular access for essential services, and mitigate impacts for those parties for whom access was not deemed possible. These measures in summary included:

    - Enhanced staffing and security for waste operations.

    - Protocols around controlled access and security for emergency utilities and highways works, and limited numbers of authorised business vehicles.

    - Suspension of waiting and loading during foot street hours and removal of illegally parked vehicles on the adopted highway within the controlled area.

    - Mitigation works for Blue Badge holders including Shopmobility grant to support free service for users, creation of additional temporary Blue Badge parking on Duncombe Place, and advanced communication and signposting of online resources and assistance.

21. A direction of travel nationally to greater control of access to areas and events of significant footfall clearly has scope to be felt across a broader spectrum of events and period of time. It also offers opportunities if implemented in the right way to allow a more planned, co-designed, strategically coordinated and efficient

approach to operation, with more permanent and well understood and embedded processes, and a jointly owned road-map to making short, medium and long term change.

22. The Council is the party legally responsible for implementing and managing an ATTRO (in close consultation with partners), and clearly best placed to act as lead and ultimately responsible and liable for its operation. Where permanent ATTROs have been implemented elsewhere in the country, an operational model has been adopted of the Safety Advisory Group (SAG – a group bringing together council officers and representatives from emergency services) undertaking risk assessment of specific events and situations, and recommending to the Police and the Highway Authority the 'activation' of the restrictions and protocols on a case-by-case basis. This is an established and pragmatic approach to operating the complex processes in a collegiate way, and is proposed be adopted in York should the permanent ATTRO be agreed. A review of the terms of reference and operating procedures for SAG would be undertaken to enable this. It is agreed with partners including NYP that a proportionate approach needs to be taken in terms of the type of restriction and procedures needed across the wide range of events in the city, to provide the necessary protections without creating unduly onerous or inoperable approaches in practice.

23. Various strategic options have been considered and discounted for the operation of events in the protected area as summarised below:

- Hosting major public events such as the Christmas Market outside of the protected area: This approach would result in a less secure operating environment for events, and for the very large events, confer unacceptable risks on our communities and Executive. It would also incur additional cost in securing temporary access restriction and protection measures in the short to medium term, but could be explored as part of a long-term 'infrastructure/ structural' change should suitable funding be identified.

- Moving or spreading larger events such as Christmas Market to broader locations within the protected area: This has been reviewed, and there are no locations which would both have the footfall to sustain events commercially, and safely allow for emergency access.

- Working with service providers to enable access to services from the edge of or outside the protected area: There are operational and security barriers to providing this on a temporary basis or in the short term, and it would in any case still potentially exclude users from the broader city centre area and services. This could be explored in partnership with service providers as part of a long-term ‘infrastructure/ structural’ change.

24. As previously set out, long term structural and infrastructure-based change needs to be made to the City Centre to ensure that it is fundamentally more accessible for all throughout the year and including during events. This approach is supported within corporate policy, but unfortunately in practical terms would need to be delivered over a significant time horizon with feasibility work, funding confirmation, procurement and delivery taking significant time. The specific types of change that can be made have been looked at previously through City Centre Access Review, Martin Higgitt report, MIMA Report and others. This work will be brought together and refreshed through the Movement and Place Plan over 2026 to allow a planned approach, and a phased delivery plan aligned to funding route through the Mayoral Authority and other partners. This work will be undertaken in close consultation and co-design with communities and stakeholder groups.

25. In order to co-develop shorter-term measures with affected communities and stakeholders, whilst working together to realise these longer-term plans, a partnership working group has been established involving Council officers, NYP, MiY, York BID and the Council’s access officer representing the Access Forum and disability rights groups. This group has been established and meeting for some time now, and is envisaged will continue to operate on an ongoing basis to ensure that lived experience is represented in planning and managing events and that the short, medium and long term interventions are kept under review and delivered as part of a live management plan, responding also to broader change and external factors. The overriding objective of ensuring the city centre and events are accessible for all underpins the work of this group. Ensuring that all access needs can be met is an ongoing mission, and will change and likely expand over time as lived experience is better mapped, and societal understanding of complex needs advances.

26. Several short-term areas for improvement are currently being explored in more detail with this group. These are aligned with the objectives of ensuring access for all, and are a 'live' working list which will be iterated and co-designed over time. A further update will be provided to Members as part of the reporting of the ATTRO consultation and agreeing of next steps. These measures and their status currently include:

- The Christmas Market event is the most significant in terms of impact, and during 2025, commencement of the market was delayed to 10.30 to facilitate broader city centre activity and minimise impacts. Further changes to operating hours and days could deliver improved accessibility to the city centre and key services for residents and communities of interest. Options being explored further include changes to operating hours, and/ or potentially a reduced number of operating days. Dependent on their nature and extent, changes could also have a series of potential impacts. We will continue to explore the potential impacts of changes to operating hours with disabled groups. Economic impacts could be felt by hospitality and retail businesses in the centre through affecting footfall and overnight stays. Changes could also impact city centre servicing and business deliveries if earlier starts on some days were proposed as part. Changes may also impact event income to Make it York and dependent on their extent, could affect event viability and wider activity and services delivered by Make it York (particularly in the context of increased event operating costs associated with additional security), and also potentially impact on the quality of operators attracted. Dialogue with key stakeholders on the potential options will continue, to fully understand impacts and refine and establish the preferred approach. Changes would also need to be clearly communicated to the public, to avoid disruption and undermining customer satisfaction.

- Providing additional Blue Badge parking on the edge of the City Centre in existing highways envelopes – locations on Duncombe Place, Deangate, Picadilly and St Andrewgate area are being explored, and additional conversations with city partners are also underway. Provision will need to be balanced against impacts on cycle parking and taxi services (both or which support disabled access to the centre) and loading. Costs associated with the provision would relate to

the traffic regulation orders, signing, lining and potential need for physical measures such as dropped kerbs in some locations.

- Exploring improving access as close as possible to the protected area by public transport and provision of additional inclusive cycle parking. Reviewing the current foot street access restrictions, particularly around non-motorised mobility aids will also be undertaken.

- Making dedicated quiet and rest spaces available as part of busy city centre events (with an associated training support offer where appropriate)– currently locations being explored further include the St Sampson's Centre in the heart of the city centre (building on the facilities already in place here, and supported by Make it York and the Council), SPARK York) to the South of the City, and York Explore to the north of the City. These measures would have minimal cost implications. Opportunities to align with and amplify the 'for your convenience' initiative are also being explored, and city centre toilet provision will be reviewed as part of the works.

- There is potential to support Shopmobility in their aspirations for a broader city presence and smarter ways of users being able to access mobility aids. A bid for MCA funding has been made around a serviced locker approach, with a funding decision due from April. A match funding contribution to support this bid (subject to it being successful) would facilitate operational effectiveness and broaden its city impact.

- Provision of additional accessible benches and resting places on key arterial access routes – mapping work has been undertaken previously through engagement on the local transport policies to identify key locations, this is being reviewed by Highway Officers to identify preferred locations, and a provisional allowance of to implement, working in partnership with MiY and the BID is proposed.

- A user service, to provide accessibility information and help manage any arrangements around availability of the additional services implemented as part of this package is also proposed. This would be provided through the existing Visit York Information Centre. This would not incur additional

cost. An initial allocation of £70k across this package of works is recommended, funded through existing integrated transport block budgets in the first instance, with a funding package also being proposed as part of the York & North Yorkshire Combined Authority Transport Capital Programme 2026-2030, to establish a new dedicated allowance for this ongoing work package.

27. Waste management was a significant operational pressure during the 2025 Christmas Market, and introduced additional cost. Ways of securely facilitating additional waste vehicle access will be required under more year round restrictions under any ATTRO, and will be considered as part of the associated decision making.

Consultation Analysis

28. Previous public consultation on Blue Badge access to the city centre received over 3,000 responses. The findings of this consultation were re-presented at Annex C of the October 2025 Executive report on Christmas Market. Further engagement has been undertaken since this time, with two specific engagement meetings over January 2026 (involving both the Disability Rights Forum and York Access Forum), and additional dialogue and conversations with key stakeholders, organisations and individuals, including the Working Group as described in the report.

29. Formal and statutory consultation on the permanent ATTRO is also being undertaken and will be reported to Executive in due course.

Options Analysis and Evidential Basis

30. **Option 1 – Further develop the short, medium and long-term measures in partnership with key stakeholders, and agree delivery of the initial package of short-term interventions as outlined in the report, with progress on this to be reported to Executive alongside the ATTRO consultation paper.**

    This will broaden access to city centre services and events themselves, whilst enabling the continued economic and social benefits flowing from city centre events,

31. **Option 2 – Consider an alternative short-term approach and package of measures across market operating hours, accessibility improvements and vehicular management approach.**

The impacts of this option would depend heavily on the approach taken, and could have positive and/ or negative impacts in terms of city accessibility, event security, event viability and city economy.

32. **Option 3 – Reduce or cancel key city centre events to allow better accessibility to the city centre.**

This would significantly impact the ability to hold large scale events in the city centre that bring people together, including opportunities for festivals and gatherings that provide for community cohesion and celebration. It would also have an economic impact on the city centre vibrancy and buoyancy of the city centre. This has a potential to lead to a reduction in retail leisure and service provision, and pose a threat to the ability of Make it York to deliver wider programme of city centre management, events and activity

Organisational Impact and Implications

33. These are set out below.

- ***Financial***
  The report identifies a commitment of capital spend up to £70k. This will need to be contained within the council Integrated Transport Budget. It may be possible to incorporate into funding streams that are provided from NYCA. The are no unallocated revenue budgets within departments to undertake further operational activity within the city centre and therefore it is necessary to ensure event operators fund any additional costs.

- ***Human Resources (HR)***
  There are no HR implications contained within this report other than a potential requirement for additional resource. Depending upon the approach taken any additional resource required by CYC would be established and resourced in accordance with Council policy.

- ***Legal***

  Traffic Regulation Orders – The Council, as Highway Authority and Local Traffic Authority is responsible for making Traffic Regulation Orders (TRO). The Council has a statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic (having regard to the effect on amenities). Any amendment to an existing Traffic Regulation Order will need to be effected in accordance with the relevant statutory procedures including the requirement for formal consultation and advertisement in the local press. Where objections are received, there is a duty on the Council to ensure that these objections are duly considered.

  Public Sector Equality Duty – The Council must comply with the Public Sector Equality Duty as set out in Section 149 of the Equality Act 2010. This means in relation to making a decision, the decision-maker must firstly understand its obligations under the PSED. This is a duty to have due regard to the need to: 1. eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equalities Act 2010. 2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and 3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Technical guidance provided by the Equality and Human Rights Commission assists public bodies in discharging the duty in practice and this is expressly brought to Members' attention.
  https://www.equalityhumanrights.com/en/publicationdownload/technical-guidance-public-sector-equality-duty-england)
  Secondly the decision maker must have sufficient relevant information and demonstrably take this information fully into account throughout the decision-making process. The concept of due regard requires that there has been proper and conscientious focus on what the duty requires at 1-3 above. If that is done, a court cannot interfere with the decision simply because it would have given greater weight to the equality implications of than the decision maker did. However, the decision maker must be clear precisely what the equality implications are when they put them in the balance. A public body can lawfully conclude that other considerations outweigh the equality ones. This could include security concerns or available resources provided

that the weight given to those countervailing factors is not irrational. Thirdly, the courts have established that the potential impact of a decision on people with different protected characteristics is a mandatory relevant consideration. The manner of assessing that impact is discretionary. Often an Equality Impact Assessment is an appropriate tool but is not the only available tool. It is the quality of the assessment whether that is presented in an EIA or some other evaluative report which is important.

Contract with Make it York – The Council has a contract with Make it York to provide market and events services. Members will need to be mindful of implications in relation to that contract when considering their preferred approach.

- ***Procurement***
  Whilst there are no direct procurement implications relating to the report itself, procurement will be a main tool used to deliver any priorities that arise. All works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Further advice regarding the procurement process and development of procurement strategies must be sought from the Commercial Procurement team. For any modifications to existing contracts, both Commercial Procurement and Legal Services must be consulted to follow the formal variation process set out within the contracts held.

- ***Health and Wellbeing***
  No additional comments.

- ***Environment and Climate action***
  The proposed measures for consideration are likely to have a non-significant impact on carbon emissions. Longer-term impacts should be considered as part of the Movement and Place plan. Climate adaptation measures should be considered as part of the proposed changes, for example shelter and shade should be incorporated into resting places to account for increased extreme weather and heating events.

- ***Affordability***
  For those disabled residents who need to access banking and/or of financial advice and support in the city centre – the implications for disabled residents are covered in the Equalities and Human Rights Implications below.

- ***Equalities and Human Rights***
  The proposed improvements have been co-designed with representatives of impacted communities including members of the York Access Forum and the York Disability Rights Forum, as part of an intended ongoing process of making to change to the city centre and how events are managed. There is a clear commitment to extensively review the city and identify any mitigations to the impacts on disabled people, older and youngers persons etc when an ATTRO is in place. We know from the previous restrictions the impacts that this has had on people due to the additional consultations leading up to the reintroduction of Blue Badge users to the city centre.

  There has already been considerable work done on city centre access as noted in the Exec Paper and the HREA around the previous Martin Higgitt and MIMA consultations and it is positive to see both forming part of any short-, medium- and long-term recommendations going forward.

  The proposals are generally supported by the members of the YAF and YDRF who attended the workshops in January 2026 and the commitment made to them that they would be included in the actions going forward in a co-produced way.

- ***Data Protection and Privacy***
  The data protection impact assessment (DPIAs) screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be reviewed following the approved recommendations and options from this report and a DPIA completed if required.

- ***Communications***
  A supporting campaign is recommended, that clearly sets out the Council's key messaging generally and shares it with

affected groups. We will also be prepared to respond to any enquiries with reactive communications.

- ***Economy***
  With one in five of all households including people with disabilities, the Purple Pound – that is to say, the money that those households spend – represents a significant proportion of the UK economy and spend in York city centre. York's events are an important component of the city's vibrant offer, supporting the city economy by driving footfall and spend, and contributing more broadly in a positive way to the public perception of the city. Cancelling events would have a negative impact on the city economy and should a vehicle attack occur in the city the reputational and economic damage to York would be very significant.

Risks and Mitigations

34. With the formal decision making around proposed permanent ATTRO to be considered in a future executive report, risks associated with the approach to managing vehicular access will be considered in detail as part of that report. Risks associated with the decisions within this report relate principally to the deliverability and usability of the measures proposed, and impacts on the viability and operability of city centre events.

Wards Impacted

35. Whilst city centre events and the protected area are hosted within specific wards, they are used by residents of all wards.

Contact details

For further information please contact the authors of this Decision Report.

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Report approved:	Yes
Date:	23 February 2026

Background papers

- Executive meeting November 2025, 'York Christmas Market 2025: Operation of Temporary Anti-Terrorism Traffic Regulation Order' (item 161)

Annexes

- Annex 1: Human Rights and Equity Analysis Tool

City of York Council and Centre for Applied Human Rights
Human Rights and Equity Analysis Tool (HREAT)

An Equity Analysis Tool is an evidence-based approach designed to help organisations ensure that any Policy, Criterion or Practice (PCP), is fair and does not create barriers to participation or disadvantage any protected groups from participation. This covers both strategic and operational activities.

City of York Council (CYC) combines this approach with York's commitment as a Human Rights City to produce a Human Rights and Equity Analysis Tool (HREAT).

This document enables CYC to evidence its legal duty to give 'due regard' to those with protected characteristics under the Equality Act and consider Human Rights at the same time.

Whether a HREAT is needed or not will depend on the likely impact that a PCP may have and relevance of the activity to Equity and Human Rights.

The HREAT should be started when the need for a new PCP is first identified, or when an existing one is reviewed. It is essential to continue to update the HREA during the life of the PCP, as and when new information is learned. It is not complete until the PCP is complete.

Non-discrimination is a minimum standard. The development of the HREAT should prompt critical discussion and highlight disproportionate impacts.

Balancing residents' rights and CYC duties can be very complex and sometimes there will be no 'win-win', so compromises or mitigations may need to be identified to ensure the best outcomes.

Finally, the value in a HREAT is in both the short and long term, by investing in this process CYC will create robust, meaningful, and empowering policies that are more likely to stand the test of time.

Who is submitting the proposal?

Directorate	City Development
Service Area	City Development
Name of proposal	Executive Report – City Centre Events and Permanent Anti-Terrorism Traffic Regulation Order
Lead Officer	Ben Murphy, Head of City Development
Date Assessment Started	January 2026
Date Assessment Completed	February 2026

Names of those who contributed to the assessment			
Name	**Job Title**	**Organisation**	**Area of Expertise**
Ben Murphy	Head of City Development	City of York Council	City Development
David Smith	Access Officer	City of York Council	Accessibility
Laura Swiszczowski	Head of Equity, Diversity and Inclusion	City of York Council	Equity, Diversity & Inclusion

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal
	Please explain your proposal in plain English avoiding acronyms and jargon. Consider using Age 9 English.
	The report considers the impacts of city centre events (including York Christmas Market), including benefits and disbenefits to communities, and in the context nationally of greater security and control of vehicular movement in high footfall areas, and locally of consultation on potential permanent ATTRO. The report sets out proposed approaches to managing these events moving forward, including co-design of accessibility improvements with key communities of interest.

1.2	Are there any external considerations?
	Legislation / government directive / codes of practice etc.
	Relevant legislation includes: • Equality Act 2010, which aims to protect people from discrimination in the workplace and in wider society. The Act includes a Public Sector Equality Duty, which requires public bodies to consider how their decisions and policies affect people with protected characteristics. The public body also should have evidence to show how it has done this It also requires that public bodies have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The Equality Act 2010 covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- Human Rights Act –sets out the fundamental rights and freedoms that everyone is entitled to. In making a decision the council must consider carefully the balance to be struck between individual rights and the wider public interest and whilst it is acknowledged that there could be interference with a Convention right, the decision must be reasonably justified as it is a proportionate means of achieving a legitimate aim.
- Approved Document M Access to the use of Buildings Volume 2 Buildings other than dwellings
- https://assets.publishing.service.gov.uk/media/66f6c5eec71e42688b65ee11/ADM__V2_with_2024_amendments.pdf
- BS 8300-2:2018 Design of an accessible and inclusive built environment. Buildings - code of practice / Inclusive Mobility Guidance (Department for Transport 2005)
- Protect Duty consultation documents (www.gov.uk/government/consultations/protect-duty)
- Hostile Vehicle Mitigation guidance (www.gov.uk/government/publications/crowded-places-guidance/hostile-vehicle-mitigation-hvm#vehicle-as-a-weapon-vaw)
- The Blue Badge scheme: rights and responsibilities in England (www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england)
- Road Traffic Regulation Act 1984 and associated regulations relating to TROs, under which local traffic authorities England and Wales (outside London) may make permanent orders for the following purposes:
    - To avoid danger to persons or other traffic using the road or any other road or to prevent the likelihood of any such danger arising;
    - To prevent damage to the road or to any building on or near the road;
    - To facilitate the passage on the road or any other road of any class of traffic (including pedestrians);
    - To prevent the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property;
    - To preserve the character of the road in a case where it is specially suitable for use by persons (…) on foot;
    - To preserve or improve the amenities of the area through which the road runs; or
    - To preserve or improve local air quality.
- The Business and Planning Act which creates a de-regulated approach to pavement cafes.
    - The Terrorism (Protection of Premises) Bill (or Martyn's law), has also now achieved royal assent, and entered into a period prior to full implementation by April 2027.

1.3	**Who are the stakeholders and what are their interests?**
	Consider both internal and external stakeholders.
	Key stakeholders for the proposals include • Disabled people including Blue Badge holders, and those living with impairments illnesses or conditions which affect how they use the city centre • Older people • Young people including those of differing school ages and their parents or carers • Other groups visiting the pedestrian area and accessing its shops and services, • City centre businesses and service providers (e.g. deliveries, trades, etc). • North Yorkshire Police and relevant anti-terrorism organisations Their interests are wide ranging and include suitable access by a range of transport modes (private car, taxi/private hire, deliveries, cycling, walking), safety, and services and amenities available in the foot street area.

1.4	**What results / outcomes do we want to achieve and for whom?**
	Explain what outcomes you want to achieve for stakeholders, staff and the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans. Highlight how the proposal meets the objectives of Equalities, Affordability, Climate and Health.

	The Council Plan contains four key commitments one of which is Equalities and Human Rights - Equality of opportunity and states "We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities" The work seeks to improve the accessibility of the city centre for all, through a roadmap of co-designed improvements over the short medium and long term

Step 2 – Resources utilised

3.1	**What sources of data, evidence and consultation feedback have you used to help understand the impact of the proposal on equality rights and human rights?**	
	Please consider a range of sources, including consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data / supporting evidence	**Reason for using this source**
	Consultation and engagement	A wide range of consultation and engagement on related issues has already been undertaken, including through: • the My City Centre Engagement • City Centre Access Project • November 2021 Executive decisions. Additionally and since the most recent October and November 2025 Executive reports, further engagement has taken place involving key stakeholders including members of both the York Disability Rights Forum and York Access Forum.

	Extensive engagement and consultation will be undertaken with key stakeholders as part of the Movement and Place work, which will define the long term plan for the centre.
Research reports	For the August 2019 Executive report, approving the permanent changes to the Traffic Regulation Order to deliver the Phase 1 Hostile Vehicle Mitigation proposals in the city centre: • an independent review of Blue Badge Parking Access was also commissioned from Parking Perspectives a consultancy specialising in parking. • In addition, Disabled Motoring UK, a charity and advocacy group for disabled people, were commissioned to produce an independent review of York's disabled access offer • The November 2020 executive report commissioned a Strategic Review of City Centre Access in order to identify potential improvements to city centre access • Martin Higgitt Associates also produced an independent report • In 2024 a follow up accessible city consultation was carried out by MIMA Accessibility Consultants All of the above have informed the approach set out in March report, and will shape the further work including ongoing activity of the officer task and finish group, and the Movement and Place plan
Surveys	**City Centre Access project** As part of this work, parking surveys were undertaken in the streets listed above in May 2019. This shows 86 parking events / day in the Goodramgate corridor, of which 80 vehicles displayed a Blue Badge. 86 parking events / day were also recorded on the Blake Street corridor, of which 49 vehicles displayed a Blue Badge.

Step 3 – Screening the impacts or effects.

3.1	**Equality-related obligations derive from the Equality Act of 2010 and the Human Rights Act of 1998.**
	Once you have engaged with stakeholders you will need to identify how this proposal impacts on their human rights and equalities. Although the table below one looks complex, its purpose is to facilitate an initial screening of equalities and human rights impacts of your proposal. Many human rights and equalities will not be affected by the decision you are seeking Executive or Council approval for and so can be left blank. The aim here is to identify pressure points regarding human rights and equalities that require attention. Please see the Appendix for details of the protected characteristics and human rights to consider The rights listed below in the first column are the relevant ones from the Human Rights Act, and the York Human Rights City Network Indicator Report (non-discrimination, education, health and social care, housing, a decent standard of living). The human rights in the Indicator Report were selected by residents of York as their priority rights. In the first row the protected characteristics under the Equality Act are listed, to which 'Everyone' has been added to capture impacts that affect everyone without distinction.

Step 3.1 Table 1 – Screening the impacts or effects

Equalities Human Rights	Everyone	Age including financial, digital exclusion impacts	Disability Including financial, digital exclusion impacts	Gender	Gender reassign-ment Including Trans, Non-binary, Intersex	Marriage and civil partnership	Pregnancy and maternity	Race	Religion and belief	Sexual orientation	Carers inc financial, digital exclusion impacts	Low-income groups inc financial, digital exclusion impacts	Veteran, armed forces community	Those with experience of Care
Right to life*		x	x				x				x			x
Prohibition of torture*														
Prohibition of slavery and forced labour*														
Right to liberty, movement and security (including freedom of movement)***		x	x				x				x			X
Right to a fair trial*														
No punishment without law*														
Right to private and family life***														
Freedom of thought, conscience, and belief***														
Freedom of expression***														
Freedom of assembly***		X	x				x				x			x

Right to marry* **														
Right to property* **		x	x				x				x			x
Right to education* **														
Right to free elections* **														
Right to housing* **														

David Smith

Step 3.2 Table 2 – Assessing the impact of your proposal

Here you will need to record the details on all the impacts identified for both Human Rights and those with Protected Characteristics.

Where you have identified an impact on a protected characteristic / human right in the table above, please indicate whether this is positive or negative and give a description of this impact. If you run out of rows, please add as necessary.

Rights clashes and restrictions

Where rights clash or are being restricted, you will need to explain how the decision has been taken, that the limitation on human rights is provided by law, for a legitimate purpose (justified), and proportionate (the minimum necessary restriction on rights).

First, think about what equalities or rights might be engaged by the proposal, and describe the likely impact of the proposal, and provide an evaluation.

Use the following questions to inform your responses if human rights or equalities are limited or qualified in any way:

- Why are a person's rights being restricted?
- What is the problem being addressed by the restriction on someone's rights?
- Will the restriction lead to a reduction in the problem?
- Does that restriction involve a blanket policy, or does it allow for different cases to be treated differently?
- Does a less restrictive alternative exist?
- Has sufficient regard been paid to the rights and interests of those affected?
- Do safeguards exist against error or abuse?

Table 2

Characteristic or Human Right affected	Positive or Negative impact	Impact Description	Evaluation or justification
Age including financial, digital exclusion impacts	Positive	The report proposes the continuation of events in the city centre, maintaining the status quo, but proposes improvements to how the city centre is currently accessed, as part of a co-designed pathway to longer term accessibility improvements too, benefitting older people who are statistically more likely to have impairments of this type.	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by older or younger people.
Disability Including financial, digital exclusion impacts	Positive	The report proposes the continuation of events in the city centre, maintaining the status quo, but proposes improvements to how the city centre is currently accessed, as part of a co-designed pathway to longer term accessibility improvements too, benefitting people with disabilities.	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by disabled people
Gender			
Gender Reassignment Including Trans, Non-binary, Intersex			
Marriage and civil partnership			

Pregnancy and maternity	Positive	The report proposes the continuation of events in the city centre, maintaining the status quo, but proposes improvements to how the city centre is currently accessed, as part of a co-designed pathway to longer term accessibility improvements too, benefitting this group.	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by people who meet this particular protected characteristic.
Race		None identified	
Religion and belief	Positive	issues with access to religious venues within the protected area	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by people who would like to practice their religion or belief at venues within the protected area
Sexual orientation			
Carers including financial, digital exclusion impacts	Positive	The report proposes the continuation of events in the city centre, maintaining the status quo, but proposes improvements to how the city centre is currently accessed, as part of a co-designed pathway to longer term accessibility improvements too, benefitting carers, many of whom look after people with disabilities.	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by people who meet this particular protected characteristic.

Low-income groups inc financial, digital exclusion impacts	Positive	Blue Badge Parking is free within CYC Car Parks for both disabled and non-disabled parking bays as long as the Blue Badge is Displayed. Blue Badge users can also park on double yellow lines (where there are no restrictions of obstructions) for 3 hours as well as in ResPark bays, without any time limit or cost.	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by people who meet this particular protected characteristic.
Veteran, armed forces community	Positive	Many veterans from the armed forces have a disability and the outcomes identified above would be the same for disabled veterans.	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by people who meet this particular protected characteristic.
Those with experience of Care	Positive	The report proposes the continuation of events in the city centre, maintaining the status quo, but proposes improvements to how the city centre is currently accessed, as part of a co-designed pathway to longer term accessibility improvements too, benefitting carers, many of whom look after people with disabilities.	In respect to a full ATTRO closure, the options identified may help to mitigate some of the challenges faced by people who meet this particular protected characteristic.

Step 4 – Gaps in data and knowledge

4.1	What are the main gaps in information and understanding of the impact of your proposal?		
	When conducting your screening, you may have discovered gaps in data or knowledge that make it difficult to assess whether your proposal had a positive or negative impact on human rights/equalities. Please indicate actions you will take to resolve this gap. As your proposal progresses you may be able to resolve this knowledge gap –please indicate when it was resolved.		
	Gaps in data or knowledge	**Action to deal with this**	**Date resolved**
	Strategic and long term approach to accessibility and movement in city	Undertake Movement and Place study, to include in depth engagement and consultation with impacted communities	

Step 5 - Maximising positive impacts

5.1	What has been done to optimise opportunities to advance equality / human rights or foster good relations?
	The proposed improvements have been co-designed with representatives of impacted communities, as part of an intended ongoing process of making to change to the city centre and how events are managed, in order to optimise accessibility and minimise any impacts. This is intended to be an ongoing process with engagement and co-design of city centre interventions over the short medium and long term.

Step 6 – Recommendations and conclusions of the assessment

6.1	**Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision.**	
	Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column. There are four main options you can take:	
	No major change to the proposal	The HREAT demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality / human rights and foster good relations, subject to continuing monitor and review.
	Adjust the proposal	The HREAT identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
	Continue with the proposal (despite the potential for adverse impact)	You should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations
	Stop and remove the proposal	If there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Option Selected	**Conclusion / justifications**
	No major change to officer recommendation

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.			
	List below the actions or mitigations that have been identified and who will be responsible to carrying them out. Add as many lines as you need.			
	Impact / Issue	**Actions to be taken**	**Person Responsible**	**Timescale**
	Accessibility of the city centre	Implementation of the proposed accessibility improvement measures as referenced at paragraph 26 of the report	Co-designed with officer group	
	Accessibility of the city centre	Work with CYC Officers and disabled people in York on engagement and implementation of any co-produced and agreed recommendations	David Smith	

Step 8 - Monitor, review and improve

8.1	How will the impact of your proposal be monitored and improved upon going forward?
	Consider how will you identify the impact of activities on protected characteristics, other marginalised groups and human rights going forward? How will any learning and enhancements be capitalised on and embedded?
	Ongoing co-design of accessibility improvements, and engagement and consultation on strategic plans including Movement and Place plan

Appendix

Equity, Diversity & Inclusion (EDI): Protected characteristics

Under the public sector duties introduced by the Equality Act 2010 public bodies must have due regard for the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act, such as the failure to make reasonable adjustments for disabled people
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

These duties relate to the nine protected characteristic groups defined by the Equality Act 2010 (outlined in the table below).

The Council recognises that a person's socio-economic background and whether they live in a rural or urban location can be important factors in determining fair access to services, employment and treatment. When carrying out analysis, you must also consider socio-economic issues and rural / urban location issues. In addition to the nine protected characteristic the HREAT includes the following equality groups:

- Carers
- Low income groups
- Veterans, armed forces community
- Experience of care/Other (other groups that are impacted)

Human rights differ from equalities in two main ways:

- First, human rights apply to everyone and not just groups with protected characteristics.
- Second, they allow for the balancing of rights, priorities, and risks. Many rights are not absolute and can be limited or qualified in particular circumstances.

The following guidance identifies which rights are most likely to be engaged by proposals in certain policy areas. This doesn't mean that you should not consider whether other rights might be engaged.

Three types of human rights

There are three types of human rights in the Human Rights Act:

- **Absolute rights** – cannot be breached in any circumstances e.g. right to life and to protection from torture and inhuman or degrading treatment.
- **Limited rights** – can only be restricted in specific situations e.g. a person can be deprived of their liberty if they are convicted of an offence and imprisoned.
- **Qualified rights** – human rights can be restricted if it is in the interests of the wider community or to protect other people's rights e.g. freedom of movement and assembly were restricted during the Covid-19 pandemic in the interests of public health.

As limited and qualified rights are not absolute, they sometimes have to be balanced in decision making. In Table 1, absolute rights are indicated with an *; limited rights with a **; and qualified rights with a ***.

Right	Description[1]	Focus Area
Right to life	Nobody, including the Government, can take someone's life away. Public authorities must take appropriate measures to safeguard life including by protecting people whose life might be in danger. Public authorities should also consider the right to life when making decisions that might endanger or affect life expectancy. When public officials may be involved in an instance when someone died, public authorities must conduct an investigation.	• Benefits and money • Births, deaths and marriages • Children and families • Environment and animals • Health and social care • Housing • Planning and building • Waste and recycling

Freedom from torture and inhuman or degrading treatment	Torture consists in causing very serious and cruel physical or mental pain or suffering. Inhuman treatment or punishment is treatment which causes intense physical or mental suffering. Degrading treatment means treatment that is extremely humiliating and undignified. Inhuman or degrading treatment could include: serious physical assault; very severe detention conditions or restraints; serious physical or psychological abuse in a health or care setting.	• Children and families • Health and social care
Prohibition of slavery and forced labour	Slavery is when someone owns someone else like a piece of property. Servitude is when someone provides services to a person for no reward and is unable to stop due to coercion. Forced or compulsory labour is when someone is forced to do work to which they have not agreed to, under the threat of punishment.	• Children and families • Jobs, training and volunteering • People and communities
Right to liberty and security	It focuses on protecting individuals' freedom from unreasonable detention, as opposed to protecting personal safety. However, there is case law from other jurisdictions where this right also covers personal safety in conditions other than detention. Under the HRA 1998 and the ECHR, it means that no one can be imprisoned or detained without good reason.	• Health and social care • Housing • People and communities

Right to a fair trial	This right is triggered when someone is charged with a criminal offence and have to go to court, or a public authority is making a decision that has an impact on someone's civil rights or obligations.	• Environment and animals • Health and social care • People and communities • Streets, roads and pavements
No punishment without law	No one can be charged with a criminal offence for an action that was not a crime when it was committed. Public authorities must explain clearly what counts as a criminal offence so that people know when they are breaking the law.	• Environment and animals • People and communities • Streets, roads and pavements
Right to private and family life, home and correspondence	This includes one's right to determine their sexual orientation, lifestyle, and the way one looks and dresses. It also includes the right to control who sees and touches one's body. It further covers one's right to develop their personal identity and to forge friendships and other relationships, the right to participate in essential economic, social, cultural and leisure activities. In some circumstances, public authorities may need to facilitate the enjoyment of one's right to a private life, including their ability to participate in society. It also means that personal information about anyone (including official records, photographs, letters, diaries and medical records) should be kept securely and not shared without their permission, except in certain circumstances.	• Benefits and money • Births, deaths and marriages • Children and families • Health and social care • Jobs, training and volunteering • Parking and permits • Planning and building • Schools and education • Sports and leisure
Freedom of thought,	This may include the right to change religion or beliefs, the right to put one's thoughts and beliefs into action, for example by exercising the right to wear religious clothing,	• Business • Schools and education

conscience and belief	the right to talk about one's own beliefs or take part in religious worship. Public authorities cannot stop anyone from practising their religion, without very good reason. This right protects a wide range of non-religious beliefs including atheism, agnosticism, veganism and pacifism.	
Freedom of expression	This includes the right to express views aloud (for example through public protest and demonstrations) or through published articles, books or leaflets, television or radio broadcasting, works of art, the internet and social media. It further protects the right to receive information from other people by, for example, being part of an audience or reading a magazine.	• Business • Environment and animals • People and communities • Schools and education • Sports and leisure
Freedom of assembly and association	This encompasses the right to form and be part of a trade union, a political party or any another association or voluntary group. Nobody has the right to force anyone to join a protest, trade union, political party or another association.	• Environment and animals • Jobs, training and volunteering • People and communities • Travel and transport • Streets, roads and pavements
Right to marry and start a family	Right of men and women of marriageable age to marry and to start a family.	• Births, deaths and marriages • Children and families
Right to property	No public authority, without very good reason can take away one's property, which may include things like land, houses, objects, shares, licences, leases, patents, money, pensions and certain types of welfare benefits. This right applies to companies as well as individuals.	• Benefits and money • Business • Council tax • Environment and animals • Housing • Planning and building • Travel and transport

		• Streets, roads and pavements • Waste and recycling
Right to education	This right protects one's right to an effective education within the UK's existing educational institutions. It relates to primary, secondary, and higher education. Parents have a right to ensure that their religious and philosophical beliefs are respected during their children's education.	• Children and families • Environment and animals • Jobs, training and volunteering • People and communities • Schools and education • Sports and leisure
Right to free elections	Public authorities must support the right to free expression by holding free elections at reasonable intervals. These elections must enable anyone to vote in secret.	• Births, deaths and marriages • People and communities
Right to housing	Adequate housing must provide more than four walls and a roof. For housing to be adequate, it must, at a minimum, meet the following criteria: Security of tenure, that is legal protection against forced evictions, harassment and other threats; availability of services, materials, facilities and infrastructure; affordability, which means that housing is not adequate if its cost threatens or compromises the occupants' enjoyment of other human rights; Habitability, which relates to physical safety or adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards; accessibility, in that it must accommodate the specific needs of disadvantaged and marginalised groups; location, which means that it must not be cut off from employment opportunities, health-care	• Benefits and money • Housing • People and communities • Planning and building • Waste and recycling

	services, schools, childcare centres and other social facilities, or it must not be located in polluted or dangerous areas; cultural adequacy, which means that it must respect and take into account the expression of cultural identity.	

[1] The wording of each description box has been adapted from the following sources: Equality and Human Rights Commission or British Institute for Human Rights.

Consultation Draft

Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Director of Environmental and Regulatory Services
Portfolio of:	Councillor Jenny Kent, Executive Member for Environment and Climate Emergency

Decision Report: Consultation on a York Wide Smoke Control Area (SCA)

Subject of Report

1. Burning solid fuels is one of the most polluting methods of domestic heating[1]. Wood burning has increased in popularity in recent years for aesthetic as well as practical and economic reasons. Burning of solid fuels, however, is a major contributor to a type of pollution called fine particulate matter ($PM_{2.5}$), both indoors and outdoors. It is estimated that in 2023, the rate of exposure to $PM_{2.5}$ experienced by our population in York lead to the equivalent of 1 in every 23 deaths (4.4% of all mortality)[2].

2. This report outlines the results of a public consultation on proposals to further reduce emissions of $PM_{2.5}$ and other pollutants from solid fuel burning through a York wide Smoke Control Area (SCA). The proposals will enable CYC to manage more effectively the burning of the most polluting solid fuels and the appliances they are burnt in.

3. A York wide SCA would replace the current piecemeal orders (see Annex A) which cover 80% of York's residential properties but only 14% of CYC's administrative area. Further developments allocated in the Local Plan mean that more properties will be built outside of York's SCA and therefore not subject to smoke control legislation.

[1] Chief Medical Officer's (CMO) 'Annual Report (2022): Air Pollution
[2] https://fingertips.phe.org.uk/profile/public-health-outcomes-framework/data#page/3/gid/1000043/pat/6/par/E12000003/ati/302/are/E06000014/iid/93861/age/230/sex/4/cat/-1/ctp/-1/yrr/1/cid/4/tbm/1 Latest data available is 2023

4. SCAs are areas where people and businesses must not emit smoke from a chimney attached to a building. Under the proposals:

   - Seasoned wood/logs would need to be burned in DEFRA[3] approved 'exempt appliances' (such appliances have passed tests to confirm that they are capable of burning inherently smoky solid fuel such as wood, without emitting smoke).
   - Residents and businesses can continue to use non-approved stoves and open fires, but may only burn authorised 'smokeless' fuels to minimise the release of smoke.
   - Controlled solid fuel (e.g. wood / logs) for use in a building, fireplace, fixed boiler or industrial plant to which a smoke control area applies must not be sold, unless it is to be burned in a DEFRA approved 'exempt' appliance.

5. It is important to note that the proposed York wide SCA will not ban domestic solid fuel burning, but will require all of York's residents to take responsibility for the fuel they burn, so as to minimise smoke and outdoor and indoor air pollution. Judging by the consultation responses detailed in this paper, this distinction may not have been fully understood, and thus this report again sets out the proposed rules under which an SCA will operate and how the council will continue to support residents in understanding the purpose of the intervention, as well as the practical implications of the proposals.

6. Locations outside the current SCAs account for approximately 35% of the properties in York using solid fuel for secondary heating (i.e. to supplement other forms of heating, for example gas central heating) (see Annex A, Figure A2).

7. The proposals would complement CYC's ongoing DEFRA funded 'Fuel for Thought' campaign to raise awareness of the links between burning solid fuels, pollution and health.

8. The public consultation revealed a lot of confusion about the legal requirements within an SCA and whether the respondent was in an SCA or not. The proposals would ensure consistency across York and that all future development sites are subject to smoke control requirements; reduced $PM_{2.5}$ levels in York would support national priorities for reducing pollution from domestic solid fuel burning, as

[3] DEFRA: Department for Environment, Food and Rural Affairs

outlined in The Air Quality Strategy for England (2023)[4] and contribute to improved public health. The implementation of a York wide SCA would be backed by a media campaign to ensure that residents are aware of the new legal requirements.

9. CYC's Executive is asked to note the results of the public consultation, officer responses to the comments received and background information provided in the report and to approve the making of a new order designating the whole of CYC's administrative area as a SCA (and the associated revocation of historical SCA orders made post November 1980).

Benefits and Challenges

10. The proposed SCA expansion will ensure a consistent approach to dealing with smoke emissions across all current and future residential areas within CYC's boundary. A citywide SCA would act as a deterrent to burning non-authorised fuels which contribute to air pollution and especially $PM_{2.5}$ concentrations which impact human health. Communication around any new SCA boundary would also provide further opportunities for CYC to raise awareness of the dangers of burning of wet, painted, stained or chemically treated wood (e.g. pallets / old furniture) which can emit dangerous gases when burnt, damage stoves and pose a fire risk.

11. Keeping the existing SCA boundaries, which exclude a number of existing residential areas, may mean that CYC is not considered to be using 'best endeavours' to implement local measures to reduce particulate emissions in line with revised $PM_{2.5}$ targets introduced through the Environment Act 2021 (EA 2021). Responsibility for meeting national $PM_{2.5}$ targets lies with central government, but local authorities are expected to contribute to achieving the targets through local action to tackle sources under their influence.

12. National $PM_{2.5}$ targets include an annual mean concentration target of 10µg/m^3 (to drive action in the worst-polluted areas) and a population exposure reduction target (that requires concentrations to be reduced everywhere, including where they are already below 10µg/m^3, as is the case in York). As a regional pollutant, $PM_{2.5}$ travels long distances and increases background levels across a wide area; it is therefore important that all local authorities across the UK act collaboratively to reduce $PM_{2.5}$ to improve health.

[4] https://www.gov.uk/government/publications/the-air-quality-strategy-for-england

13. Residents of rural areas outside the current SCAs may use solid fuels to supplement the heating of their homes, especially when they are not on mains gas and use oil or LPG for heating. An expanded SCA would still allow residents to burn manufactured smokeless solid fuels in open fires, or appropriately dried/seasoned wood/logs in DEFRA approved 'exempt' appliances. Existing owners of multi-fuel stoves that are not DEFRA approved would also be able to burn smokeless fuels.

14. CYC recognise that some low-income households may burn non-compliant solid fuels for financial reasons and will take a proportionate approach, on a case-by-case basis, to those who are burning non-compliant solid fuel because they are unable to afford an alternative means of heating. CYC recognise there must be a balance between the environmental and health benefits of the proposal and any potential harm caused by the economic impacts for residents. Public Protection will only take enforcement action when it is in the public interest to do so, in accordance with the Council's Enforcement Policy[5].

Policy Basis for Decision

15. The proposed SCA expansion will contribute to the Council's Local Air Quality Management (LAQM) responsibilities under the Environment Act 1995 (as amended by the Environment Act 2021) (EA 1995) and will ensure consistency across the city when dealing with smoke emissions across all current and future residential areas. CYC's Fourth Air Quality Action Plan (AQAP4), adopted by CYC's Executive in July 2024, includes a commitment to review the existing SCA boundary, which aligns with national priorities to tackle solid fuel burning in SCAs as outlined in the Air Quality Strategy for England (2023). This strategy states that local authorities should keep the boundaries of existing SCAs under review and are expected to enforce restrictions which apply within those areas. A revised enforcement approach to dealing with SCA contraventions, incorporating civil penalties, was approved by the Executive Member for Environment and Climate Emergency on 19 November 2024.

16. The proposed SCA expansion will complement CYC's other air quality improvement activities and emission reduction policies to ensure a robust response to fine particulate ($PM_{2.5}$) pollution. The proposals also support CYC's carbon reduction programme and

[5] https://democracy.york.gov.uk/documents/s179412/Annex%20A%20-%20Policy%20Protocol.pdf

the council commitment to build healthy and sustainable communities.

17. Good air quality reduces absence from work and education due to air pollution related illnesses. A healthy York population is critical to achieving the economic aspirations of the city. Air pollution damages buildings as well as human health. Improving air quality will help to protect the city's many historic buildings and create a cleaner environment for visitors to York.

Financial Strategy Implications

18. Making the new SCA Order and publicising new requirements can all be managed within existing resources. Operationally, any enforcement activities associated with investigating complaints will be undertaken by current staff in Environmental Protection. Increased public awareness of the rules around SCAs as a result of publicity around this topic may result in an increased number of complaints which will be investigated in line with CYC's existing SCA Enforcement Policy.

Recommendation and Reasons

19. The Executive is asked to:

    a) consider the consultation summary (Annex C) and full comments (Annex D) received in relation to the public consultation on a draft order to expand the SCA to cover the whole of CYC's administrative area (and associated revocation of historical orders covering the existing area).

    b) delegate authority to the Director of Environmental and Regulatory Services, in consultation with the Director of Governance, to approve the making of the 'City of York Council Smoke Control Order (2025)' (as drafted at Annex F) to come into effect on a date not less than 6 months after the date of making the order **(Option A)**

    Reasons:

    A York-wide SCA would:

    - provide a mechanism to manage both the burning of the most polluting solid fuels and the appliances in which they are burned across the whole of York, thereby protecting the health of all residents. Burning non-authorised fuels contributes to air

pollution and especially $PM_{2.5}$ across the city which harms public health.

- ensure consistency in CYC's approach to dealing with smoke emissions across York, including future residential areas.
- ensure clear rules for burning solid fuels (which are currently different depending on the area of York and in some cases even on the same street).
- complement wider air quality improvement measure being implemented by CYC and contribute to national emission reduction targets.

Background

20. The burning of solid fuels such as wood, usually in homes, emits particulate matter (PM), nitrogen dioxide (NO_2) and other pollution that damages local air quality. Domestic combustion of wood is the largest single primary emission source of fine particulate matter ($PM_{2.5}$), comprising nearly a third (31%) of $PM_{2.5}$ emissions across York and over twice that from road traffic[6].

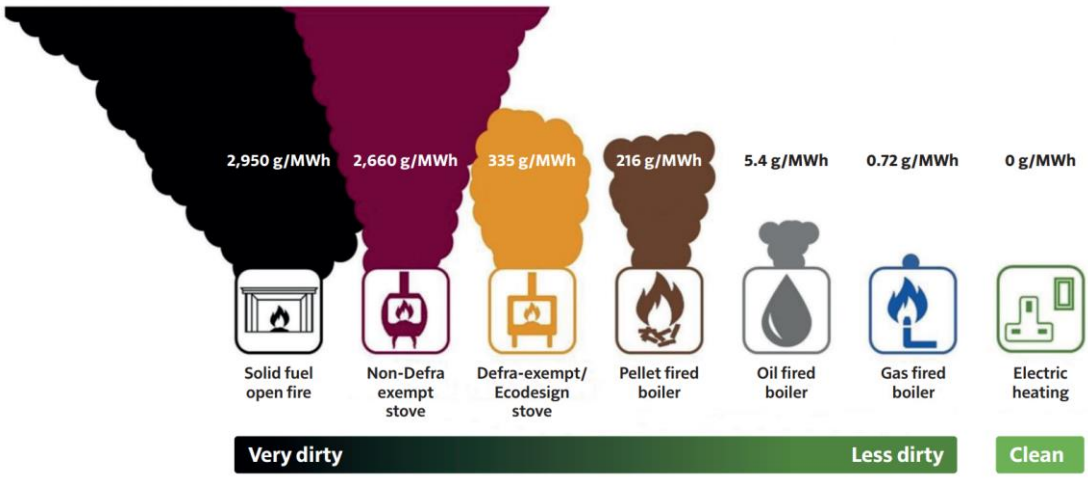
21. Pollution from various open fire and stove designs varies significantly depending upon the age of the appliance, how well it is maintained and the type of fuel burned (including the moisture content of wood fuels). In urban areas, burning wood has the potential to significantly worsen local air quality[7]. It should be noted that the sale of traditional bituminous house coal (retail packaged or loose, bulk supply) was banned in England from May 2023.

Figure 1: Comparison between the most and least polluting forms of domestic heating[8]

[6] Source apportionment work undertaken by CYC as part of the development of the Fourth Air Quality Action Plan (AQAP4). Emissions data obtained from National Atmospheric Emissions Inventory (NAEI).

[7] Chief Medical Officer's Annual Report 2022: Air Pollution. Available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1121599/executive-summary-and-recommendations-air-pollution.pdf

[8] Note: The air pollution emissions will also depend on the age of the appliance, how it is maintained and used and the fuel burned (for example, dry or wet wood). The following definitions were used: Solid fuel open fire: wood burned in an open fire. Non-Defra-exempt stove: wood in a conventional stove. Defra-exempt/Eco-design stove: wood in an advanced/eco-labelled stove. Pellet fired boiler: wood in pellet stoves and boilers. Oil fired boiler: fuel oil in a medium (>50KWth <1MWth) boiler. Gas fired boiler: natural gas in a small (≤50kWth) boiler.

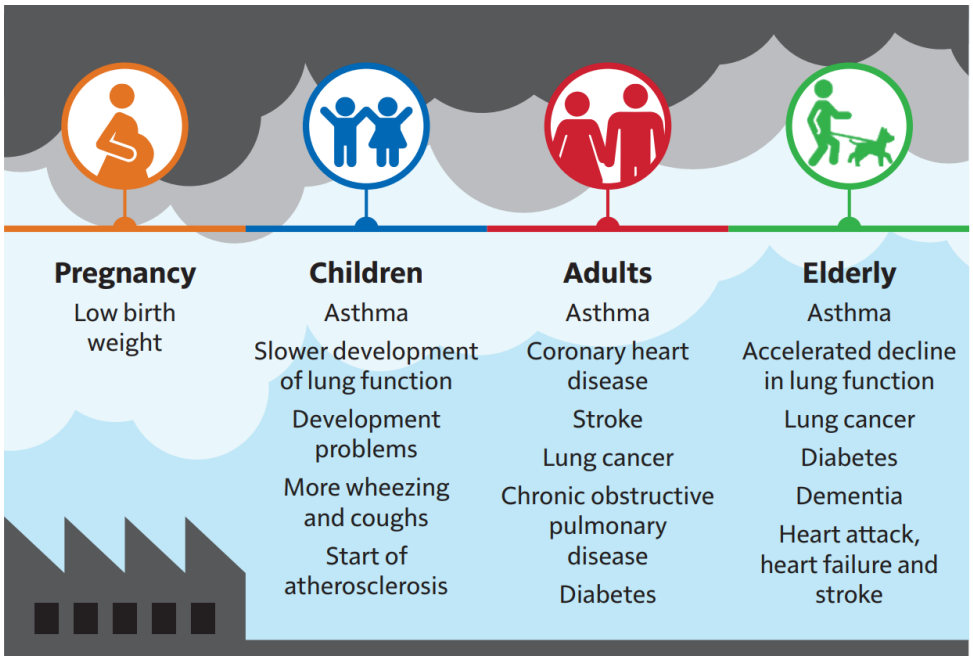


Source: Chief Medical Officer's annual report 2022: Air Pollution

22. Local authorities have a role in implementing local measures to ensure ongoing reductions in $PM_{2.5}$ for which there are no 'safe' limits. Emissions of very fine particles present in smoke are particularly harmful to health as their size means they can get deep into the lungs and enter the bloodstream to be transported around the body. Whilst the most vulnerable people in society are hit hardest, including children, older people and those already in poor health, everybody is at risk. The mortality burden of air pollution within the UK is equivalent to 29,000 to 43,000 deaths per year at typical ages[9]. Between 2017 and 2025, the total cost to the NHS and social care of air pollution (where there is robust evidence for an association) is estimated to be £1.6 billion for $PM_{2.5}$ and NO_2 combined [10].

[9] Defra. Air quality appraisal: damage cost guidance, January 2023
[10] Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018

Figure 2: The health impacts of air pollution



Source: Chief Medical Officer's annual report 2022: Air Pollution

23. CYC launched our 'Fuel for Thought' campaign in November 2023 with the aim of raising awareness of the links between burning solid fuels, pollution and health. Resources developed for the 'Fuel for Thought' campaign are used for ongoing seasonal campaign work to improve awareness further and encourage continued behavioural change to reduce pollution as well as to support the national 'Clean Air Night' campaign.

24. There are currently multiple SCA orders applicable to York, declared from the late 1960s. These orders cover 80% of York's residential properties but only 14% of CYC's administrative area. The current SCA boundary is shown at Annex A; it does not include some areas inside the outer ring road such as areas of Fulford, Heslington, Clifton Moor, New Earswick, Monks Cross or most areas and village locations outside the outer ring road, including Skelton, Poppleton, Earswick, Strensall, Stockton on the Forest, Dunnington, Copmanthorpe and Bishopthorpe.

25. It is an offence to emit smoke from a chimney attached to building within a SCA. In a SCA you can only burn authorised fuel or a 'smokeless' fuel, unless you use an appliance approved by DEFRA (also known as an 'exempt' or 'DEFRA approved' appliance). Unauthorised fuels, such as wood, can only be burned in 'exempt' appliances. Households using an exempt appliance or authorised 'smokeless' fuel should not produce significant smoke so would not be subject to enforcement action.

26. Changes to the SCA boundary would not apply to bonfires as these are covered by different legislation[11]. CYC's approach to dealing with smoke from bonfires is outlined at https://www.york.gov.uk/BonfiresAndSmoke

27. The Environment Act 2021 introduced a requirement for new national air quality targets[12], including an annual target for fine particulate $PM_{2.5}$ of 10µg/m^3 (to address hotspot areas) and a population exposure reduction target (to ensure ongoing improvement in pollution across the whole of the UK, including where they are already below 10µg/m^3 as is the case in York).

28. Whilst our monitoring has shown that concentrations of PM in York are within the current UK health-based air quality objectives, DEFRA acknowledge that there no 'safe' levels[13]. It is also important to note that $PM_{2.5}$ travels long distances and increases background levels across a wide area; it is therefore important that all local authorities act to reduce $PM_{2.5}$ and improve health. The Committee on the Medical Effects of Air Pollutants (COMEAP)[14] maintain that, based on the available evidence, $PM_{2.5}$ pollution can have harmful effects on people's health at lower concentrations than previously thought and that reducing annual mean concentrations beyond the current objective levels would have additional public health benefits[15]. In recognition of this, CYC's Fourth Air Quality Action Plan (AQAP4), approved in July 2024, commits to going beyond National Air Quality Objectives in all areas and working towards meeting stricter World Health Organisation (WHO) Guidelines for air pollution.

29. Central Government has responsibility for meeting national $PM_{2.5}$ targets, but local authorities have a key role in implementing local measures to deliver air quality targets and ensuring ongoing reductions in fine particulate matter. The Government's 'Air Quality Strategy: framework for local authority delivery' provides clear direction that local authorities should use their powers to reduce $PM_{2.5}$.

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[11] While it is an offence under the Environmental Protection Act 1990, to 'emit smoke, fumes or gases which are a nuisance', there are no byelaws prohibiting bonfires and no permitted 'lighting up times'. SCAs only apply to smoke from chimneys, caused by burning inside the house; they do not apply to gardens.
[12] https://www.legislation.gov.uk/uksi/2023/96/contents/made
[13] https://laqm.defra.gov.uk/faqs/faq141/
[14] COMEAP is an independent expert advisory committee that provides advice to UK government departments and agencies on the health effects of air pollutants.
[15] https://assets.publishing.service.gov.uk/media/623075a3d3bf7f5a89aecec3/COMEAP_WHO_AQG_-_Defra_PM2.5_targets_advice__2_.pdf

30. The proposed SCA expansion will provide a mechanism to manage both the burning of the most polluting solid fuels and the appliances in which they are burned. It will assist in reducing $PM_{2.5}$ levels in CYC's area, complement wider air quality improvement measure being implemented by CYC and will contribute to national emission reduction targets. The proposal will also result in longer-term positive public health impacts and reduce carbon emissions.

31. A city wide SCA will also help support the enforcement of new regulations controlling the types of fuels that can be legally sold for domestic burning (Air Quality (Domestic Solid Fuels Standards) (England) 2020)[16] via the provision of an effective, consistent and 'level playing field' approach to tackling smoke pollution.

Consultation Analysis

32. Schedule 1 of the Clean Air Act 1993[17] outlines the process for implementing a new SCA. In summary, this involves publication of a notice stating that the local authority proposes to make the order (and outlining its general effect) and specifying where a copy of the order can be obtained. The notice must be published in the London Gazette and in a local newspaper for two consecutive weeks. The consultation period shall not be less than 6 weeks from the date of the last publication of the notice. Throughout the consultation period, copies of the notice should be placed in several places in the relevant area(s) to ensure people who are affected are aware of the proposal.

33. Any objections received must be considered during the consultation process. If any objections are received and not withdrawn, the council cannot make the order without first considering the objection. In the event that the council resolves to make the new smoke control order it cannot come into effect for at least 6 months after the order is made. This date may be postponed, subject to a resolution to that effect being passed and suitable publicity in line with that set out in Schedule 1. When a local authority in England has made an order, the authority must inform the Secretary of State that it has done so.

34. The Clean Air Act 1993 sets out the individual process for revoking existing orders and creating new orders. CYC Legal Services

[16] https://www.legislation.gov.uk/uksi/2020/1095/contents/made
[17] https://www.legislation.gov.uk/ukpga/1993/11/schedule/1

were consulted in the preparation of the draft order, the process for revoking existing orders and in terms of the consultation process to ensure compliance with statutory guidance and legislation.

Local Consultation Process

35. A 6-week public consultation from 22nd April to 3rd June 2025 included:

- Production of a series of accessible consultation webpages to provide further information on the proposals and background information. A 'consultation summary' document was also produced, with copies available on request to those not digitally enabled.

- Printed copies of consultation materials draft Smoke Control Orders (and maps) were made available for public inspection at West Offices throughout the consultation period.

- An online survey was made available via the CYC Consultations webpage. Hard copies of the survey were made available via West Offices reception and upon request.

- A press release on 22 April 2025: https://www.york.gov.uk/news/article/1667/council-launches-consultation-on-extending-city-s-smoke-control-area. Articles also appeared in York Press online on 13, 19 and 24 March 2025.

- In line with statutory DEFRA guidance, a public notice was placed in the London Gazette and York Press on 8 and 15 April 2025, stating that CYC proposes to make an order to expand the SCA (and outlining its general effect) with details of how to comment.

- Physical copies of the notice were placed at 32 locations outside the existing SCA, including outlying villages, throughout the consultation period to ensure people who may be affected are aware of the proposal.

- Promotion via residents' newsletters issued by CYC's Marketing and Communications team throughout the consultation period, including the Families Newsletter (24 April and 22 May 2025), Resident update (1 May and 15 May 2025) and the Health and Wellbeing Newsletter (7 May 2025).

- Promotion via CYC's social media channels throughout the consultation period, including Facebook.

- Copies of consultation posters were displayed across all CYC libraries

- Additional notification of the consultation was sent directly to other relevant stakeholders including Department for Environment Food and Rural Affairs (DEFRA), York Travellers Trust (YTT), neighbouring local authorities and York based suppliers of solid fuels.

- CYC's Supported Housing Manager / Traveller and Gypsy Site contacts were made aware of the consultation and were asked to signpost residents with solid fuel burning appliances to the consultation.

- Notification of the consultation was sent directly to all CYC Councillors and Parish Councillors on 22 April 2025.

- CYC's Environmental Protection team were available to answer questions on the consultation over the phone, in person by appointment or by email.

Consultation Analysis

36. Responses to the online survey were received from 259 York residents (94.5%), 6 non-York residents (2.2%) and 9 people (3.3%) responding in a professional / business capacity. An additional 24 written responses to the consultation were received via email / letter from 19 residents, 4 Parish Councils and 1 CYC Councillor.

37. More than three quarters of respondents (77.5%) lived outside the existing SCA, with the majority owning a solid fuel burning stove or open fire. 81.1% of the 169 respondents who burned solid fuels did so to supplement other forms of heating (e.g. gas central heating), mainly to save money. 30 respondents (17.8%) said they burned solid fuels as they had no mains gas supply / no other means of heating. Most people who burned solid fuels (90.8%) used seasoned / dried wood or logs; 27.2% used smokeless fuels. Waste wood was used by 17.3% of respondents with 12.7% still using coal, despite this now being banned for retail sale in England. A full summary of all responses is provided at **'Annex C – Consultation Summary'.**

38. When asked specifically if they supported proposals to expand the Smoke Control Area to improve air quality and health, 29.0% of respondents supported the proposals, 64.7% did not support the proposals, 5.2% were not sure if they supported the proposals and 1.2% preferred not to say. 138 respondents provided further comments, both in support and objection, to the proposals. A high-level overview of some of the main points of objection are provided below. Comments and objections to the new SCA order have been considered on a case-by-case basis by officers and CYC's response to each of the themes raised are presented in the Consultation Summary at Annex C (specifically see CYC's responses at question 16).

39. It should be noted that some respondents had assumed CYC were proposing to ban solid fuel burning outright, despite consultation materials stating that this was not the case. This misconception may have influenced some of the consultation responses.

Practical Considerations

40. Some respondents were concerned that they would no longer be able to use their log burning stoves or open fires, or that the use of kindling to get smokeless fuels properly ignited meant that smoke emissions were inevitable.

41. There are no proposals to ban solid fuel heating systems, which CYC recognise provide essential heat for some homes and offer resilience during power outages. Wood burners can continue to be used in SCAs for burning seasoned logs, provided they are approved by DEFRA and appear on the list of exempt appliances. Multi-fuel stoves can be used to burn fuels other than wood, so smokeless fuels are an alternative to wood in these stoves. CYC is not proposing a ban on the use of open fireplaces; residents can continue to burn authorised smokeless fuel in open fireplaces.

42. Burning solid fuels, even in exempt appliances, is unlikely to be completely 'smoke free' from the outset and most appliances will have a period of 'start-up' where there may be unavoidable emissions of smoke for up to 15 minutes as an appliance reaches operational temperature. CYC's Smoke Control Enforcement Policy allows officer discretion for start-up smoke for up to 15 minutes.

Awareness and Enforcement

43. Some respondents were concerned that proposals were not justified as smoke emissions were not perceived to be of concern in their areas. There was also confusion around the use of chimineas, BBQs and bonfires and frustration that there was apparent inconsistency in the rules for such outdoor solid fuel burners and those used within homes. Some respondents felt that extending the SCA would serve little purpose unless punitive action is taken by CYC against offenders, with others keen for CYC to raise awareness of alternative, cleaner fuels.

44. Whilst the severity of smoke and its potential to cause nuisance can be subjective, the cumulative impact of smoke emissions across CYC's area can be significant. Vulnerable people, including older people, children, pregnant women and those with respiratory and other illnesses, are more likely to be adversely affected by poor air quality caused by burning solid fuels, and breathing in $PM_{2.5}$ in an indoor setting (often with poor ventilation and for longer exposure periods than when outside) is likely to be particularly harmful for these groups. However, enforcement of SCA regulations will improve general air quality across York and will therefore benefit everyone. CYC will only take enforcement action when it is proportionate and in the public interest to do so, in accordance with the Council's enforcement policy. CYC undertake a staged approach to enforcing smoke emissions, with warning letters being sent to alleged perpetrators in the first instance, offering advice on best practice and mitigation.

45. CYC has previously undertaken seasonal promotion of the rules for SCAs and maintains information on the CYC website. Further publicity will be undertaken on any approved expansion of the SCA. This will include members of the public and local suppliers of solid fuels. This publicity will reiterate that the rules for smoke control areas do not apply to outdoor barbecues, chimineas, firepits, pizza ovens or garden bonfires.

46. CYC's 'Fuel for Thought Campaign' focuses on the negative impacts of burning solid fuels on air quality and health and reinforces DEFRA's national 'Burn Better, Breathe Better' campaign. The campaign aims to raise awareness of the health impacts associated with open fires and wood-burners, emphasizing the need for cleaner and more efficient heating practices. The campaign resulted in improved local understanding and awareness of a range of pollutant sources and impacts on

both indoor / outdoor air quality and links to health. Campaign resources will be used for seasonal promotion of the rules around SCAs with ongoing enforcement in response to complaints.

Fuel Cost Considerations

47. Respondents raised concerns for areas with no gas supply where people may still rely on LPG, oil or solid fuel for heating. Some respondents felt that the proposal should not be considered due to the current cost of energy.

48. CYC recognises that some rural communities use solid fuels for practical and economic reasons, particularly where homes do not have mains gas supply. CYC is not proposing a ban on burning solid fuel / wood / logs / oil. Households in smoke control areas can still burn wood and other solid fuels. If residents wish to burn wood / logs etc they need to use an exempt appliance – see https://smokecontrol.defra.gov.uk/appliances-php/appliances-phpcountryengland/. In open fires residents can burn authorised 'smokeless' fuel – see https://smokecontrol.defra.gov.uk/fuels-php/england/**.** Where existing stoves are not DEFRA approved, they can remain in place, but people would have to burn smokeless fuels (if the appliance is multi-fuel). Dedicated wood burning appliances are designed for wood only, but many models can be converted to multi-fuel with an optional manufacturer supplied kit which allows the burning of smokeless fuels.

49. It is not anticipated that expansion of the SCA will require many residents who use solid fuels as a secondary heat source to invest in new appliances, but CYC acknowledge that some users may be required to switch to burning 'smokeless' fuels (if they wish to continue to use open fires or non-exempt multi-fuel stoves and previously burned wood); there may be cost implication, especially where users previously used scavenged wood from their own estates or wood gifted for free. In line with the statutory Clean Air Act requirements, any new SCA Order cannot come into effect less than six months after it is made. This would effectively allow a grace period of 6 months for residents to explore alternatives and become familiar with the practicalities of using alternative smokeless fuels.

50. Residents struggling with the cost of heating will be signposted to advice on accessing financial and practical help on heating their homes, including CYC led schemes which cover energy-saving upgrades, low-carbon heating systems and smart energy technologies. CYC has previously offered grant funding through

the Home Upgrade Grant Scheme Phase 2 (HUG2) to help homes which have off-gas heating systems and currently rolling out the Warm Homes Local Grant.

Evidence Base

51. Some respondents queried the evidence base for the proposals and believed there was a lack of local pollution evidence to justify the proposed policy, particularly as York is already within national pollution limits for fine particulate matter. Others believed that the impact on air quality across less densely populated rural areas outside the outer ring road will be less significant and therefore expansion to these areas was not needed. Some respondents felt that burning wood was a sustainable practice and important in tackling climate change.

52. A comprehensive 'source apportionment' study was undertaken for the development of AQAP4, published in July 2024. Domestic combustion of wood was shown to be one of the largest single primary emission sources of $PM_{2.5}$, comprising nearly a third (31%) of $PM_{2.5}$ emissions across York and over twice that produced by road traffic.

53. The Chief Medical Officer's (CMO) *'Annual Report (2022): Air Pollution'* highlights the substantial difference between the least and most polluting methods of domestic heating. The report states that 'solid fuels are by far the most polluting method of domestic heating and for air pollution emissions, there is substantial difference between the different open fire and stove designs, the age of the appliance and how well maintained it is, and the moisture content of the wood, for those who want to burn wood. In urban areas, burning wood has the potential to worsen local air quality significantly'.

54. York does indeed (just) meet legal limits for particulate matter. However, AQAP4 commits to reduce concentrations of air pollutants and exposure to air pollution as far as practically possible, thereby improving the health and quality of life of residents and visitors to York. AQAP4 outlines that there are no 'safe' limits for particulate emissions, particularly $PM_{2.5}$. The Committee on the Medical Effects of Air Pollutants (COMEAP) provided advice on the health effects of exposure $PM_{2.5}$ to DEFRA, to inform the development of targets under the Environment Act 2021. COMEAP highlighted evidence that indicates that $PM_{2.5}$ pollution can have harmful effects on people's health at lower concentrations than had been studied previously and that

continuing to reduce concentrations to, or below, the World Health Organisation's new Air Quality Guideline (5µg/m^3) would benefit public health. Levels of $PM_{2.5}$ in York currently exceed this value at all monitoring sites.

55. Whilst concentrations of $PM_{2.5}$ can be higher in areas where solid fuel burning is most prevalent, it is also the case that $PM_{2.5}$ can travel long distances. It is considered that the cumulative impact of fine particulate emissions in smoke from all areas within CYC's administrative area must be considered as this affects concentrations of pollution across York and in adjacent areas.

56. The sustainability of wood burning stoves is a complex issue with the wider environmental impacts dependent on the source of the wood and how 'environmental harm' is defined. Whilst sustainable forestry practices can ensure that for every tree felled for timber, another one is planted, illegal logging behaviour can make it difficult to be certain about the responsibility, sustainability and legality of firewood. In terms of carbon footprint, wood burning stoves may be considered by some as 'environmentally friendly' in that the carbon they release comes from wood, and such carbon has previously been removed from the atmosphere by the tree during its growth. By growing an equivalent number of new trees, it should in theory be possible to make wood burning stoves carbon neutral during use, although the implications of transporting firewood (often vast distances) if often not fully considered. In addition, the implications for local air quality in urban areas can be considerable, as can the negative impacts on indoor environments, increasing the risk of respiratory illness and long-term health among residents.

Options Analysis and Evidential Basis

57. CYC's Executive is asked to note the results of the public consultation (Annex C) and the other background information provided in the report and approve the making of a new order to designate the whole of CYC's administrative area as a SCA. Subject to consideration of any objections, CYC's Executive is asked to delegate authority to the Director of Environmental and Regulatory Services, in consultation with the Director of Governance to make the Smoke Control order with or without modifications (and revoke historical Smoke Control orders covering the existing area). Comments and objections to the new SCA order have been considered on a case-by-case basis by officers and CYC's response to each of the themes raised are

presented in the Consultation Summary at Annex C (specifically see CYC's responses at question 16).

Option A (Recommended Option) – Approve the making of a new order, as drafted at Annex F, to designate the whole of CYC's administrative area a SCA (and the revocation of existing orders).

- Proposals would provide a mechanism to control the burning of the most polluting solid fuels and the appliances they are burned in across the whole of York, thereby protecting the health of all residents.

- Proposals would ensure consistency across CYC's administrative area, would ensure that all future development sites are subject to SCA requirements, would assist in reducing fine particulate $PM_{2.5}$ levels in York and would align with national priorities for reducing pollution from domestic solid fuel burning as outlined in The Air Quality Strategy for England. The approach is considered proportionate and would demonstrate that CYC is actively taking steps to reduce particulate emissions within its entire area for the protection of public health.

Option B – Approve the making of a new order as drafted at Annex F, with modifications that may include the exact geographic boundary, or any exemptions in terms of classes of building or fireplace.

- This option would provide a partial mechanism to control the burning of the most polluting solid fuels and the appliances they are burnt over only some of CYC's area. Since $PM_{2.5}$ damages the health of everyone, the health of some residents would be more protected than others.

- This option would not ensure consistency across CYC's administrative area and may not ensure that all future development sites are subject to SCA requirements. A potential 'patchwork quilt' of SCAs will be challenging for CYC to administer and enforce and may be difficult for residents to understand (similar to the present position) compared with an SCA covering all of York. CYC would be unable to enforce smoke emissions in accordance with the Clean Air Act (or sales of the most polluting solid fuels) in areas not covered by a wider SCA.

Option C – Do not approve the revocation of CYC's existing SCAs and a new order to designate the whole of CYC's administrative

area a SCA. This option would retain the existing orders, which exclude 20% of CYC's existing residential addresses (and all currently undeveloped areas).

- It may be considered that CYC is not using best endeavours to implement local measures to reduce particulate emission in line with revised $PM_{2.5}$ targets introduced through the Environment Act 2021. CYC officers would be unable to enforce smoke emissions in accordance with the Clean Air Act in areas not covered by the wider SCA and would offer no means of controlling the burning / selling of the most polluting solid fuel and the appliances in which they are burned in those areas currently outside the SCAs.

Organisational Impact and Implications

58. The various implications of this report are summarised below.

Financial

59. There are no significant budget implications aside from officer time in setting up the new order and publicising new requirements. Any enforcement activities associated with complaints, witnessing emissions, issuing warning letters or fines will be undertaken using current staff in Environmental Protection. Increased public awareness of the rules around SCAs may result in increased complaints of smoke. Enforcement action would be taken when it is proportionate and in the public interest to do so, in accordance with CYC's enforcement policy.

Human Resources (HR)

60. There are no HR implications contained within this report. If in future additional resources are required to investigate and enforce an increase in the number of smoke complaints these would be resourced in accordance with normal council policy.

Legal

61. The council has discretion under Section 18(1) of the Clean Air Act 1993[18] to declare the whole or any part of its area as a SCA, via a smoke control order. A smoke control order may be revoked or

[18] https://www.legislation.gov.uk/ukpga/1993/11/section/18

varied by a subsequent order as per Section 18(3) of the Clean Air Act 1993[19]

62. Schedule 1 of the Clean Air Act 1993[20] outlines the procedure that CYC must follow to make a smoke control order, including publicising its intention to make the order and outlining how objections may be made (already undertaken). Once any objections have been considered, if delegation is approved, the Director of Environmental and Regulatory Services (and their delegated officers) can make the smoke control order, which shall come into effect no less than six months after it is made.

63. The making of an order is open to challenge by way of judicial review.

64. The existing Smoke Control Orders covering areas of York were made on various dates from 1968 to 1993. To revoke a smoke control order that was made on or after 13 November 1980, local authorities must follow the same steps as for making a new order. However, the procedure is different for revoking a smoke control order that was made before 13 November 1980. In this case, Part 3 of Schedule 5 to the Clean Air Act 1993[21] applies, which requires a revocation order to be made, publicised and subsequently confirmed with or without modifications by the Secretary of State. This order has been made is due to come into effect, subject to approval of current proposals to expand the SCA to the whole of York and valid confirmation by the Secretary of State. Any objections received to the making of the order may be heard by way of representation at local inquiry or in person to an appointed representative[22]. Revocation orders shall come into effect no less than six months after they are confirmed.

Procurement

65. There are no procurement implications.

Health and Wellbeing

66. Measures to reduce emissions and improve air quality support CYC's health and wellbeing priorities which aim to tackle health inequalities, promote healthy lifestyles and place specific emphasis

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[19] Ibid
[20] https://www.legislation.gov.uk/ukpga/1993/11/schedule/1
[21] https://www.legislation.gov.uk/ukpga/1993/11/schedule/5/part/III
[22] The consultation period has now passed and DEFRA received no objections

on good health and wellbeing during the key formative early years of life. The proposals complement other CYC measures to tackle pollutant emissions / smoke from domestic solid fuel burning to improve public health. CYC Public Health support the measures outlined and the recommendations made.

Environment and Climate action

67. The proposal to expand the SCA will complement CYC's other air quality improvement activities and emission reduction policies to ensure a robust response to $PM_{2.5}$ pollution.

68. CYC has a key role in creating an environment where people make sustainable choices about the way they live and work. CYC has a responsibility to seek opportunities to minimise carbon emissions from all activities. Actions to address solid fuel burning support CYC's carbon reduction programme.

69. Wood burning can have a negative impact on the climate, due to the high emissions of CO_2, methane and black carbon compared to other fuels and the time taken for forests to regrow and reabsorb the carbon[23]. This is a change from the historical classification of wood as a low-carbon or carbon-neutral fuel. For the same amount of heat or energy, burning wood releases more CO_2 than oil or gas[24]. In addition, wood sourced for free often has characteristics that make it especially bad for the environment and human health, such as being chemically treated. CYC actively discourages the burning of wet, painted, stained or chemically treated wood (e.g. pallets / old furniture). Particle board, chipboard, plywood, and MDF contain glue and other curing chemicals that emit extremely dangerous gases when burnt. Burning the wrong materials can also damage stoves and pose a fire risk.

70. Recent guidance by the Institution of Environmental Sciences' Environmental Policy Implementation Community (EPIC) in September 2024[25] highlights that the declaration and enforcement of smoke control areas is an effective mechanism to integrate action on both local air quality and climate change.

Affordability

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[23] Fuller, G. (2022) 'Pollutionwatch: wood fires are bad for planet, more evidence shows', The Guardian

[24] https://onlinelibrary.wiley.com/doi/10.1111/gcbb.12327, cited on the Global Action Plan website at https://www.actionforcleanair.org.uk/campaigns/clean-air-night#faqs

[25] https://www.the-ies.org/resources/integrating-action-air-quality

71. Research undertaken for CYC in March 2022 analysed household Energy Performance Certificates (EPCs) for 53,720 households[26] across York. Solid fuel was identified as a source of heating[27] for 8% of these households (4,302 locations). Outside the current SCA boundary, 3% of households (1,611 locations) used solid fuels, although only 0.2% (98 locations) used a solid fuel as the main source of heating. Other locations outside the SCA boundary utilised solid fuels to supplement other main heating methods.

72. Of the 98 households outside the SCA that used solid fuels as a main source of heating, it was estimated that around 39 locations are burning wood fuels and therefore may be required to upgrade appliances to comply with smoke control requirements, should the SCA boundary be extended to the CYC boundary. These properties may be using DEFRA approved appliances already. Where stoves are not DEFRA approved, they can remain in place, but people would have to burn smokeless fuels or upgrade their appliances where this is not possible. CYC would assist any affected residents by signposting to relevant sources for advice on suitable upgrades.

73. The proposals would have no direct implications for the 80% of York residents already covered by the existing SCA as they are already subject to smoke control regulations. Fuel poor households who may be using open fires or burning cheap wood as a secondary source of heat (rather than using electricity, gas or oil) could be affected by the proposals. The proposals would mean that people could only buy clean seasoned wood to burn with a moisture content of less than 20% (carrying the 'ready to burn' logo, where retail packaged) in exempt appliances, or use an authorised / smokeless fuel. This could be more expensive for people who are reliant upon foraged wood as a source of fuel in open fires, for example. CYC would continue to signpost residents and businesses to energy efficiency upgrade grants and advice services to mitigate any detrimental impacts on fuel poor households[28].

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[26] EPCs existed for approximately 60% of residential properties in York

[27] Vast majority used solid fuels as a secondary heating source, to supplement gas-fired central heating, for example (Annex A shows the distribution of households using solid fuels for secondary heating)

[28] Current examples of support - CYC's current Home Upgrade Grant scheme is a grant exclusively reserved to help homes which have off-gas heating systems to become more energy efficient and save residents money. Financial support to help residents cope with the cost of living crisis is also available, see https://www.york.gov.uk/news/article/1530/over-1-million-extra-support-secured-for-york-residents

74. SCAs do not prevent residents from burning solid fuels, but they should not cause excessive emissions / smoke when doing so. Foraged wood / logs can still be burned in suitable appliances assuming they are correctly seasoned to remove moisture (<20%) that can exacerbate smoke emissions. It typically takes 12–18 months to dry firewood so its moisture content is 20% or less.

Equalities and Human Rights

75. An Equalities Impact Assessment has been carried out and can be found at **Annex E.**

76. Vulnerable people, including older people, children, pregnant women and those with respiratory and other illnesses, are more likely to be adversely affected by poor air quality. However, enforcement of smoke control area regulations will improve general air quality across York and will therefore benefit everyone.

Data Protection and Privacy

77. The completion of data protection impact assessment (DPIA) screening questions evidenced there would be no processing of personal data, special categories of personal data or criminal offence data processed, so there is no requirement to complete a DPIA.

Communications

78. Environmental Protection will work with CYC's communications and engagement team to address any press or public interest in the proposals and to communicate boundary changes. CYC's website will be updated to reflect any changes made to the SCA boundary and CYC will continue to undertake seasonal campaign work to raise awareness of smoke emissions and impacts on health.

Economy

79. Reducing emissions and improving air quality will reduce exposure to harmful air pollutants which can increase the symptoms of chronic and acute illnesses and increase the risk of hospital admissions. Improving air quality will reduce absence from work and education due to air pollution related illnesses. A healthy York population is critical to achieving the economic aspirations of the city.

80. Air pollutants also affect the built and natural environment, which underpins people's quality of life and forms a key part of how the

city is perceived by those who live, work and visit. Protecting and enhancing these environments for existing and future generations is a key priority for the council and our residents.

Property

81. The geographic boundary of any new Smoke Control Order will be reflected on CYC's Geographic Information System (GIS) and therefore reflected in any 'Local Land Charges' search.

82. Any CYC properties included within the new boundary would be subject to the requirements of the Smoke Control Order.

Risks and Mitigations

83. CYC's approach to improving air quality is evidence based, proportionate and targeted. Comments and objections to the new SCA order have been considered on a case-by-case basis by officers and CYC's response to each of the themes raised are presented in the Consultation Summary at Annex C (specifically see CYC's responses at question 16).

Wards Impacted

84. The majority of areas within the outer ring road as well as all of Haxby and Wigginton are already covered by the existing SCA. A map showing the SCA boundary can be viewed at https://www.york.gov.uk/SmokeControlAreas. The proposed new SCA boundary would cover the whole of CYC's administrative area and as such would affect all wards.

Contact details

For further information please contact the author of this Decision Report.

Author

Name:	Mike Southcombe
Job Title:	Environmental Protection Manager
Service Area:	Public Protection
Telephone:	01904 551514
Report approved:	Yes
Date:	30/09/2025

Background papers

- **Environment Act 2021** – available online at: https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted
- **Environment Act 2021 (Explanatory Notes) –** available online at: https://www.legislation.gov.uk/ukpga/2021/30/pdfs/ukpgaen_20210030_en.pdf
- **Clean Air Act 1993** – available online at: https://www.legislation.gov.uk/ukpga/1993/11/contents

Annexes

- **Annex A** – Boundary of existing smoke control area and distribution of homes that have solid fuel appliances
- **Annex B** – Proposed smoke control area (extended to CYC boundary)
- **Annex C** – Consultation Summary
- **Annex D –** Full responses to survey question 16 (other comments)
- **Annex E** - Equalities Impact Assessment (EIA)
- **Annex F –** Draft City of York Council Smoke Control Order (2025)

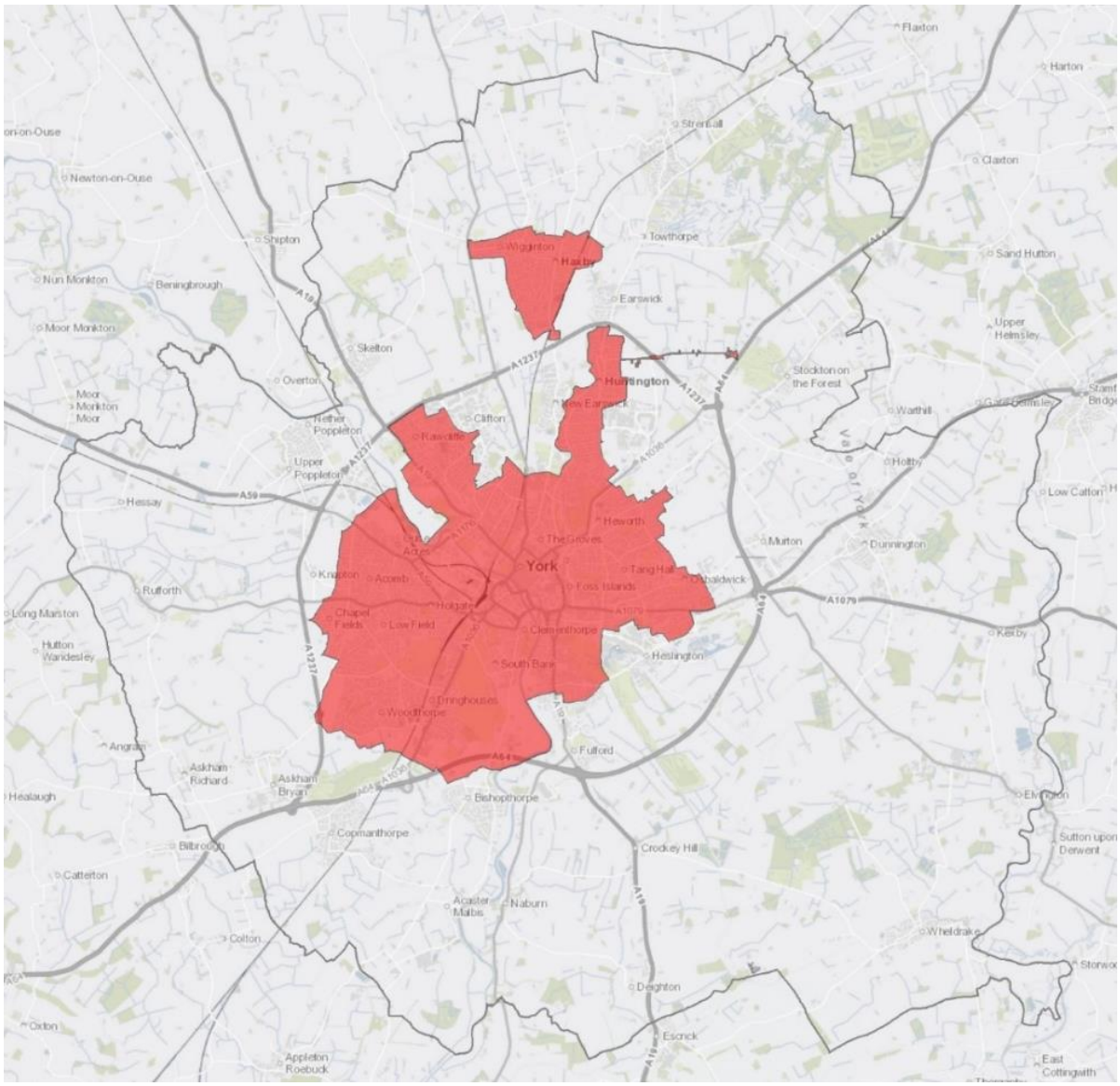
List of Abbreviations Used in this Report:

DEFRA	Department of Environment Food and Rural Affairs
CYC	City of York Council
µg/m^3	Micrograms per cubic metre
NO_2	Nitrogen dioxide
NO_x	Nitrogen oxides
PM	Particulate Matter
PM_{10}/$PM_{2.5}$	Particulate Matter up to 10 microns / 2.5 microns
SCA	Smoke Control Area
CAA 1993	Clean Air Act 1993
EA 1995	Environment Act 1995
EA 2021	Environment Act 2021
LAQM	Local Air Quality Management
COMEAP	Committee on the Medical Effects of Air Pollutants
EPC	Energy Performance Certificate

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Annex A

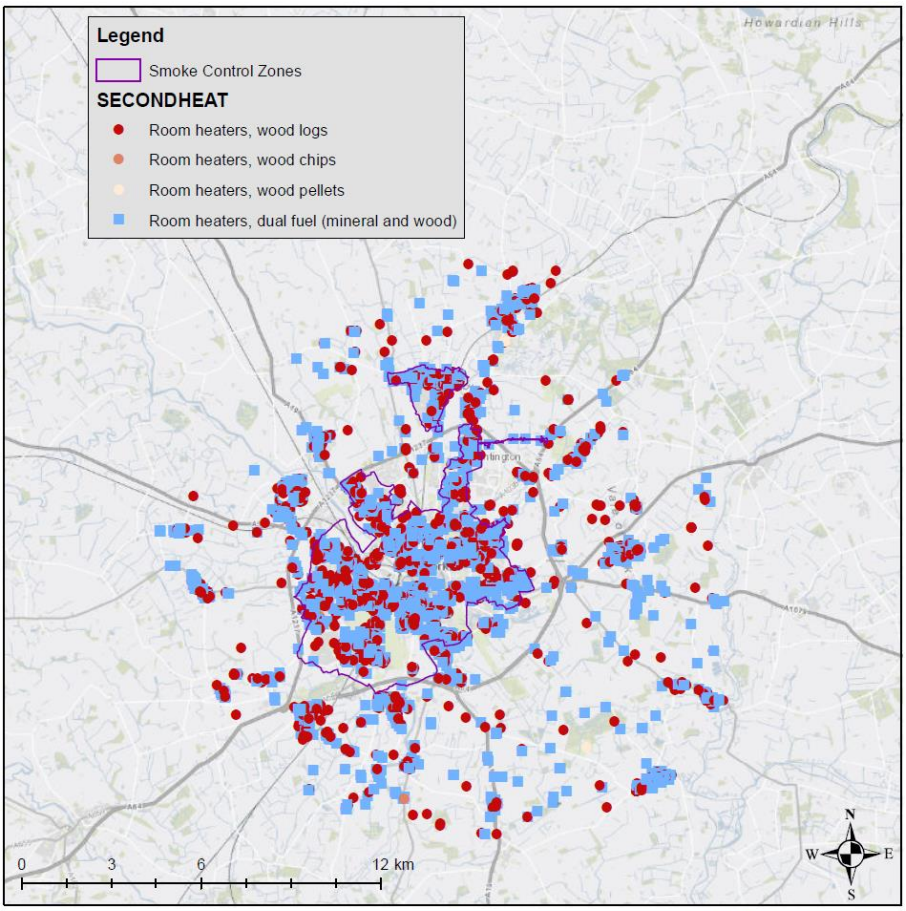
Figure A1: Boundary of Existing Smoke Control Area (SCA)

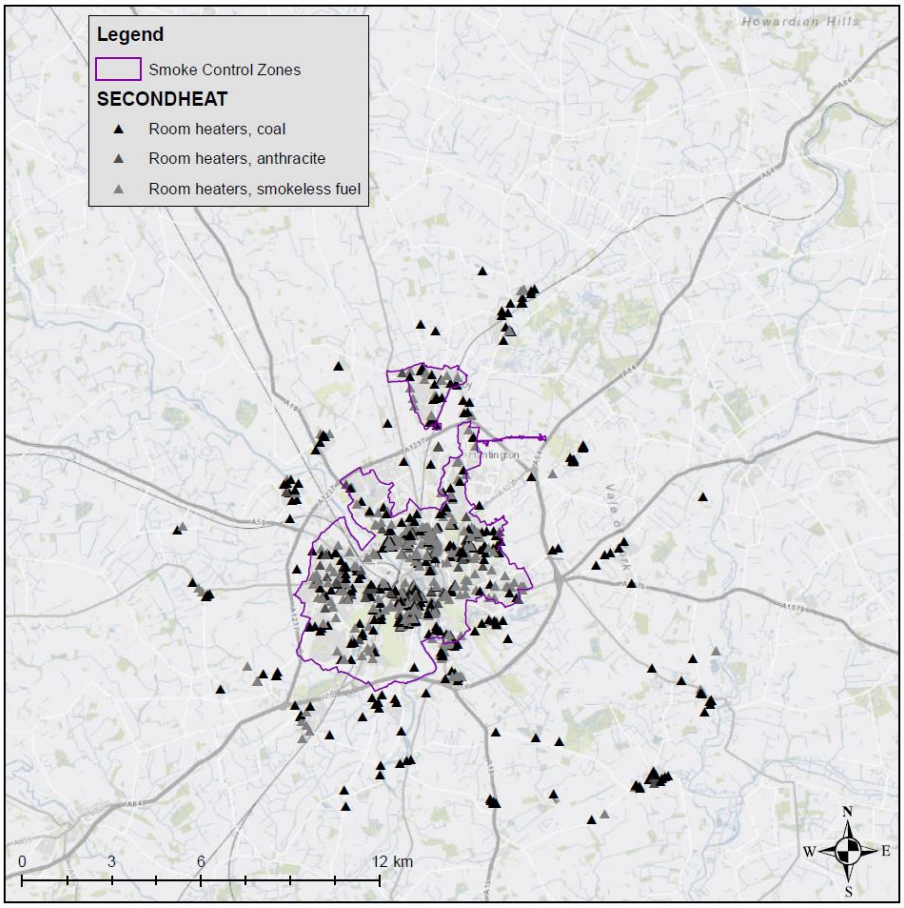


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Area covered by CYC's existing Smoke Control Orders

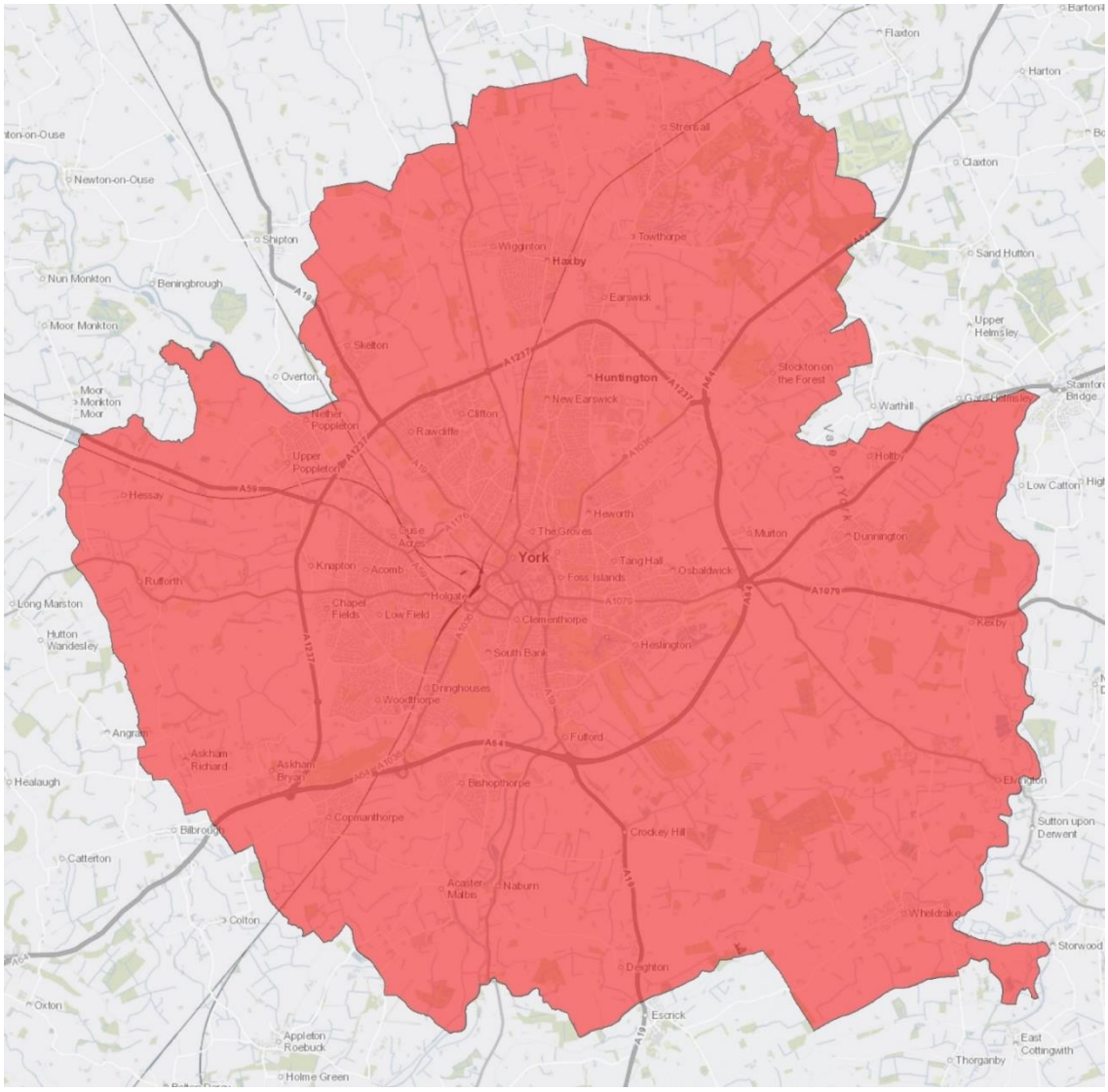
Figure A2: Distribution of homes that have solid fuel appliances





Annex B

Figure B1: Proposed smoke control area (extended to CYC boundary)



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Area to be included in the proposed CYC Smoke Control Area 2025

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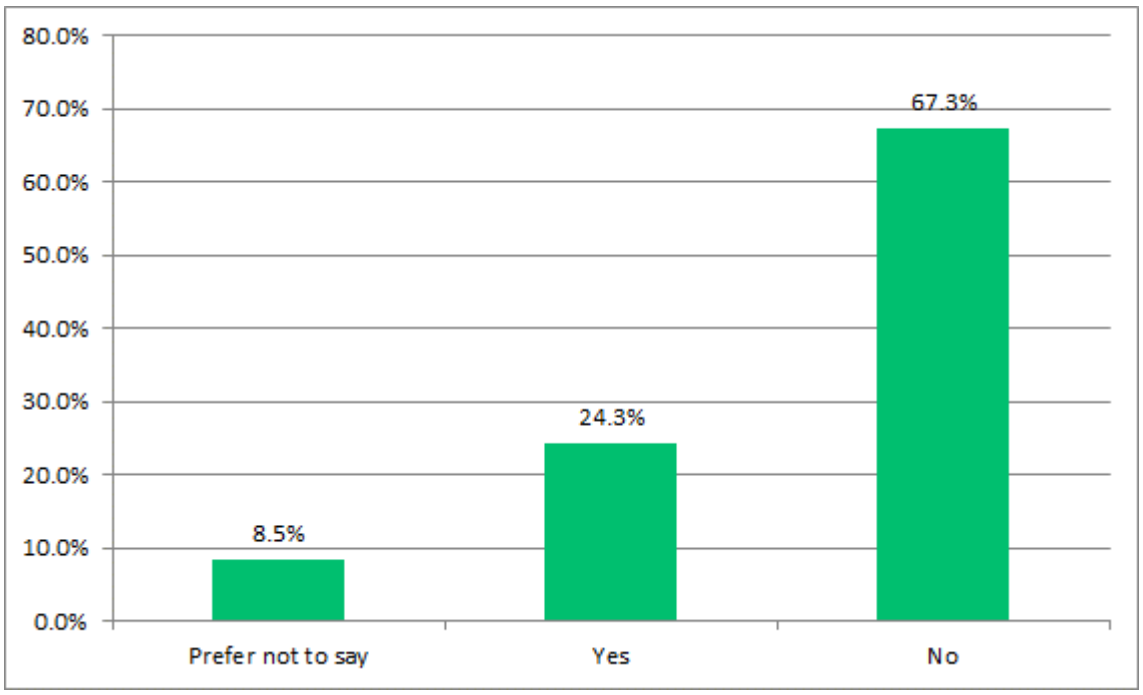
Smoke Control Area Consultation - Summary of Responses

1. Do you confirm that you have read and understood the privacy notice?

297 respondents (99.7%) answered 'Yes' and 1 person (0.3%) answered 'No'. Respondents were required to answer 'Yes' to continue with the survey.

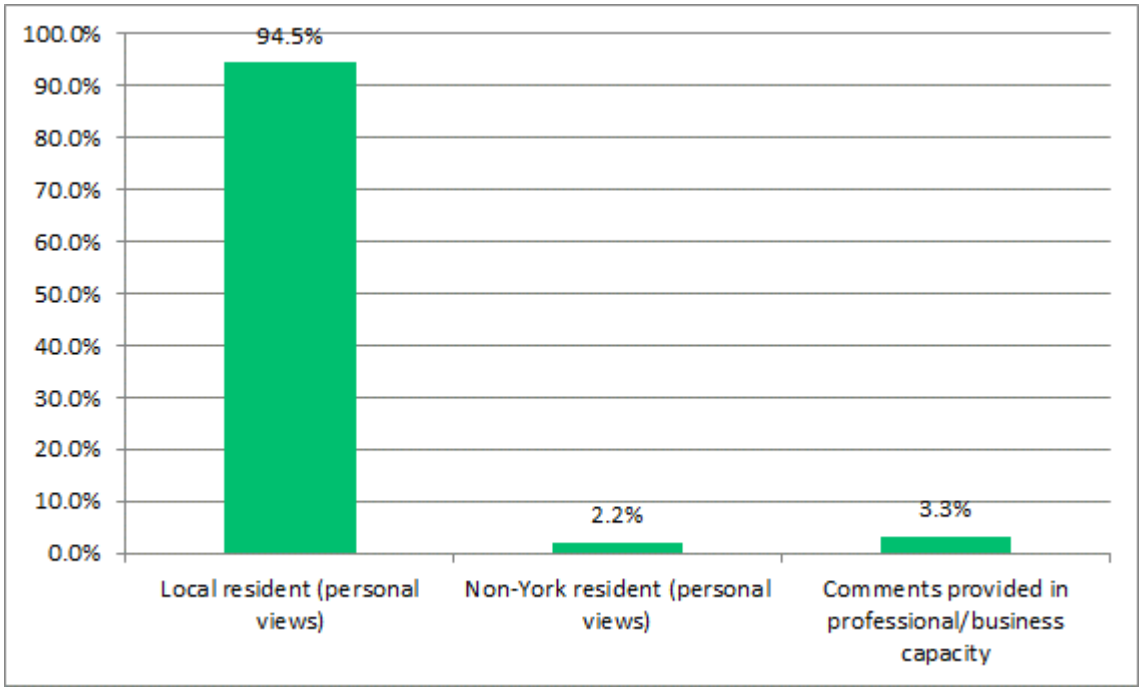
2. Whilst air pollution can affect everyone's health, do you, or anyone in your household, have any health conditions that may be made worse by poor air quality (e.g. respiratory conditions such as asthma or heart disease)?

272 respondents answered this question and 26 people skipped this question



3. Respondent type

A total of 274 responses to the survey were received from 259 York Residents (94.5%), 6 non-York residents (2.2%), and 9 people (3.3%) responding in a professional / business capacity (including Dunnington Parish Council, Earswick Parish Council and Stockton-on-the-Forest Parish Council). No specific business names were provided from those responding in a professional / business capacity.



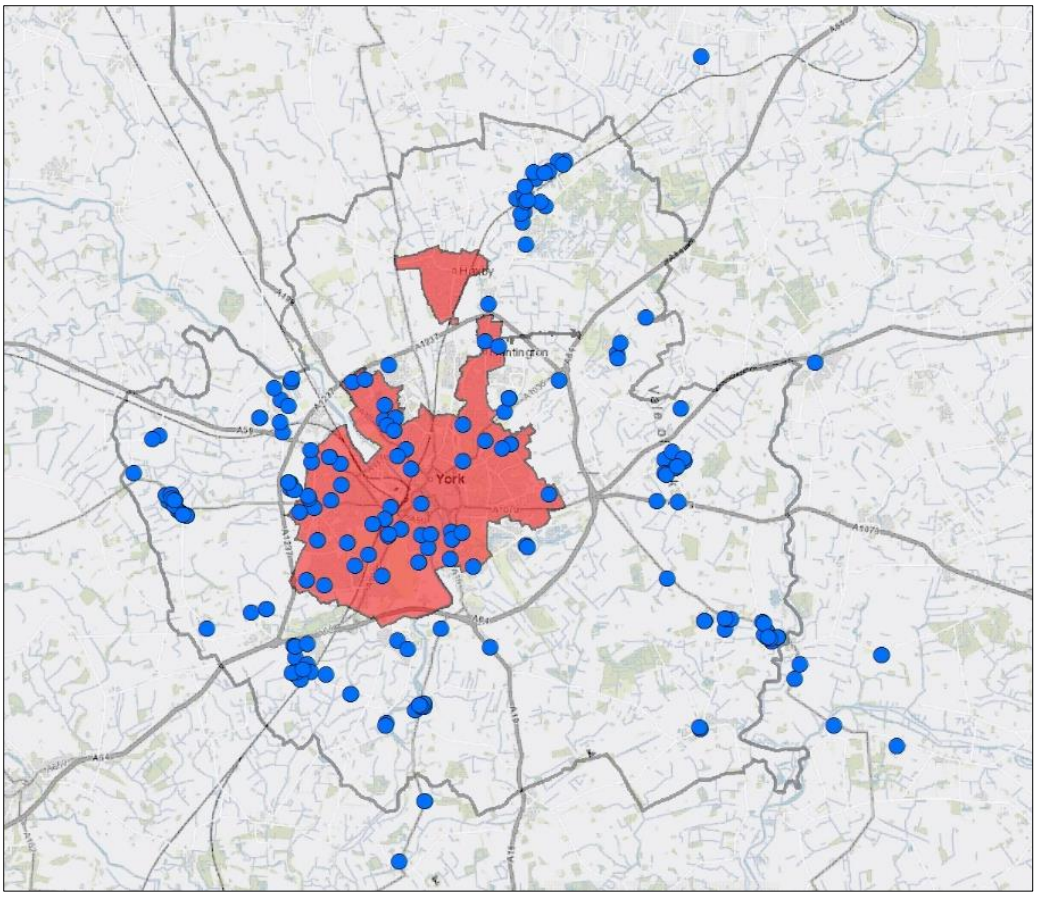
An additional 23 written responses to the consultation were received via email / letter from 19 residents, 3 Parish Councils and 1 CYC Councillor.

4. Postcodes

The figures below show the approximate distribution of responses (blue dots) covering the immediate vicinity of York[1]. The existing SCA is shaded red.

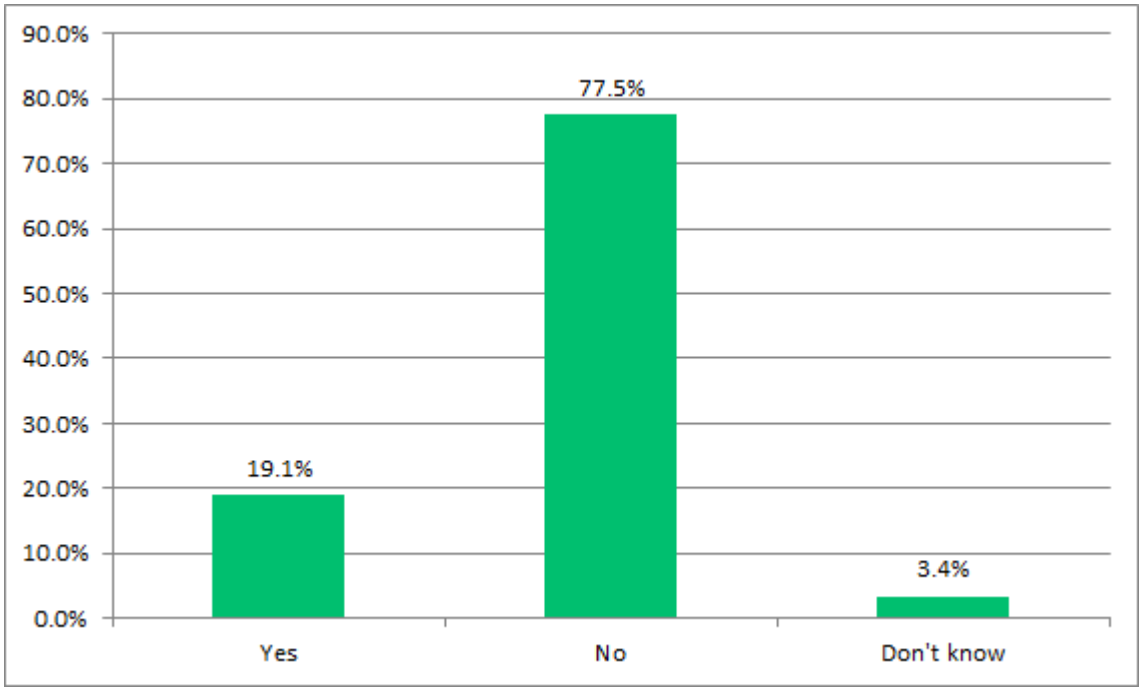
Outside the immediate vicinity of York, 2 responses were also received from the locations of Itchen Abbas (Winchester) and Beverley.

[1] Some postcodes (20 out of 264 responses) had to be 'cleaned' to allow plotting (as they were either incomplete or wrong / mistyped). For these records, the exact location has been inferred, for example, YO30 becomes YO30 4XZ.



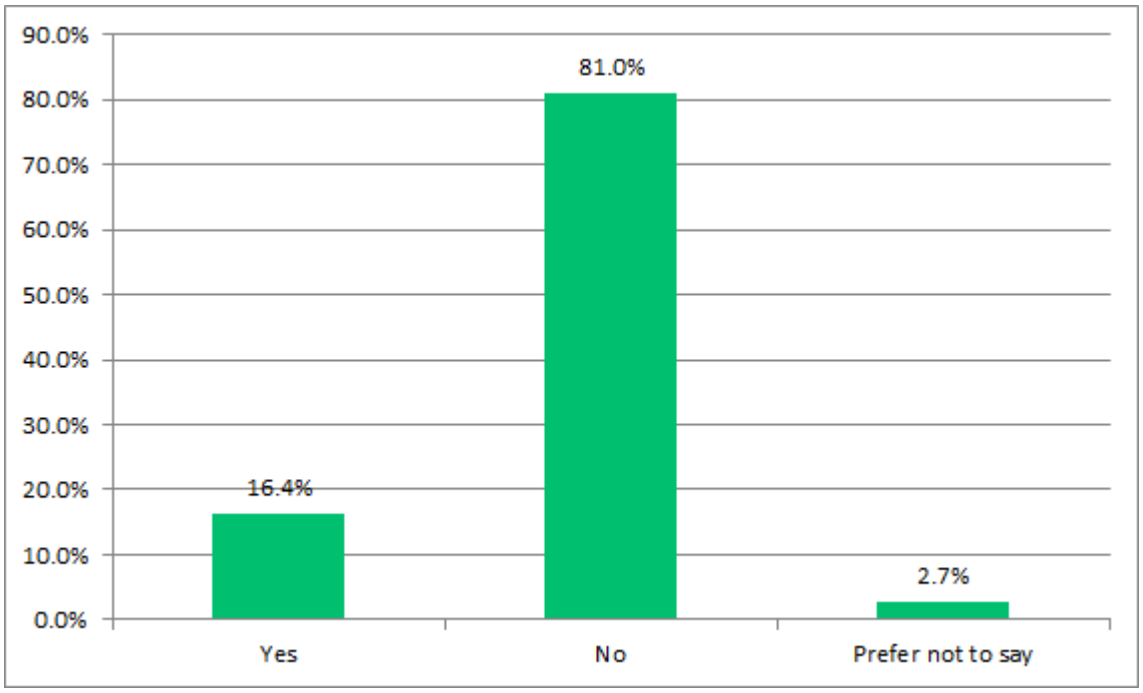
5. Do you live in the existing Smoke Control Area?

Of the 262 responses to this question, 50 (19.1%) lived within the existing Smoke Control Area, 203 (77.5%) lived outside the existing Smoke Control Area and 9 (3.4%) did not know if they lived within the existing Smoke Control Area.



6. Have you ever suffered from a nuisance problem related to smoke from a chimney in your local area?

Of the 263 responses, 43 (16.4%) had suffered from a nuisance problem related to smoke from a chimney, 213 (81.0%) had not suffered from a nuisance problem related to smoke from a chimney and 7 (2.7%) preferred not to say.



The issues mentioned in this question related mainly to neighbouring and nearby properties burning wood/logs (sometimes wet) in open fireplaces and wood burning stoves, causing smoke and odour nuisance. In some cases, this had prevented occupants opening windows (or using window trickle vents), using mechanical ventilation systems (designed to extract stale air and provide fresh air to their property) or undertaking duties in the garden / on the driveway of their own properties. Some respondents stated that the nuisance has made their gardens unusable.

Some respondents specifically outlined that the smoke from neighbouring properties had aggravated respiratory issues for themselves and children in their households.

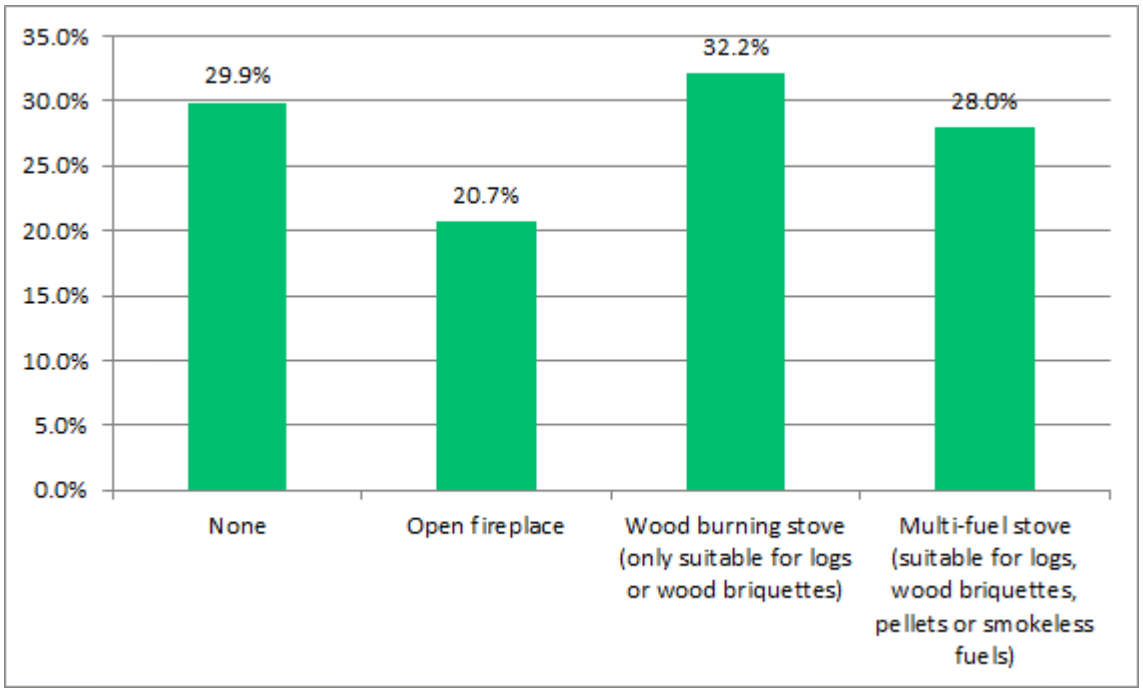
Respondents also mentioned the use of a chimineas and garden bonfires at neighbouring properties resulted in smoke and foul odour (note: neither of these issues are covered by smoke control legislation, but can be dealt with through statutory nuisance powers).

7. Do you have any of the following at your home?

There were 261 respondents to this question, some of which indicated they had multiple solid fuel burning appliances at home.

Of the 261 respondents, 54 (20.7%) indicated open fireplaces, 84 (32.2%) had wood burning stoves, 73 (28.0%) had multi-fuel stoves (suitable for wood and other

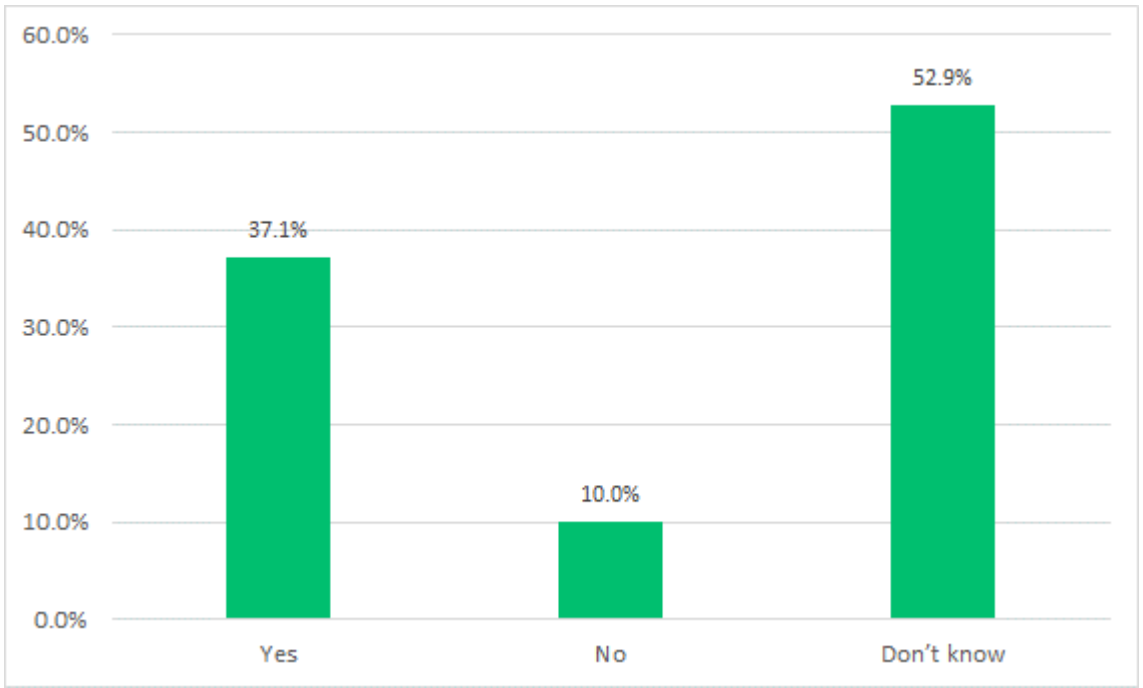
manufactured smokeless solid fuels). The remainder (29.9%) had no solid fuel burning appliances at home.



Note on above – sum of percentages is greater than 100% as some respondents indicated multiple solid fuel burning appliances at home.

8. If you own a stove, it is approved by DEFRA (Department for Environment, Food and Rural Affairs) (i.e. is it on DEFRA's list of exempt appliances)?

Of the 140 people who owned stove, 52 (37.1%) said their stove was 'exempt' (i.e. DEFRA approved), 14 (10%) said their stove was not 'exempt' and 74 (52.9%) did not know.



9. Which of the following statements most accurately reflects how you use your solid fuel burning appliance:

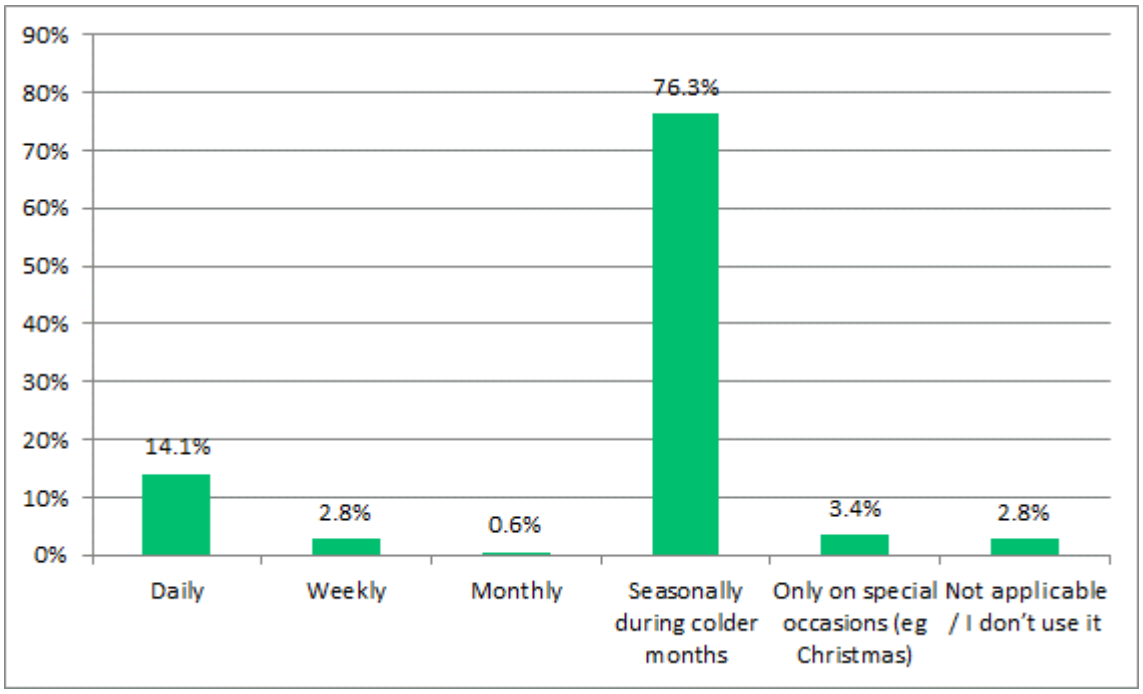
Of the 169 respondents who burned solid fuels, the majority (81.1%) did so to supplement other forms of heating they available (e.g. gas central heating). They did this mainly to save money and / or to create a cosy atmosphere at home.

30 respondents (17.8%) of people burned solid fuels for heating and stated they had no mains gas supply / no other means of heating. A number of people stated that whilst their houses had no mains gas, they did have oil fired boilers and the use of wood was to save on the cost of heating oil. Others referenced the cost of gas or LPG caused a move towards burning solid fuels. Other comments received related to views that burning wood was zero carbon or the fact their property was too cold if they relied on gas central heating alone.

2 respondents (1.2%) specifically said they burned solid fuels for other reasons. Reasons given were to heat water (via a back boiler) and another mentioned burning to use up logs created when trees were felled / pruned on their land.

10. How often do you use your open fire or solid fuel stove?

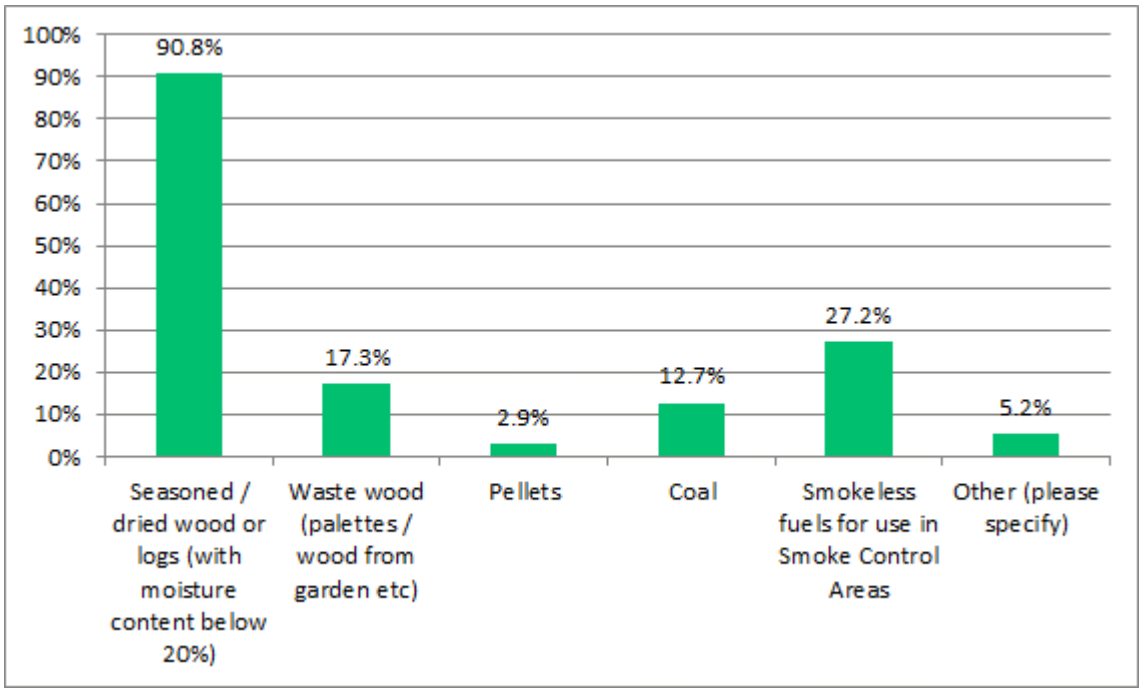
The vast majority (76.3%) of the 177 respondents who answered this question used their open fire / solid fuel stove seasonally during colder months, the full breakdown is shown in the figure below.



11. Which solid fuels do you burn? Select all that apply

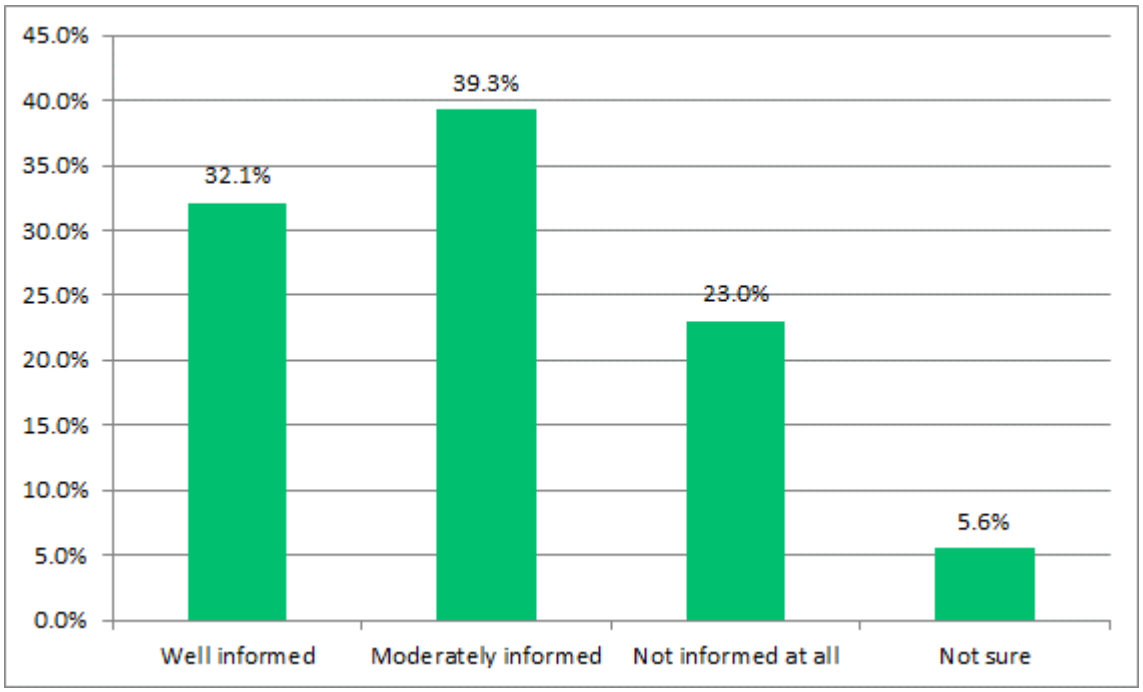
There were 173 respondents to this question, some of which indicated they burned more than one type of solid fuel. Most respondents (90.8%) used seasoned / dried wood or logs with 27.2% of people using smokeless fuels. Waste wood was used by 17.3% of respondents with 12.7% still using coal, despite this now being banned in England for retail sale.

Other fuels mentioned were ‘briquettes’, ‘hotties <8% moisture’ and ‘seasoned’ wood.



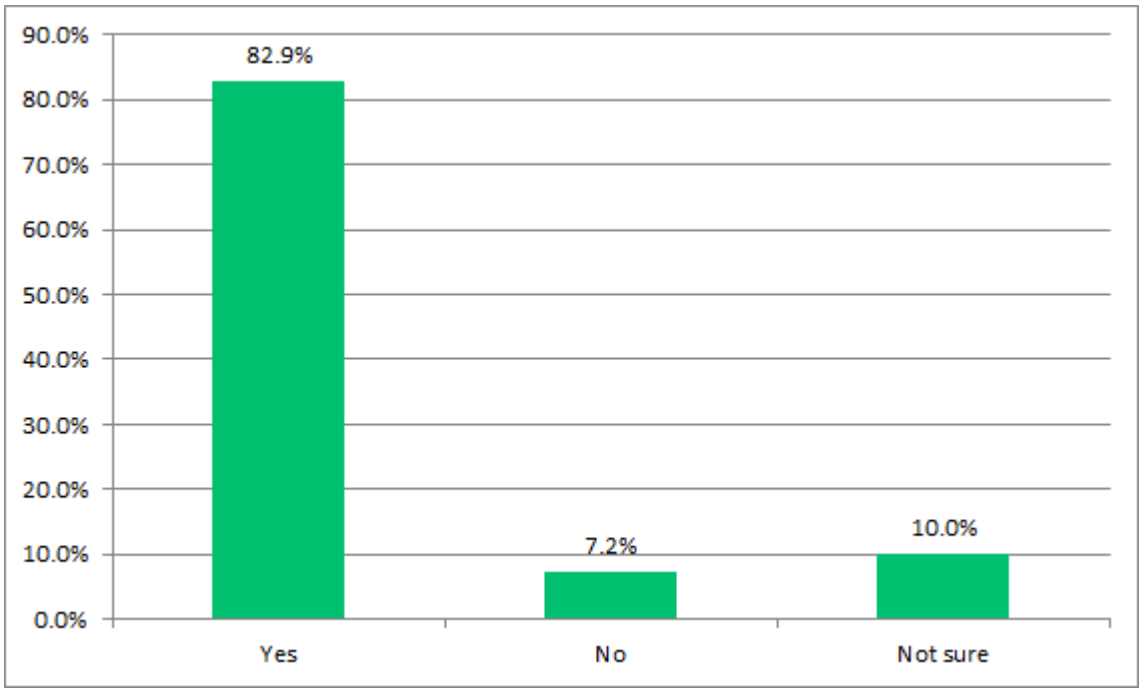
12. How well informed are you with regards to what you are or are not allowed to burn within a Smoke Control Area?

252 respondents answered this question. Most people (39.3%) were ‘moderately informed’ with 32.1% being ‘well informed’. 23% of respondents were ‘not informed at all’ and 5.6% were ‘not sure’.



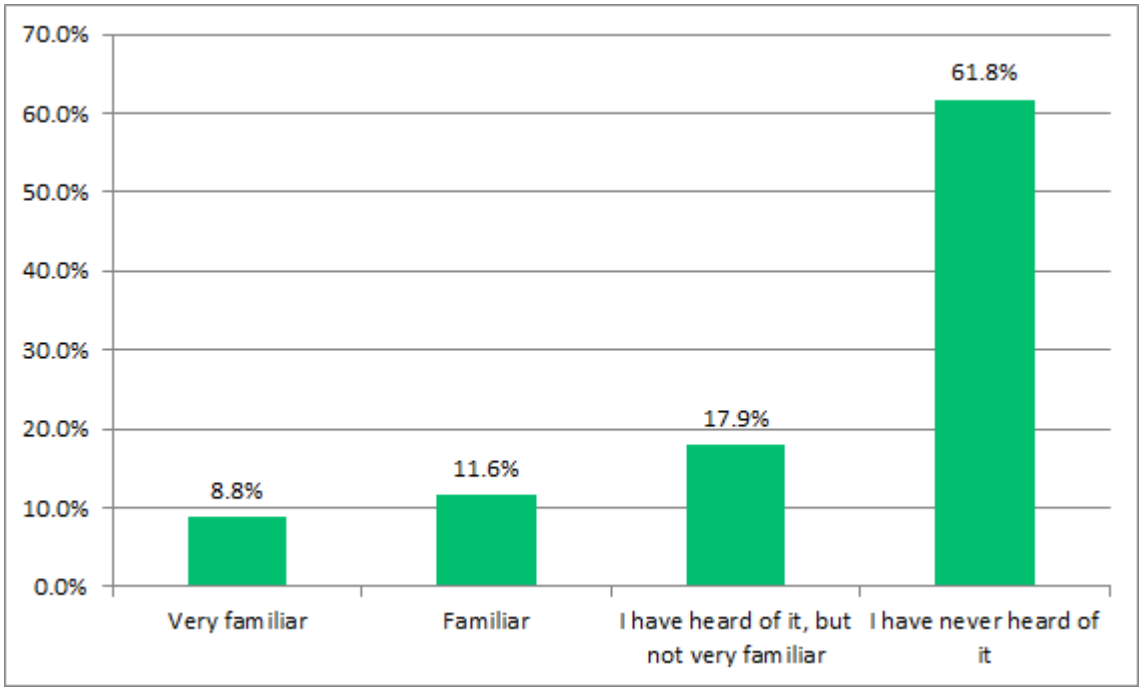
13. Did you know that breathing in smoke from wood burning stoves and open fireplaces can affect human health?

Of the 251 respondents to this question, most people (82.9%) were aware that breathing in smoke from wood burning stoves and open fireplaces can affect human health, with 7.2% being unaware and 10% being unsure.



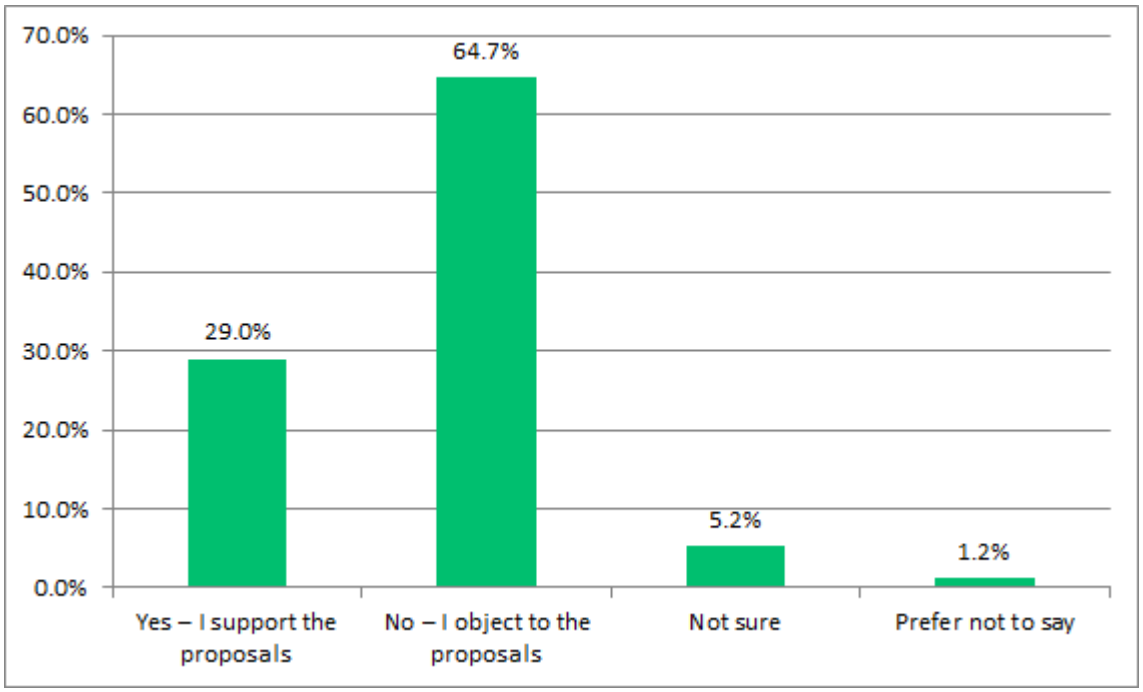
14. How familiar are you with City of York Council's awareness campaign "Fuel for Thought", launched to educate and inform people who use wood burning stoves and open fireplaces on the harms they cause, and ways to reduce their impact?

Of the 251 respondents to this question 38.2% of people had heard of the campaign and 61.8% had not heard of the campaign. Of those that had heard of the campaign, 20.3% of people stated they were 'familiar' or 'very familiar' with the campaign content.



15. Most areas within the York outer ring road as well as all of Haxby and Wigginton are already covered by Smoke Control Areas. Most areas outside the outer ring road are not contained within the Smoke Control Area boundary. Do you support expansion of the Smoke Control Area to cover the whole of York to improve local air quality and health?

Of the 252 respondents to this question, 29.0% of people supported the proposals, 64.7% did not support the proposals, 5.2% were not sure if they supported the proposals and 1.2% preferred not to say.



16. If you have any further comments on the proposals please write them below

A total of 138 respondents provided further comments on the proposals. Comments were made both in support and in objection to the proposals. The general themes and issues raised by those who objected to the proposals (and CYC's response to each) are summarised below, under the following themes:

- Practical considerations
- Awareness and enforcement
- Economic considerations
- Evidence base

Annex D presents the full responses to this question and other general comments received during the consultation period (via email and via comments obtained via the consultation webpages on CYC's website).

The responses to this question revealed some apparent misunderstanding of the proposals. A number of respondents assumed CYC were proposing to ban solid fuel burning outright, despite consultation materials stating that this was not the case.

Practical considerations

Solid fuel systems are more practical for rural heating and offer reliability during power outages

There are no proposals to ban solid fuel heating systems, which City of York Council recognise provide essential heat for some homes and offer resilience during power outages.

Concerns that people with log burners will no longer be able to use them should the smoke control area be expanded.

Wood burners can continue to be used in smoke control areas, provided they are approved by DEFRA and appear on the list of exempt appliances. Multi-fuel stoves can be used to burn fuels other than wood, so smokeless fuels are an alternative to wood in these stoves.

Concerns that people who burn coal will be affected by the proposals.

Traditional house coal, also known as bituminous coal, is already banned from being sold for domestic use in England. Working farms and businesses (e.g. pubs with open fires) are exempt and can therefore still purchase coal for use on open fires outside a smoke control area. Such businesses could still use open fires if the smoke control area is expanded, but they would have to burn smokeless coal / manufactured smokeless fuels instead.

It is impossible to keep my home a habitable temperature without the use of my open fireplace. The house is around 100 years old and insulating to a modern standard would be financially impossible.

CYC is not proposing a ban on the use of open fireplaces. In open fires residents can burn authorised fuel (i.e. usually sold as 'smokeless' fuel). The list of authorised fuels is here: https://smokecontrol.defra.gov.uk/fuels-php/england/

Smokeless coal does not throw out heat the way coal does and there is a requirement to use seasoned logs for extra heat

Smokeless coal, while designed to reduce smoke emissions, can sometimes produce insufficient heat if not used properly. Several factors can contribute to this, including insufficient airflow, insufficient quantity of fuel used, presence of moisture on fuel, or an improperly sized or maintained stove. Solid fuel suppliers can offer advice on the correct storage and use of smokeless fuels to maximise heat output and efficiency.

Using seasoned logs as kindling is useful to get a smokeless fuel fire started and to supplement it as there are few flames from smokeless fuel and logs add to the reach of the heat from the fire

It should be noted that burning solid fuels, even in exempt appliances, is unlikely to be completely 'smoke free' from the outset and most appliances will have a period of 'start-up' where there may be unavoidable emissions of smoke for up to 15 minutes as an appliance reaches operational temperature. CYC's Smoke Control Enforcement Policy allows officer discretion for start-up smoke for up to 15 minutes.

We only burn logs from trees on our own land, from fallen trees or ones pruned by a tree surgeon. It is irrational not to use this free resource

Correctly seasoned logs can still be burned in a suitable appliance within a Smoke Control Area. The moisture content of wood can be checked with a moisture meter.

Awareness and Enforcement

Domestic chimney smoke is not an issue in our area

CYC has a legal duty to investigate complaints of smoke emissions. Whilst the severity of smoke and its potential to cause nuisance can be subjective, the cumulative impact of smoke emissions across CYC's area can be significant. Vulnerable people, including older people, children, pregnant women and those with respiratory and other illnesses, are more likely to be adversely affected by poor air quality caused by burning solid fuels. However, enforcement of smoke control area regulations will improve general air quality across York and will therefore benefit everyone. CYC will only take enforcement action when it is proportionate and in the public interest to do so, in accordance with the Council's enforcement policy. There may be valid reasons why a financial penalty would not be imposed for smoke control contraventions; such reasons will be assessed on a case-by-case basis.

CYC should focus on making sustainable low-emission solid fuels more affordable and accessible; to ban the sale or resale of non-compliant burners and fuels, except by exemption

It is not within CYC's power to ban the sale of specific stoves and fuel. Local authorities regulate the sale of domestic solid fuels in accordance with The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020. Smokeless fuels (and 'Ready to Burn' wood/logs) are readily available across CYC's area.

CYC should raise awareness around what residents can and cannot do in a Smoke Control Area as there is confusion around the use of chimineas, BBQs, bonfires etc

CYC has previously undertaken seasonal promotion of the rules for Smoke Control Areas and maintains information on the CYC website about this topic. Further publicity will be undertaken on any approved expansion of the smoke control area.

The rules for smoke control areas do not apply to:

- outdoor barbecues or chimineas
- outdoor fireplaces, firepits or pizza ovens
- garden bonfires

Complaints relating to these are dealt with under the Environmental Protection Act 1990. Further information is available at https://www.york.gov.uk/BonfiresAndSmoke

If you are going to extend the Smoke Control Areas you need to effectively enforce the existing areas, extend the existing boundaries where there is new housing. Stop anyone who has fitted central heating from using coal, wood or smokeless fuel.

It is outside CYC's legislative remit to stop residents burning solid fuels as a secondary heating source, but CYC *can* enforce smoke emissions within the Smoke Control Areas.

In line with CYC's Smoke Control Enforcement Policy, CYC undertake a staged approach to enforcing smoke emissions, with warning letters being sent to alleged perpetrators in the first instance, offering advice on best practice and mitigation.

CYC Environmental Protection are consultees on planning applications where there is the potential for significant emissions to air and will work with Planning colleagues and applicants to ensure that smoke emissions and potential for canyoning are minimised as far as practically possible.

There should be more awareness around what kinds of fuel are available and more help for purchasing the right kind of wood and alternatives where possible. I think warnings should go on wood packets like with cigarettes.

The Ready to Burn mark on retail packaging helps consumers to easily identify solid fuels that are legal to burn at home in compliance with the new Air Quality Regulations. The scheme makes it easy for people to find the cleanest fuels for burning at home. Using fuels that are approved and labelled as Ready to Burn also ensures compliance with Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 that outlaw the sale of wet wood and house coal, which are the most polluting fuels. CYC undertake seasonal promotion around the use of

appropriate ‘Ready to Burn’ solid fuels and investigate sales of non-authorised solid fuels / complaints of non-compliance.

Extending the area will serve little purpose unless punitive action is taken against offenders.

CYC will investigate all complaints of smoke and enforce any breaches of the smoke control requirements in accordance with CYC’s approved Enforcement Policy. In line with this policy, CYC will take enforcement action when it is proportionate and in the public interest to do so.

Inconsistency in exemptions for outdoor burning (the fact that the rules for SCAs do not apply to outdoor barbecues/chimineas/firepits/pizza ovens etc) even though these can also contribute to particulate pollution.

The Clean Air Act 1993 Part III sets out the rules and regulations for SCAs, which only apply to the release of smoke from chimneys attached to buildings. Outdoor barbecues/chimineas/firepits/pizza ovens etc are not covered by this legislation, but nuisance smoke from such appliances can be dealt with under the Environmental Protection Act 1990.

I would prefer an outright ban on wood burners due to respiratory health

The government is not considering a ban on domestic burning in England and as such a ban on the use of wood burners in York is not being considered as part of the current proposals.

This control will only be any use if it is enforced which I doubt it will be. Who is going to check that people are conforming and enforce this late in the evenings?

CYC can investigate all complaints of smoke but is largely reliant upon complaints from nearby residents and officers of the council witnessing smoke emissions. CYC will enforce smoke control rules in accordance with the council’s approved Enforcement Policy, at all times of day.

More education and enforcement is needed.

CYC’s ‘Fuel for Thought Campaign’, launched in November 2023, focuses on the negative impacts of burning solid fuels on air quality and health. The campaign aims to raise awareness of the dangers associated with open fires and wood-burners, emphasizing the need for cleaner and more efficient heating practices. The campaign resulted in improved understanding and awareness of a range of pollutant sources and impacts on both indoor / outdoor air quality and links to health. Campaign resources will be used for seasonal promotion of the rules around smoke control areas with ongoing enforcement in response to complaints.

The expansion of the smoke control area will be redundant if people in the new areas are not sufficiently informed as they won’t know that anything has changed.

Further publicity of any new Smoke Control Areas will be undertaken should the area be expanded. This will include members of the public and local suppliers of solid fuels. The geographic boundary of any new Smoke Control Order will be reflected on CYC's Geographic Information System (GIS) and therefore reflected in any 'Local Land Charges' search.

Concerns around inadequate consultation, publicity and information on how to object to the revised Smoke Control Area Order.

CYC undertook a 6-week public consultation from 22 April to 3 June 2025. This consultation was in line with DEFRA guidance and activities undertaken went significantly above and beyond statutory minimum requirements. The consultation included:

- Production of a series of accessible consultation webpages to provide further information on the proposals and background information. A 'consultation summary' document was also produced, with hard copies available on request to those not digitally enabled.
- Printed copies of consultation materials draft Smoke Control Orders (and maps) were made available for public inspection at West Offices throughout the consultation period.
- An online survey was made available via the CYC Consultations webpage. Hard copies of the survey were made available via West Offices reception and upon request.
- A press release on 22 April 2025 with further articles on this topic also appearing in York Press online on 13th, 19th and 24th March 2025.
- In line with statutory DEFRA guidance, a public notice was placed in the London Gazette and York Press on 8 April and 15 April 2025, stating that CYC proposes to make an order to expand the SCA (and outlining its general effect) with details of how to comment.
- Physical copies of the notice were placed at 32 locations outside the existing SCA throughout the consultation period to ensure people who may be affected are aware of the proposal. Locations were placed across outlying villages. The notice was drafted by CYC Legal in line with statutory requirements.
- Promotion via residents' newsletters issued by CYC's Marketing and Communications team throughout the consultation period, including the Families Newsletter (issued 24 April 2025 and 22 May 2025), Resident update (issued 1 May and 15 May 2025) and the Health and Wellbeing Newsletter (issued 7 May 2025).
- Promotion via CYC's social media channels throughout the consultation period, including Facebook.
- Copies of consultation posters displayed across all CYC libraries.

- Additional notification of the consultation was sent directly to other relevant stakeholders including Department for Environment Food and Rural Affairs (DEFRA), York Travellers Trust (YTT), neighbouring local authorities and York based suppliers of solid fuels.
- CYC's Supported Housing Manager / Traveller and Gypsy Site contacts were made aware of the consultation and asked to signpost residents with solid fuel burning appliances to the consultation.
- Notification of the consultation was sent directly to all CYC Councillors and Parish Councillors on 22 April 2025.

In addition to the above, CYC's Environmental Protection team were available to answer questions on the consultation over the phone, in person by appointment, or by email during the consultation period.

The regular burning of cable at the Osbaldwick & Gypsy Caravan Site and the previous burning of scrap fridges/freezers that saw no enforcement action by CYC will have and has had a much greater impact on local air quality than more restrictions on wood burning

Cable burning and periodic burning of scrap materials outdoors is not within scope of Smoke Control Rules under the Clean Air Act. Any complaints relating to such activities are fully investigated by CYC Environmental Protection with enforcement action progressed where sufficient evidence is available.

Economic considerations

With the cessation of winter fuel allowance for pensioners, any further restrictions would be very punitive.

Following an announcement in early June 2025, Winter Fuel Payments will be reinstated to all pensioners in England and Wales this winter (2025).

Concerns for areas with no gas supply where people may still rely on LPG, oil or solid fuel for heating

CYC recognises that some rural communities use solid fuels for practical and economic reasons, particularly where homes do not have mains gas supply.

CYC is not proposing a ban on burning solid fuel / wood / logs / oil / LPG. Households in smoke control areas can still burn wood and other solid fuels. It should be noted that traditional house coal, also known as bituminous coal, is already banned from being sold for domestic use in England.

In smoke control areas, there are two options:

- If residents wish to burn wood / logs etc they need to use an exempt appliance. These appliances are approved by DEFRA. The searchable list of over 3000 exempt appliances for the UK is available here: https://smokecontrol.defra.gov.uk/appliances-php/appliances-phpcountryengland/

- In open fires etc (or non-exempt stoves) residents can burn authorised fuel (i.e. usually sold as ‘smokeless’ fuel). The list of authorised fuels is here: https://smokecontrol.defra.gov.uk/fuels-php/england/

Where existing stoves are not DEFRA approved, they can remain in place, but people would have to burn smokeless fuels (if the appliance is multi-fuel) or upgrade their appliances where this is not possible. Dedicated wood burning appliances are designed for wood only, but many models can be converted to multi-fuel with an optional manufacturer supplied kit which allows the burning of smokeless fuels. CYC would assist any affected residents by signposting to relevant sources for advice.

Most appliances will have a period of ‘start-up’ where there may be unavoidable emissions of smoke for up to 15 minutes as an appliance reaches operational temperature. CYC’s Smoke Control Enforcement Policy takes account of start-up emissions and CYC would not take action in these circumstances.

Proposal should not be considered due to current fuel prices / cost of utilities for heating / cooking

CYC recognise there must be a balance between the environmental and health benefits of the proposal and any potential harm caused by the economic impacts for residents. As explained above, CYC is not proposing a ban on burning solid fuel / wood / logs / oil / LPG.

It is not anticipated that expansion of the Smoke Control Area will require many residents who use solid fuels as a secondary heat source to invest in new appliances, but it is acknowledged that some users may be required to switch to burning smokeless fuels (if they wish to continue to use open fires or non-exempt multi-fuel stoves and previously burned wood); there may be cost implication, especially where users previously used scavenged wood from their own estates or wood gifted for free.

Residents struggling with the cost of heating will be signposted to advice on accessing financial and practical help on heating their homes. We recognise that some low-income households may burn non-compliant solid fuels due to rising energy costs. CYC will take a proportionate approach, on a case-by-case basis, to those who are burning non-compliant solid fuel for financial reasons and who are unable to afford an alternative means of heating. CYC will only take enforcement action when it is in the public interest to do so, in accordance with the Council’s Enforcement Policy

The proposal to expand the SCA to the whole of York will:

- provide clarity for the public in terms of the rules for burning, which are currently different in different areas of York.
- ensure the council has a consistent approach to dealing with smoke emissions across the whole of York. This includes areas allocated for development in the Local Plan.
- act as a deterrent to burning non-authorised fuels or using appliances / stoves that are not approved by DEFRA, which can make air quality worse.

- demonstrate CYC's commitment to working towards national targets for fine particulate matter ($PM_{2.5}$) to provide cleaner air for all residents.
- complement the council's other air quality improvement activities and emission reduction policies to help us reduce levels of particulate pollution that can affect public health.
- support the council's carbon reduction programme.

There should be a grace period to allow existing fires/stoves to be upgraded or replaced, or for trying different fuels

In line with the statutory Clean Air Act requirements, any new Smoke Control Order cannot come into effect less than six months after it is made. This would effectively allow a grace period of 6 months for any affected residents to explore / trial the use of alternative smokeless fuels.

The provisional date for the proposed order to come into effect is 25th May 2026 (this aligns with the date of the revocation order for the existing smoke control areas declared prior to November 1980).

Our central heating system is fully dependent on our multi fuel stove - it also heats the water for the house - we can't afford to change it over to other heat sources

There are no proposals to ban the use of multi-fuel stoves. Multi-fuel stoves are versatile and can usually burn a variety of solid fuels including wood and smokeless fuels.

The wood suppliers around us rely on selling wood from well managed farm estates

Suppliers can only supply or sell wood fuel in volumes of less than 2 cubic metres if it is certified as 'Ready to Burn'. This confirms it has a moisture content of 20% or less. The rules for selling wood for domestic use in England are outlined at https://www.gov.uk/guidance/selling-wood-for-domestic-use-in-england.

If stoves / fires are not allowed, then either a grant should be given so people can replace older stoves / fires, or the rules should apply to newly fitted stoves / fires.

Whilst no grants are currently available from CYC to assist with upgrades, CYC has previously offered grant funding through the Home Upgrade Grant Scheme Phase 2 (HUG2) to help homes which have off-gas heating systems. Off-gas grid homes are those which are primarily heated by oil, LPG, coal, other solid fuels, or electricity for heating purposes. Whilst the HUG2 is now closed to applications CYC is currently rolling out the Warm Homes Local Grant. The grant covers energy-saving upgrades, including insulation, low-carbon heating systems, and smart energy technologies. Further information is available at https://www.york.gov.uk/WarmHomesLocalGrant

It is not possible to impose smoke control requirements on new stove installations only, as the legislation relates to emission of smoke from a chimney. CYC would be

unable to distinguish between new and old installations and this would further complicate the rules around solid fuel burning in York which is undesirable.

Evidence Base

There is no supporting data or evidence base etc for the proposal / data used to underpin the proposals is outdated and solid fuels are now a more financially viable and necessary option for many households.

The evidence base and background information was summarised in a report to the Executive member for the Environment and Climate Emergency in March 2025. This report highlighted that burning solid fuels is one of the most polluting methods of domestic heating and is a major contributor to a type of pollution called fine particulate matter ($PM_{2.5}$) both indoors and outdoors. It is estimated that long-term exposure to $PM_{2.5}$ was a contributory factor to the cause of death in 4.4% of deaths or 1 in every 23 deaths in York in 2023 (see Fingertips – Public Health Profiles).

Research undertaken as part of the evidence base for these proposals analysed household Energy Performance Certificates (EPCs) for 53,720 households across York. Solid fuel was identified as a source of heating for 8% of these households (4302 locations). Outside the current SCA boundary, 3% of households (1,611 locations) used solid fuels, although only 0.2% (98 locations) used a solid fuel as the main source of heating. Other locations outside the SCA boundary utilised solid fuels to supplement other main heating methods.

Analysis of EPCs provided a snapshot heating methods for York homes at the time of the study. EPCs are generally only updated when properties are bought/sold; any homes that have bought wood burning stoves since 2022 would therefore not be reflected in a more up to date analysis, unless those properties had been sold in the last 3 years. The EPC data used is considered robust.

A comprehensive 'source apportionment' study was undertaken for the development of CYCs latest Air Quality Action Plan (AQAP4), published in July 2024. Domestic combustion of wood was shown to be one of the largest single primary emission sources of $PM_{2.5}$, comprising nearly a third (31%) of $PM_{2.5}$ emissions across York and over twice that produced by road traffic.

The Chief Medical Officer's (CMO) 'Annual Report (2022): Air Pollution' highlights the substantial difference between the least and most polluting methods of domestic heating. The report states that 'solid fuels are by far the most polluting method of domestic heating and for air pollution emissions, there is substantial difference between the different open fire and stove designs, the age of the appliance and how well maintained it is, and the moisture content of the wood, for those who want to burn wood. In urban areas, burning wood has the potential to worsen local air quality significantly'.

CYC recognises that burning solid fuels can be a financially viable option for some households. Smoke Control Areas do not prevent residents from burning solid fuels, simply that they do not cause excessive emissions / smoke when doing so.

There is lack of local pollution evidence to justify the proposed policy, particularly as York is already below national pollution limits for fine particulate matter ($PM_{2.5}$)

In 2024 CYC consulted on an updated Action Plan (AQAP4) that outlines the action CYC will take to further improve air quality in York over the next 5 years to go beyond health-based Air Quality Objectives in all areas and work towards meeting World Health Organisation (WHO) Air Quality Guidelines.

AQAP4 commits to reduce concentrations of air pollutants and exposure to air pollution as far as practically possible, thereby improving the health and quality of life of residents and visitors to York. AQAP4 recognises that there are no 'safe' limits for particulate emissions, particularly $PM_{2.5}$.

The Committee on the Medical Effects of Air Pollutants (COMEAP) provided advice on the health effects of exposure $PM_{2.5}$ to DEFRA, to inform the development of targets under the Environment Act 2021. COMEAP highlighted evidence that indicates that $PM_{2.5}$ pollution can have harmful effects on people's health at lower concentrations than had been studied previously and that continuing to reduce concentrations to, or below, the World Health Organisation's new Air Quality Guideline (5µg/m^3) would benefit public health. Levels of $PM_{2.5}$ in York are currently above this value.

Other air pollutants add far more pollution to the atmosphere so they should be targeted first

Burning of wood contributes to a type of pollution called fine particulate matter ($PM_{2.5}$) both inside and outside the home. Around a third of $PM_{2.5}$ emissions in York are caused by burning wood for heating (over twice that produced by road traffic). Emissions of $PM_{2.5}$ present in smoke are particularly harmful to health as their size means they can get deep into the lungs and enter the bloodstream to be transported around the body.

CYC's Air Quality Action Plan (AQAP4) outlines that there are no 'safe' limits for fine particulate emissions and as such CYC is committed to reducing such emissions as far as practically possible. AQAP4 outlines wider action CYC will take to further improve air quality and reduce other pollutants (including nitrogen dioxide) to go beyond national health-based objectives and work towards meeting stricter World Health Organisation (WHO Guidelines).

Impact on air quality across less densely populated rural areas outside the outer ring road will be less significant. Housing stock in these areas tend to be older and many have fireplaces used to supplement the heating of their homes.

Whilst concentrations of $PM_{2.5}$ can be higher in areas where solid fuel burning is most prevalent, it is also the case that $PM_{2.5}$ can travel long distances, often hundreds or even thousands of kilometres. This is due to the small size of the particles, which allows them to be carried by winds and air currents. A significant portion of $PM_{2.5}$ pollution in the UK comes from natural sources like pollen and sea

spray, as well as from other European countries. However, a substantial amount also originates from human activities within the UK, such as domestic wood burning.

The cumulative impact of fine particulate emissions in smoke from all areas within CYCs administrative area must be considered as this affects concentrations of pollution both across the City of York and in adjacent areas.

Housing stock can indeed be older in rural villages outside the outer ring road and some of these houses may indeed use solid fuels to supplement the heating of their homes. However, there are no proposals to ban the use of solid fuels for this purpose, only for residents and businesses to take responsibility for the type of fuel they burn to minimise air pollution and protect health. Residents are still free to burn manufactured smokeless solid fuels in open fires, or appropriately dried/seasoned wood/logs in DEFRA approved 'exempt' appliances.

Considered that vehicle pollution is a greater issue, including HGVs in rural villages and car emissions due to congestion

CYC is committed to reducing emissions from all sources. Our Air Quality Action Plan (AQAP4) outlines the actions we will take to further improve air quality in York, to go beyond health-based National Air Quality Objectives and work towards meeting stricter World Health Organisation (WHO) guidelines.

AQAP4 particularly focuses on transport emissions (as the major source of NO_x emissions and the reason for the current Air Quality management Area designation), but also includes measures to address fine particulate matter ($PM_{2.5}$) from sources such as burning solid fuels. AQAP4 is aligned with the CYC's broader strategies for climate, health, transport and the economy.

Labour Government is allowing new homes to be built with Wood Burning stoves, so why the need to change in York

Wood-burning stoves are permitted in new build homes under the proposed Future Homes Standard. This means they can be installed as a secondary heating source in new homes. However, the Climate Change Committee has recommended the phasing out of wood-burning stoves in homes because of the carbon they emit. They also produce dangerous $PM_{2.5}$ particles that, according to a growing body of research, are responsible for a range of health problems including heart and lung disease, as well as diabetes, cancer, brain function and premature births.

A study by Prof Chris Whitty, the Chief Medical Officer for England, found that even "eco-design" wood-burning stoves produced 450 times more toxic air pollution than gas central heating.

CYC is committed to reducing levels of $PM_{2.5}$ across York for the protection of public health.

Burning wood and solid fuel is a tradition in the villages and wood burning is sustainable and almost carbon neutral, important in tackling climate change.

The sustainability of wood burning stoves is a complex issue with the wider environmental impacts dependent on the source of the wood and how

‘environmental harm’ is defined. Whilst sustainable forestry practices can ensure that for every tree felled for timber, another one is planted, illegal logging behaviour can make it difficult to be certain about the responsibility, sustainability and legality of firewood. In terms of carbon footprint, wood burning stoves may be considered by some as ‘environmentally friendly’ in that the carbon they release comes from wood, and such carbon has previously been removed from the atmosphere by the tree during its growth. By growing an equivalent number of new trees, it should in theory be possible to make wood burning stoves carbon neutral during use, although the implications of transporting firewood (often vast distances) if often not fully considered. In addition, the implications for local air quality in urban areas can be considerable, as can the negative impacts on indoor environments, increasing the risk of respiratory illness and long-term health among inhabitants.

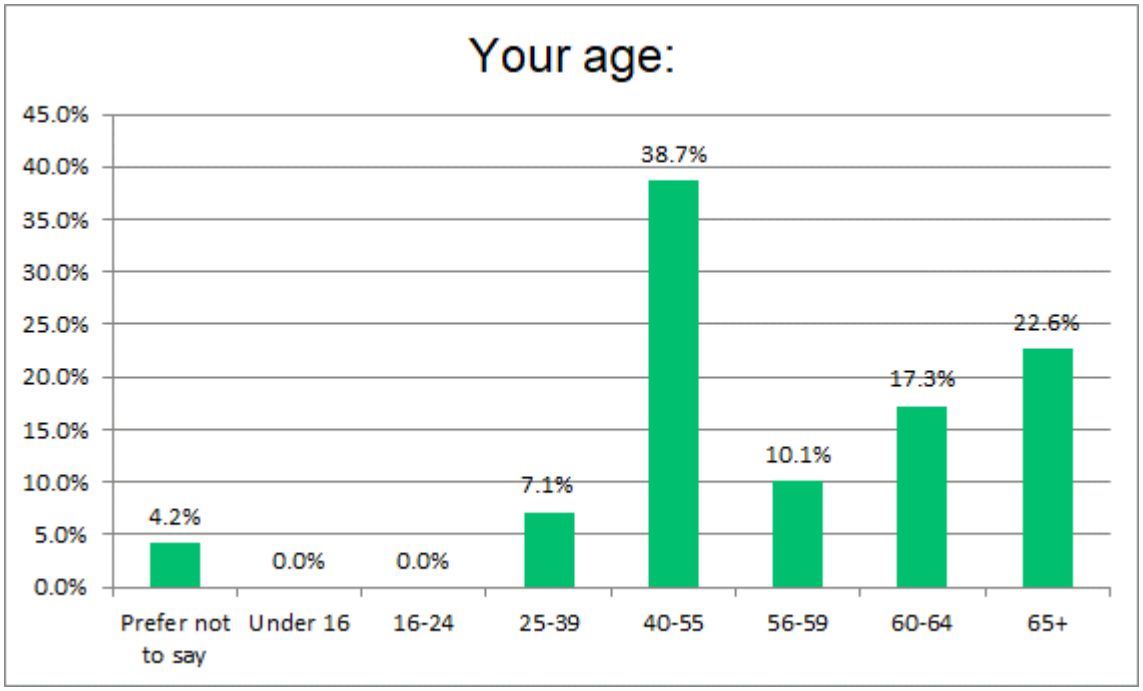
CYC should work with farmers to reduce the air quality impact of manure management, and fertilizer application as this is also a source of $PM_{2.5}$

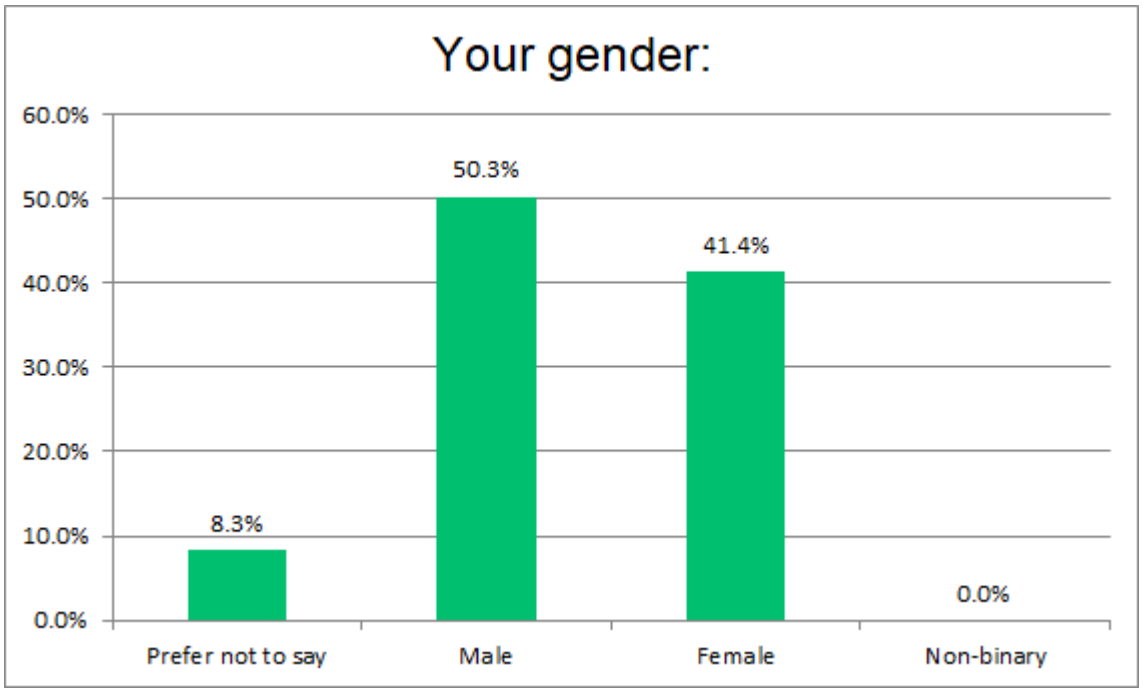
Nationally, farming is estimated to be responsible for around 88% of ammonia emissions, which can lead to particulate formation in the atmosphere; this can cause odour impacts and can affect local and national air quality. Some farming practices (e.g. lime spreading) can also directly give rise to particulate emissions that are known to affect health. CYC has previously contacted over 350 farmers to highlight resources and grant opportunities available to assist in adopting best practice with respect to reducing ammonia and particulate emissions (see CYC’s 2024 Air Quality Annual Status Report).

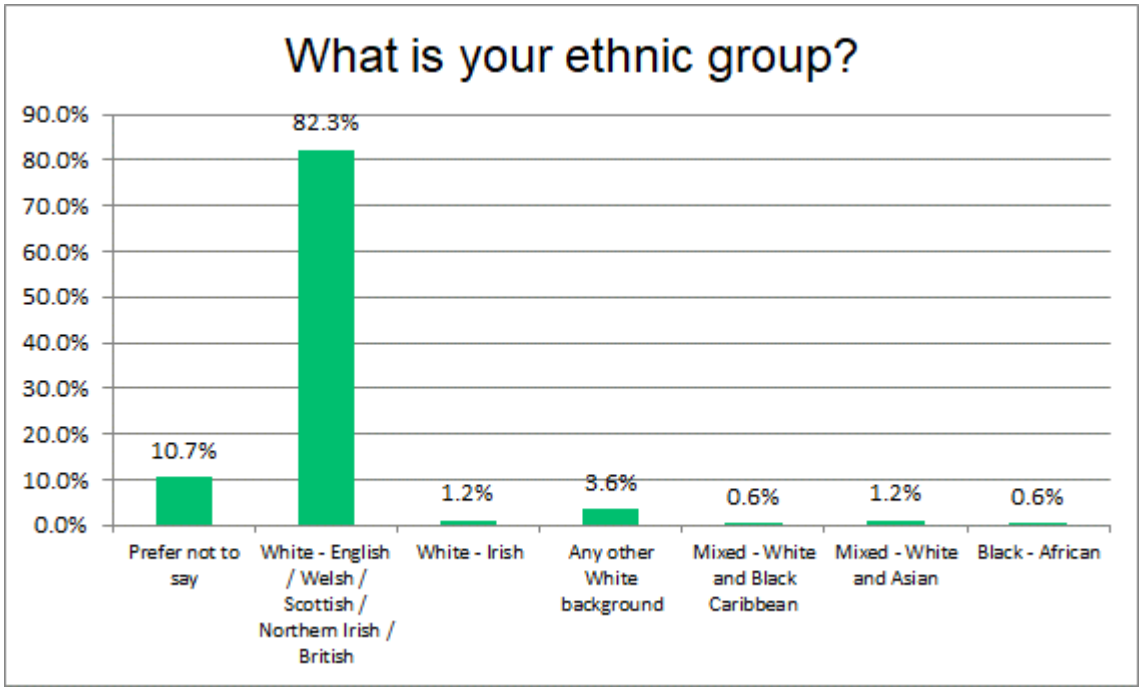
Considered that greater impact could be achieved but addressing methane slip in gas boilers rather than addressing solid fuel burning

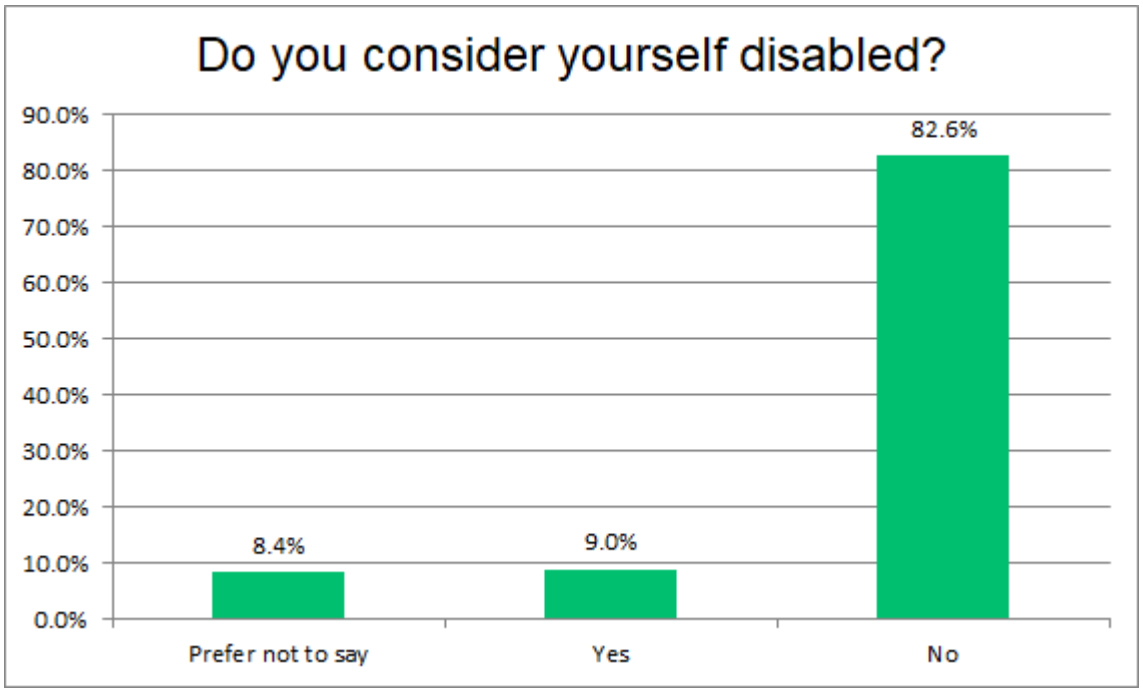
Methane slip in domestic gas boilers refers to the release of unburned methane into the atmosphere when natural gas supplied to a boiler fails to fully combust. Gas boilers are generally designed for high combustion efficiency, but factors like age and maintenance can affect performance. CYC has limited control over maintenance regimes for domestic solid fuel boilers but AQAP4 commits to strengthening local planning guidance to facilitate a transition away from fossil fuel heating sources in the longer term, which can contribute to local air quality issues.

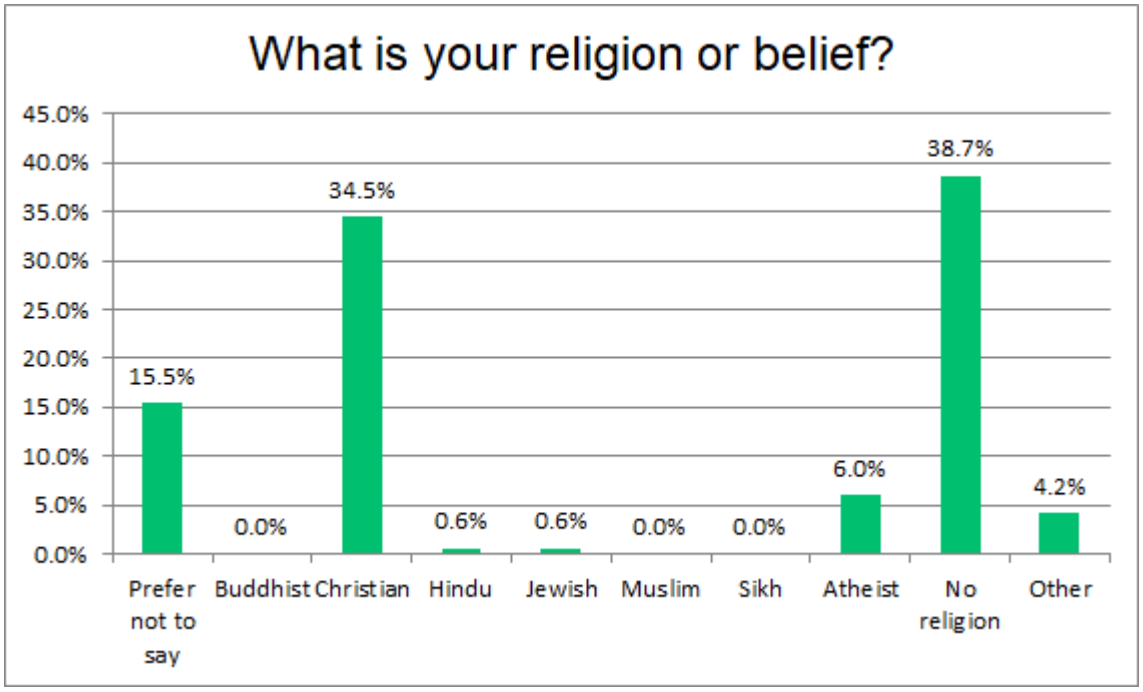
Questions 18 – 25: Respondent Profiles

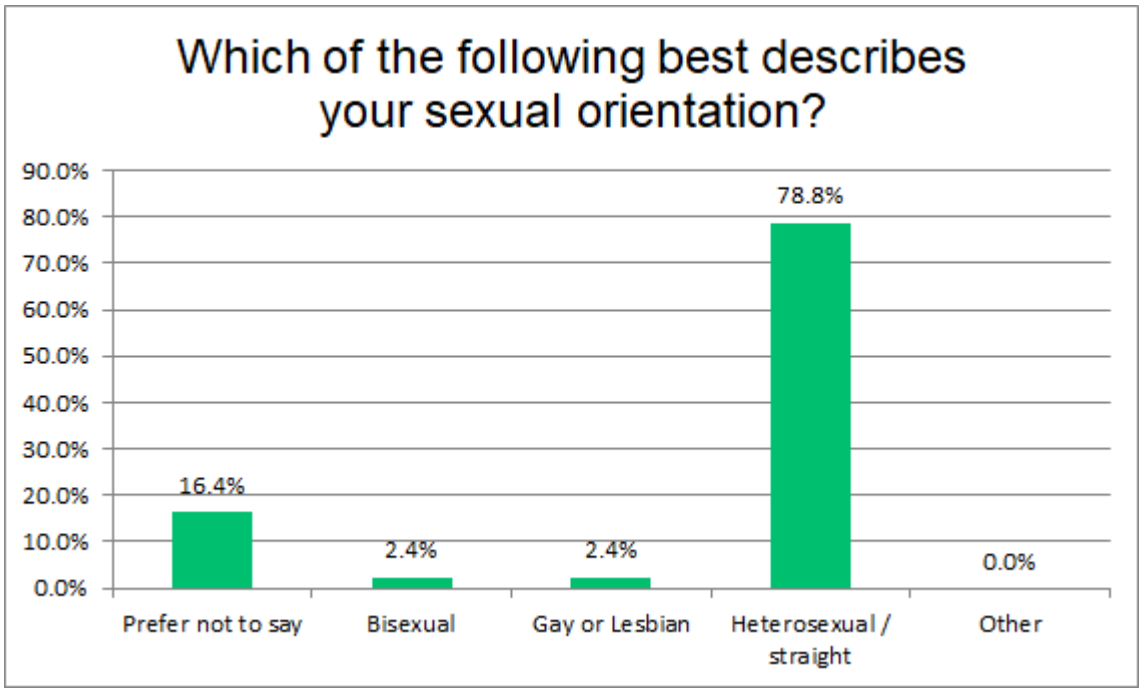


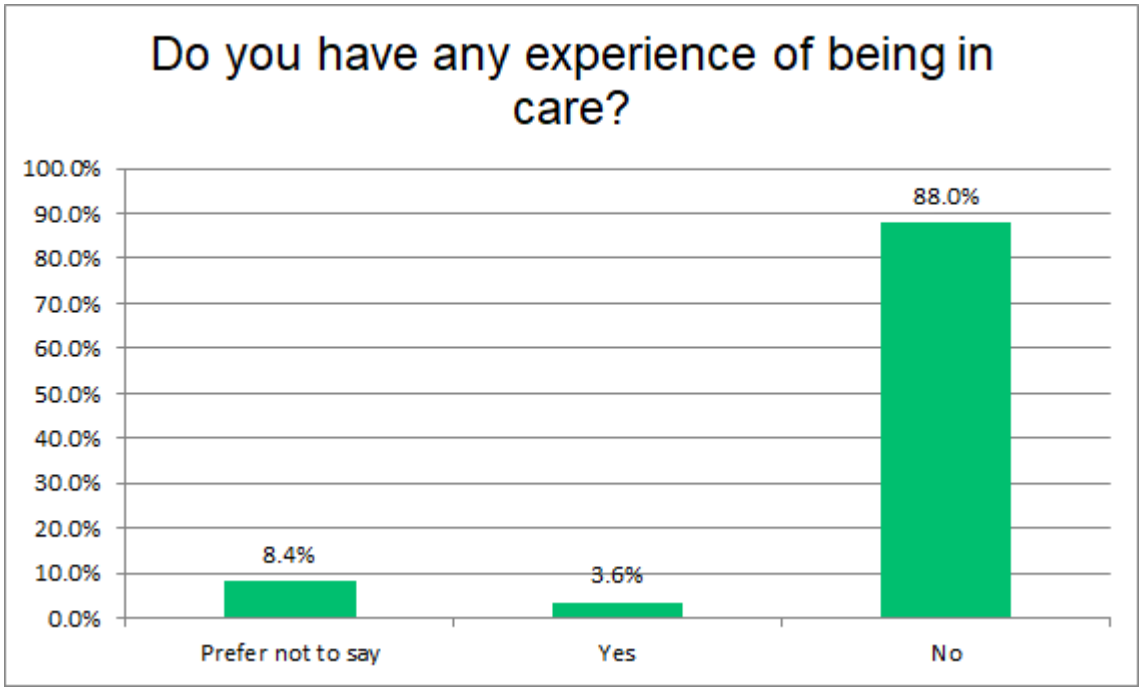


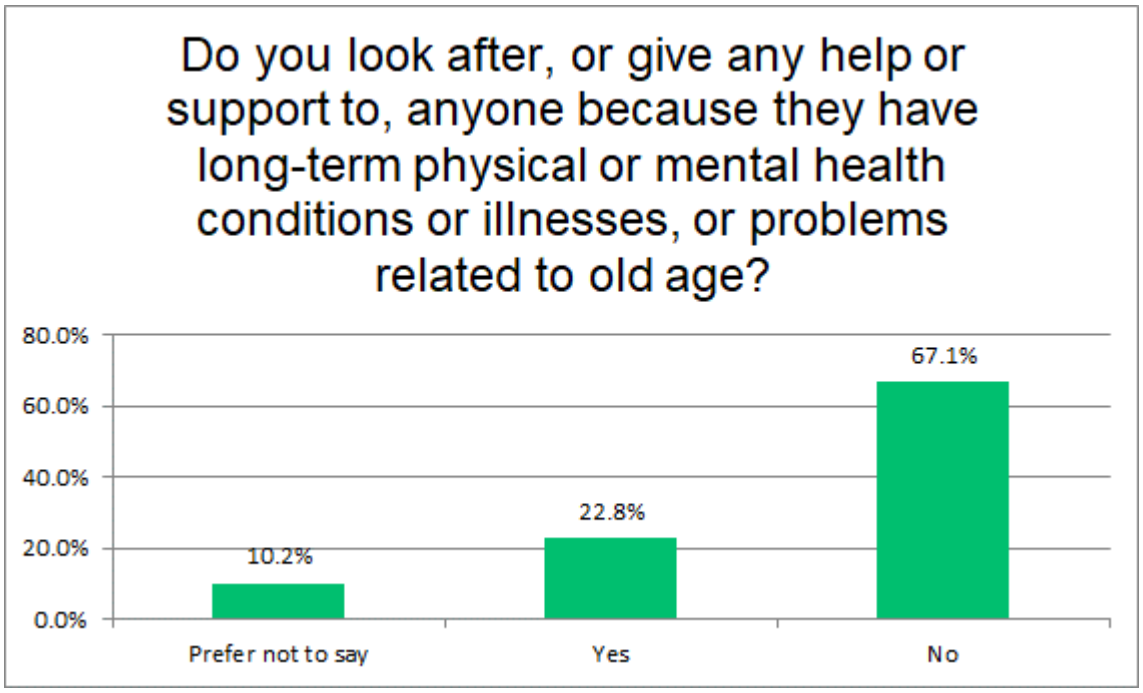

What is your ethnic group?
90.0%
80.0%
70.0%
60.0%
50.0%
40.0%
30.0%
20.0%
10.0%
0.0%
10.7%
82.3%
1.2%
3.6%
0.6%
1.2%
0.6%
Prefer not to say
White - English / Welsh / Scottish / Northern Irish / British
White - Irish
Any other White background
Mixed - White and Black Caribbean
Mixed - White and Asian
Black - African


Do you consider yourself disabled?
90.0%
80.0%
70.0%
60.0%
50.0%
40.0%
30.0%
20.0%
10.0%
0.0%
8.4%
9.0%
82.6%
Prefer not to say
Yes
No


What is your religion or belief?
45.0%
40.0%
35.0%
30.0%
25.0%
20.0%
15.0%
10.0%
5.0%
0.0%
15.5%
0.0%
34.5%
0.6%
0.6%
0.0%
0.0%
6.0%
38.7%
4.2%
Prefer not to say
Buddhist
Christian
Hindu
Jewish
Muslim
Sikh
Atheist
No religion
Other


Which of the following best describes your sexual orientation?
90.0%
80.0%
70.0%
60.0%
50.0%
40.0%
30.0%
20.0%
10.0%
0.0%
16.4%
2.4%
2.4%
78.8%
0.0%
Prefer not to say
Bisexual
Gay or Lesbian
Heterosexual / straight
Other


Do you have any experience of being in care?
100.0%
90.0%
80.0%
70.0%
60.0%
50.0%
40.0%
30.0%
20.0%
10.0%
0.0%
8.4%
3.6%
88.0%
Prefer not to say
Yes
No


Do you look after, or give any help or support to, anyone because they have long-term physical or mental health conditions or illnesses, or problems related to old age?
80.0%
60.0%
40.0%
20.0%
0.0%
10.2%
22.8%
67.1%
Prefer not to say
Yes
No

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Annex D – Full Responses

Note: responses are anonymised but are replicated verbatim

Table D1 - Full responses to question 16 in the survey

Survey Response No.	Comment
1	We are looking to move to Elvington. If these proposals go ahead we will have to think again
2	If that is the only way to heat the individual's house/water let them. This country gets worse by the day with the cost to us true British! It's time to appreciate the cost of living here
3	There are much bigger issues that our resource and time should be spent dealing with that - vehicle pollution, HGVs in rural villages etc
4	I can't see the point in objecting because you will do it anyway. I live in Elvington and we have local businesses who will suffer if this is brought in.
5	Please do not enforce this ban.
6	The countryside need fires many relatives of mine have had heating allowance cut and you want to stop them burning wood or make them change their log burner at further great cost. Stop interfering and controlling people.
7	Some people obtain there wood for free and some people don't have modern heating. And can't afford it either.
8	Smoke control areas need to be policed - they're not. The controls need to be extended to include bonfires and fire pits.
9	I worry that air pollution has a bad impact on health. However, people need financial support if they end up having to change the way they currently do things. Don't impose change. Please support people financially to chance, because many people may not afford alternative options.
10	I fail to see the logic of a smoke free zone when BBQ's and bonfires are permitted. We burn our own logs produced from pruning of our own trees and shrubs and properly seasoned for 2 or more years. We use our Woodburn to supplement our heating in cold weather or instead of using gas, thus reducing the amount of fossil fuel we are burning. This contributes to carbon reduction as we cut our use of fossil fuels and heat only one room instead of the whole house if the central heating is switched on.

11	We have a log burner, which save cost and use of fossil fuel (gas). We only burn logs from trees on our own land, from fallen trees or ones pruned by a tree surgeon. It is irrational not to use this free resource, and crazier still, we would be permitted to burn on a bonfire. Policy is patently unsuitable for rural areas and will cost us money unnecessarily.
12	Has the air quality in the outlying villages ever been tested? I think there are far greater issues of air quality that need addressing long before this. The air quality along the whole length of Fulford Road for example, must be horrendous (and not just outside the old Mecca where the air quality measurements are taken - how about testing it from Fulford to Hospital Fields where the traffic lights are used as a filter?). Open top tour buses pouring out diesel fumes constantly! Also, the air quality in the outlying villages is far more affected by dust from nearby agriculture than from chimneys. Most villages have no access to mains gas and oil is extremely expensive. How about a compromise by insisting the wood burned must be kiln dried? This policy appears to be more political than logical.
13	Sick off smelly burning from allotment
14	I fully support smoke control in the densely populated urban areas. 80% of the population live in the 14% of the area which is currently covered. That means that the remaining 86% of the city contains only 20% of the population. That means that the concentration of population in the area currently covered by the SMO is around 20 times greater than the remaining area. Burning wood and solid fuel is a tradition in the villages and wood burning is sustainable and almost carbon neutral, important in tackling climate change. It is also cheap, as many people have access to free wood, important in tackling fuel poverty after the Government's callous removal of the winter fuel allowance. Personally, the extension of the SMO makes no difference to me, as I have a fully DEFRA compliant appliance and burn wood which I season myself. I shall, however, seek the views of my residents and the feedback I have had so far is that this is a city-focussed council trying to impose its will on the rural village communities and their way of life. This may change as more people give feedback. I have had just one complaint about a wood burning stove in 6 years as a councillor. I have had dozens about fire pits, chimleas and bonfires, none of which are covered by the new regulations. Unless the pollution caused by these is addressed, the extension of the SMO is utterly pointless.
15	What is wrong with having a nice open fire with coal or wood. Us changing what we do is not going to change the fact that we as a country emit 1/30th of what China emits. A plaster on a leaking dam is going to do nothing so why waste money on stuff like this. It's not leading by example
16	The council needs to ensure there is an effort to make the new rules well known if the proposals go ahead because I only found out about this by chance from a post from our local councillor. The expansion of the smoke control area

	will be redundant if people in the new areas are not sufficiently informed as they won't know that anything has changed.
17	More regulation, more waste....Let's get back to basics and concentrate on running essential services in a cost effective way. There is no issue with smoke in Strensall other than bonfire night (and that isn't covered!)
18	I live alone and find heating bills very expensive. I buy wood from Lower Derwent Nature Reserve who cut wood for regeneration & sell it to raise money to reinvest in the reserve, they would lose out if this is approved. I don't believe that there is a polution problem from wood burners in the rural areas this is proposed for. There are other ways to reduce pollution such as reduce the number of HGVs driving through small villages
19	Another stupid scheme / proposal by CYC that won't and can't be policed or managed. Attention and money would be better spent on other things like potholes, Anti Social Behaviour or Emptying Bins / Dog waste. There's no evidence that York and surrounding areas has poor air quality so this is unnecessary, and with the way China and USA are carrying on with their attitude to emissions and global warming is it really going to make a difference! Needs serious rethink with more of a focus on other priorities
20	Using seasoned logs as kindling is useful to get a smokeless fuel fire started and to supplement it as there are few flames from smokeless fuel and logs add to the reach of the heat from the fire
21	There are properties which solely rely on open fires. This proposal is another restriction on our right to live in a free democracy. If CYC pay for a new ground source heat pump, then ok but no this will not happen. Yet again we as residents are left paying the price for 'green washing' and the 'green' agenda. It is absolute nonsense and CYC should be looking at budgets, and the impending bankruptcy not penalising their own residents.
22	I object to the proposals, as it directly impact me on the ability to heat my home as I choose, yet farmers/businesses can have massive bonfires that create far more smoke are exempt. I fail to see what the difference is between a log burner where smoke is emitted via a chimney and a fire pit where it's emitted direct in the garden.
23	"York" includes a number of outlying villages and rural areas, despite the perception of the Council and visitors to the city, and many of these have no mains gas. Banning the use of wood-burning appliances in these areas is out of keeping with their rural character and would impose an enormous additional cost on residents, many of whom can ill afford it, in terms of electricity use for heating. Personally, we would look to move out of the area if we were no longer allowed to use out wood burner.
24	Mines an open Stovax fire if they want to compensate me a large amount of money to change it then okay otherwise I'll carry on burning whatever keeps me warm and cheaper than gas , when all the coal burning countries of the world

	and the war bombing countries stop sending chemicals from explosions into the atmosphere then I might consider stopping ,until then let the smoke continue
25	People should be required to maintain and sweep their chimneys. Their wood/multi fuel appliances should also have safety certificates as for natural gas boiler installations.
26	Our log burning stoves are regularly serviced and are a vital supplement to our central heating system which relies on LPG and is very expensive. Although we have two, only one is used mainly in the winter and when the weather is very cold. With the cessation of winter fuel allowance for pensioners, any further restrictions would be very punitive.
27	Due to rise in living costs, it is vital that we use our log burner for heat. We burn seasoned wood and smokeless fuel. We are not sure if our log burner is defra approved - we do not have funds to replace it if not.
28	We use our stove and open fire responsibly for additional heat, turning down central heating and also to give an atmosphere. We are aware of the the supposed health issues but we chose a defra approved stove. The new proposals do not seem to take into consideration country homes outside bigger cities.
29	Rural small villages such as Stockton on Forest do not need to be included as it is not a close built up area.
30	A lot of the outer villages .. have no gas ! Or alternative !
31	More education and enforcement is needed.
32	Another thought, when the government cancels the purchase of British Steel at Scunthorpe and stops burning tonnes of coal a day and all heritage railway lines are shut down then I might consider been a smokeless zone until then happy to carry on staying warm
33	Unnecessary for Naburn and not justified in any way
34	People in the villages around York will find this difficult to accept as many rely on burning wood and coal for their heating. They see it as their right and probably won't accept the risks to health and air quality. This control will only be any use if it is enforced which I doubt it will be. Who is going to check that people are conforming and enforce this late in the evenings?
35	Air quality issues are underestimated as a health hazard and it makes sense to apply restrictions to all areas.
36	I believe that outdoor fires such as barbecues, bonfires etc can be as polluting- why aren't you including these in the criteria?
37	I have a defra approved appliance and burn responsibly and therefore object to any limitation placed on me to be warm in my own home.

38	I live in Rufforth which does not have a gas supply. We have to use oil for our central heating. Our house is an old house without double glazing and we need an open fire to keep warm in the winter. We burn smokeless coal which does not throw out heat the way coal does and we therefore use seasoned logs for extra heat. The fire only tends to get lit in the evenings.
39	It just makes sense to stop pollution when other heating options are available
40	I would prefer all types of solid fuel burning to be included, outdoor cooking is prevalent in summer months in this area.
41	Bits of Clifton are not covered by SCA which makes no sense. At very least include the whole area inside ring road.
42	I do not object to the smokeless zone being increased and I understand the reasons for it. However, you cannot just tell people they suddenly can't use their main heating system. If stoves / fires are not allowed, then either a grant should be given so people can replace older stoves / fires, or the rules should apply to newly fitted stoves / fires. Many people use a stove / fires because their other heating system (eg gas boilers / electric) is too expensive to solely rely on. You risk people not being able to afford to heat their homes properly.
43	A lot of people supplement heating with open fires and wood burning stoves in our village of Knapton, some people don’t have a gas supply and some older people use it as their sole heat source - the cost of heating bills have risen and are due to rise again why penalise people for wanting to keep warm - the amount that is generated in our village is minuscule and will not affect the environment- you are assuming that all people who live in villages have lots of money - by making this decision you are affecting the old and vulnerable and I personally think you should be more concerned about the environment and the amount of rubbish that people dump in our village- we massively object to this proposal.
44	Many if not most properties in my village have some form of solid fuel stove or fire used in winter months. This change is frankly ridiculous for more rural areas.
45	Only have oil to heat the house so my stove helps to heat my living room to keep costs down
46	York Council waste collection department class is as rural. There is a low density of houses in this area. I have a large garden. I already mulch, compost, use bonfires & green bins to remove garden waste. I dry logs in several log stores to burn in the winter months in a room that gets damp, with the chimney open fireplace. My house is over 100 years old. My usage does not harm anyone. Imposing a restriction will force me to use less environmentally friendly methods to remove garden waste.
47	As per below excerpt. the Labour Government is allowing new homes to be built with Wood Burning stoves, so why the need to change in York. As you already state, 80% of homes are covered by Smoke control areas and those you

	are planning to include are way outside of Central York and not affecting air quality there. In addition, any change to having to comply with the smoke control zones, will mean a significant expense for us, where we already have a Fire Basket and only burn seasoned timber and smokeless fuel, but will now need to purchase an approved appliance. This is unfair and prohibitive in the current economic climate. Which Labour is supposed to care about working peoples economic circumstances. I believe that if I only burn Smokeless Coal and Seasoned logs, I should be able to continue to use my existing fire basket. In a letter to the SIA, the ministry responsibile said: “A full technical consultation on the Future Homes Standard was launched in December 2023 and closed in March 2024. “Under the standards proposed in the consultation, a wood-burning stove would be permitted as a secondary heating source in new homes. “The Government acknowledges that it is possible to significantly reduce the level of smoke emitted through domestic burning if the right fuels, appliances and practices are used.” In November, the Scottish Government also scrapped its controversial ban on installing wood-burning stoves in new homes following a huge backlash in rural Scotland. A government spokesman said: “The Future Homes and Buildings Standard, to be published later this year, will ensure all new homes are energy efficient and use low-carbon heating systems. “As set out in the Future Homes Standard consultation, the use of a wood fuel appliance as a primary heating system would not achieve the standards proposed, however, their installation would still be permitted as a secondary heating source.”
48	It should include bonfires
49	Our central heating system is fully dependent on our multi fuel stove - it also heats the water for the house - we can’t afford to change it over to other heat sources - we live in a conservation area in a 19th century cottage so there are restrictions on what we can do to change over to any other heat source - also the layout of our house has just led to a decision that we are not eligible for loft insulation grants . we only use the stove when it’s cold so approx 4 to 5

	months of the year. The wood suppliers around us rely on selling wood from well managed farm estates - bizarrely though if this comes in then we'd have more fire pits and bonfires in the garden to keep warm- although we recognise that smoke has an impact on health we live in a very rural area with lots of space around us - this would be devastating for our finances and heat supply.
50	Firstly, our village is in a very rural area, so applying the urban rules are inappropriate to our area which has very low housing density. Should it apply to farms who have no other houses nearby? Secondly, it should not be applied in places where there is no mains gas supply. Many people may still rely on burning fuel for heating.
51	I object strongly to the proposals. This is a 'one size fits all' proposal which does not take into account that parts of the City of York area is actually quite rural. Housing stock in these areas tend to be older and many have fireplaces used to supplement the heating of their homes. Ours dates back to 1860's and using our log burner gets the living area to a comfortable temperature in cold weather, something central heating alone doesn't always do. Also these properties are several miles from the city centre (we are 6 1/2 miles) so smoke is unlikely to affect the city. Using wood from our own trees during necessary pruning and seasoned for at least 2 years means that we can cut our carbon emissions as we can reduce the use of gas, a fossil fuel, and at times only heat one room rather than the whole house to heat a room. if we couldn't use our own wood for burning we would probably have a bonfire of wet wood (smoky!!!). Surely a smoky bonfire will have a greater environmental and health impact than the burning of seasoned wood in a woodburner? We do not buy wood as we generate quite a lot of our own. It should be pointed out that the English Nature reserve at Wheldrake sells wood generated from conservation work which probably helps fund further conservation work. Again if this wood wasn't sold, would it be burnt on a bonfire?
52	rules for smoke from outdoor garden fires also need to be considered as they cause considerable nuisance and pollution in this area
53	I suffer from asthma/COPD overlap syndrome. I am increasingly suffering from air pollution in York and am highly sensitive to wood smoke, BBQs and smokeries. Local residents are increasingly poor at managing this (I doubt they know the rules) and I have little confidence any of these proposals will be enforceable or make a difference. For instance, i know certain neighbours burn scrap wood, and how are officers going to find out what people are burning or in what? I would prefer stricter traffic controls or, in this case, an outright ban on wood burners.
54	The rules for smoke control areas should apply to chimnineas too. The smoke from those is horrible and smelly and some people, my neighbour for one, burns random bits of wood on theirs which makes the smoke and the smell worse

55	i agree with the proposals but i think the council needs to explore ways to control or even stop bonfires, the smell and smoke is a significant polluter and problem in poppleton
56	Extending the area will serve little purpose unless punitive action is taken against offenders. From my experience stove owners are fully aware they are contravening the rules but say things like "whose going to stop me, the Council have no staff to police it".
57	Please expand the smoke control areas as soon as possible
58	I think there is a difference between people using stoves all the time and people using them just occasionally, so it is good this is being recognised. I also think there should be more awareness around what kinds of fuel are available and more help for purchasing the right kind of wood and alternatives where possible. I think warnings should go on wood packets like with cigarettes.
59	The council should be spending our resources on essential road repairs, youth clubs and social care rather than paying staff to put together pointless surveys on air pollution from fires. There are far more polluting things than house fire
60	It is impossible to keep my home a habitable temperature without the use of my open fireplace. The house is around 100 years old and insulating to a modern standard would be financially impossible for me. It keeps damp out of my home and means I don’t need to run a tumble dryer and other very expensive heating to be able to keep my home warm. Without the fire my average temperature in the home is 9 degree c in the winter.
61	stop telling me what I can/cannot do
62	Educating people who are not interested is worse than useless as it gives the impression that something is being done where as it isn't. If you are going to extend the Smoke Control Areas you need to effective enforce the existing areas, extend the existing boundaries where there is new housing. This would be my proposal. Stop anyone who has fitted central heating from using coal, wood or smokeless fuel. This would be very simple to enforce. No monitoring needed. If you cannot go that far then Parish Councils should be co-opted where poor planning permissions are at the root of any smoke canyoning problems and residents are asked to stop or make good any problems caused, such as fitting better chimney filters.
63	easier to implement for the council if everyone has the same rules, but, I assume many people won't know if there individual circumstances/stove/fire is breaking them, and there might be a financial cost to switching to an alternative that's within the rules - perhaps you can help with that education piece and with individual checks at properties and some advice about next steps for households, feels like there should be a grace period to allow existing fires/stoves to be upgraded or replaced, or for trying different fuels with some support... if the switch is easy, less people will 'fail',

	and everyone probably wants the benefits of smoke free areas, so selling it as 'we're all working together for the same goal' sounds better than 'we're banning something' IMHO! Good luck!
64	You need to inform the council tax payers exactly what they can and can not do in a Smoke free Area as confusion reigns around chimineas, bbq, bonfires etc
65	There is little value in this. The Council would do better in making sustainable low-emission solid fuels more affordable and accessible; to ban the sale or resale of non-compliant burners and fuels, except by exemption. This is an unnecessary distraction from the real urgent problem of vehicle emissions, to which we are all exposed every day.
66	During the winter months air pollution from chimneys is high. Washing hung outside to dry and open windows are not advisable during this time as is any outside activity.
67	How about car emissions due to congestion? Narrow streets blocked by delivery vans, lorries or riders, slow cyclists with 30 cars behind, burning more fuel than needed, thus causing more pollution?
68	My objection to extending the Smoke Control Area Boundary is because the village where I live (Naburn) does not have a mains gas supply.
69	For the more rural areas within the York area, the density of properties is more sparse and therefore any impact on air quality is much reduced from that in areas of dense population. A log burner or a solid fuel Aga at an isolated farmhouse for instance would have a negligible impact on the air quality of other York residents but may currently be their own source of heat.
70	Not sure necessary beyond outer ring road in more rural locations where less built up. Also - use a wood burner to reduce use of gas as have central heating on less when in use.
71	Enforcement is a problem. We often have smoke rising into our sitting room and bedroom from neighbouring houses. We don't know how to stop this.
72	Given the current cost of utilities any further impact on any heating and or cooking facilities is ridiculous.
73	They don’t go far enough to reducing smoke. We live in an area that is already covered by a smoke control zone and the smoke on calm winter evenings is horrendous. We have a MVHR system fitted to our house to help improve indoor air quality and we often have to turn it off between 4-10pm in the winter as it brings in the heavily polluted air from the very many houses around us that have fires burning.
74	If 80% of residents are already covered by a SCA, I don't think the change will make a significant difference to air quality. But I support the change to remove anomalies (e.g. Fulford) and to make the area clear and easier to administer/ advise/ enforce.

75	What a waste of council money and time. At a time when reform are growing in popularity you decide to launch this! No information on how many fires are being used, no supporting data for or against a really poor piece of work driven by what? Whoever is in charge of this should be ashamed by the poor quality and bias questioning. Why don't you spend council time and money on more important issues?
76	With fuel prices as they are, I think it's wrong to bring in measures. There are other air pollutants which add far more pollution to the atmosphere so they should be targeted first.
77	There are no problems with nuisance caused by domestic chimney smoke in Acaster Malbis. On the occasions that "non-approved" wood is burnt on my stoves, it is only for short periods usually in milder weather when the fire is only lit for an hour or so for some quick hot water and the smokeless fuel is not lit for a full day's heat. Attention is always paid to the wind direction and nothing at all smoky is ever burnt if it would cause distress to our neighbours (and the same with their chimney and us) In other words, just common sense. The same goes for most of us in the village. No need for unnecessary legislation.
78	How will it be enforced. Need to educate all residents in York on current policy. I have never heard of fuel for thought. Some residents don't care on how smoke affects neighbours.
79	Not one of the key problems affecting York, especially rural areas. Focus on other improvements
80	If this is enforced, i will contemplate moving from the area. I take great pleasure in harvesting, processing and drying my own wood.
81	Local pollution affects my asthma making it hard to exercise, walk, cycle, sleep, etc. and fully support cleaner air
82	Many rural villages on the edges of York have houses built with fireplaces and chimneys as the temperature is colder than in more built up areas. Houses are also built further apart so they are not a nuisance to neighbours
83	Communication, education are important re implementing this. enforcement will be difficult. Needs to be accompanied by support to insulate and provide less negatively environmentally impactful heating which works to warm houses.
84	We cannot afford to put our heating on and rely on free wood to keep us warm in the winter months, out of the city centre has very lititle issues with the air, remember this is the countryside so dont include our villages as part of your big city of york please

85	We live in a rural location with no immediate neighbours and supplement our heating by burning dried wood and dried waste wood from our land. This proposal is outrageous and represents an overreach into rural, traditional life from metropolitan councillors. Please reconsider extending this zone to the entire council area and restrict it solely to built up areas.
86	We have already invested money in a supply of logs for the coming winter. I would like to be able to use them up if the area does become smokeless and then convert to smokeless solid fuels. The search facility on the Defra site for permitted smokeless fuels does not work. A simple symbol showing Defra authorisation on packaging will be helpful.
87	Please make this happen, I have 3 children and want them to grow up with healthy lungs
88	This is not an issue within the rural area of Stockton-on-the-Forest, which would cause further cost of living issues, when many of the elderly population have lost the winter fuel allowance.
89	We live in a rural village with 2 young children with no mains gas supply therefore in the colder months it is essential we have other ways of heating our house. Thank you
90	Yet another assault on the energy costs of poorer households. Particularly in rural areas where lack of population density will have minimal impact on air quality.
91	I think this is an unnecessary expansion into primarily rural areas where the impact of smoke is much less. Also, I have not seen any evidence of problems being caused by smoke in these areas.
92	I am very careful to only burn briquettes as these produce very little smoke and am aware of the implications of burning wood. Perhaps a way forward is to inform/limit which wood fuels are acceptable
93	I have an issue that numerous approved smokeless fuels are being imported from overseas...Argentina and Australia to name but a few. What effect has the carbon burnt in shipping these fuels on our health. The bigger picture is not as beneficial as you are making out I'd imagine.
94	I live in a rural area and regularly experience smoke from local farms and commercial landscaping businesses burning waste materials and wood often emitting thick black acrid smoke. tackling these nuisance bonfires would achieve a greater benefit than extending the existing smoke control area. It would seem pointless to extend the existing smoke control area without tackling what in my area ins an infinitely bigger source of particulate creation.

95	We live in a listed building with period hobgrate fireplaces constantly used. We are certainly not replacing with horrid log burners which will not be given listed building consent. Irrespective of this we live in a small village not within the built up area of York and surrounding villages. We are not part of an urban area. We have no mains gas supply and this is an invasion of our personal freedom!
96	This was discussed at a Parish Council Meeting on 19th May and it was unanimously agreed that Earswick Parish Council do not support this initiative.
97	There are a number of homes outside of the ring road, in a rural setting, that don't have a gas mains connection. It is essential to assist in heating these homes to maintain the ability to burn solid fuels in fires and stoves. There are a number of elderly people in locations such as Rufforth who will be unable to keep warm in winter months if these proposals are extended to the wider York area.
98	Ridiculous- bonfires barbques fire pits all OK but burning seasoned hardwood logs in an approved log burner not! Try tackling car polllution to make a difference - better cheaper public transport. The bus service is a disgrace
99	Our village has no mains gas, so a wood burner is an important topup option to go with our heat pump.
100	I will only stop if the council are going to Fully pay for the replacement
101	Bonfires are the main problem and should be band across the country Every bonfire will burn waste which will harm the environment more than a typical log burner burning season dried wood from the log company wasting your time trying to make areas smokeless where more pollution coming more from bonfires
102	We are aware of other people living with only wood burning heating and hot water locally.We both work from home and use the the stove to heat our downstairs living space in lieu of using oil fired central heating. Banning solid fuels in villages that are not on a mains gas and have to burn oil makes little sense.
103	Whilst I can see that having smoke control is necessary within the city of York itself it is not appropriate to extend this to villages outside of the city which are within the city of york jurisdiction when there is no mains gas supply. These villages don’t have the luxury of being able to heat their homes with gas due to the poor fuel infrastructure. An exemption should be made for villages that fall into these categories. Many villagers don’t have the money to replace their current stove with a new defra one when the cost of doing so is in the thousands. Therefore this would leave those residents unable to heat their homes. As an asthmatic I am well aware of the impact of pollution however I am more effected by the dust and fumes generated in my own home putting smokeless fuel into my multi fuel burner

	than I am burning kiln dried wood. Therefore if I lived in an effected village, as someone with a non defra approved stove who has no other means of heating my home , I would be forced to use smokeless fuel which actually impacts on my asthma more than me using kiln dried logs
104	I object to the proposal to designate all the rural areas of York as Smoke Control Areas. I live in Strensall. Strensall is a rural village sitting on the outermost North Eastern boundary of the York area. Strensall is surrounded by open countryside on all sides. The prevailing winds in the area are from the South West, taking any smoke away from populated areas of York. Future development protection is given as one of the reasons for expansion of the SCA. - There are no plans within the recently approved Local Plan for any further significant quantity of new homes with the Strensall. Therefore the density of housing within Strensall will not increase. The Affordability Impact Assessment data included in the proposal is fundamentally flawed and out of date (March 2022). Households will have been burning more in recent years due to cost of living crisis. The world has changed since March 2022. The costs of gas and electricity (burdened with government imposed green surcharges) have increased significantly and continue to do so. The cost of living crisis and high levels of inflation mean that more and more households are struggling to 'make ends meet' and are turning to alternative ways to stay warm and heat their homes. The government has removed the Winter Fuel Allowance for the majority of pensioners, forcing more and more households into fuel poverty. Log burners and open fires allow residents to stay warm without incurring high utility bills. The proposal cites the November 2023 campaign, "Fuel for Thought" claiming that 34% of people surveyed used their stoves less than in previous years. Again this data is out of date. Due to the very high cost of gas and electricity caused by the Russian invasion of Ukraine and the British government's imposition of 'Green levies', people are using their log burners even more. Concentrations of PM2,5 within the York Area are already below the UK health-based Air Quality Objectives and will be even lower in a rural village on the periphery of the York boundary. There is no evidence to indicate that there is a Particulate Matter problem in Strensall. - Either in the past, present or future, as there is no large scale housing development in the local Plan for Strensall.

	This proposal appears to be a 'box ticking' exercise to satisfy certain political and environmental activist campaigns and initiatives. There is no smoke pollution problem in Strensall. Applying a York wide SCA in totally unnecessary and does not fix any problems. There is no problem to fix in the first place in Strensall. The current SCA zones and map are not confusing as commented recently by a City of York Councillor- They are crystal clear and can be easily found on the City of York Council website. Both myself and friends, neighbours and other people I know in Strensall are not aware of any smoke problems or complaints about smoke , - ever. This is a cruel, poorly thought out and ill targeted proposal. It will cause financial stress to many households in Strensall. - Households who cannnot afford to upgrade their appliance, or cease burning scavenged wood from their own & neighbours gardens. Many of these residents, relying on older stoves or open fires will be elderly people , who have just lost their Winter Fuel Allowance and are struggling with the cost of living crisis. The proposal document talks about Human Rights. It is a fundamental Human Right to stay warm, even if you cannot afford utility bills from energy suppliers. Imposing unnecessary restrictions in a rural village where the PM2.5 levels are already way below the UK based health quality levels seems to be State interference in the basic freedoms of the individual, simply in order to 'tick some boxes'. This is just another example of an urban focused council attacking the traditional rural way of life. It is unnecessary and cruel to include Strensall within these proposals. Using highly inaccurate EPC data from 3 years ago as a basis for impact assessment is flawed and unacceptable. There is no problem in Strensall. There are no more large developments planned for

	Strensall. It is unnecessary to apply restrictions, anxiety and more financial pain on it's residents. I robustly object to the proposal to designate the whole of York as a SCA.
105	Why should my rural village be lumped into this zone for the administritive convenience of the council when there is no problem with smoke. An open fire is my sole source of heating
106	We don't have a choice, we don't have gas in the village where we live. Our house floods and often needsnto be dried out at extra cost off course
107	Our home has had an open fire for the past 150years, which heats the small sitting room when temperatures are low, we have no gas to the village and if the proposed smoke control area includes our village the only means of having a fire would be electric, which as you will know is the most expensive form of heating. We are pensioners and have had our winter fuel payment taken from us and have found the last winter unbearable at times.
108	Since the dawn of time humans have burnt wood to keep warm and to cook with and the Parish Council see no reason to extend the existing smoke control areas in York nor to increase the relatively 'light touch' current enforcement of current areas and restrictions. From an air quality perspective the imperative for change and greater enforcement can not be justified, certainly in Dunnington, air quality monitoring doesn't indicate an issue. Ordinary people supplementing their household heating by using open wood burning fires or enclosed wood burning stoves should be left to make that decision themselves, as most fires will be DEFRA approved stoves and if they are not presently they will eventually be brought up to date during household appliance renewals. The unintended consequences of banning open wood burning fires on already struggling public houses cannot be underestimated. Log burners provide an off grid, reliable source of heat during power outages (which seem to be on the increase across Europe), natural disasters or energy supply crises. For low income households, especially in the winter months, wood can be a cheaper option which is critical during this current cost of living crisis. This could be a slippery slope to personal freedom and some residents may perceive as this as government overreach. Controlling our energy source could be seen as an infringement of personal liberty and choices, particularly as alternatives are seemingly becoming more unreliable. CYC's urban pollution concerns do not justify the plans to start monitoring rural areas where there is already clean air

109	I have never had a problem with air quality when walking round the area I live in and do not feel that making the whole of the YCC area would benefit anyone. I feel this would penalise anyone who has an older house and who have kept the original features or who live in an area where there is only electric available. I do not feel that this policy adds anything to our local environment and would ask how this would be policed? I feel it would also give neighbours who do not get on the ability to report, as they did in covid times, leading to neighbourhood tensions that police would have to deal with, adding to their already busy load.
110	Rufforth does not have mains gas supply so the ability to supplement heating by use of a log burner, stove or open fire is important to the village residents.
111	In the push for achieving Net Zero for the year 2050, it seems quite backwards to force people to use more oil (a fossil fuel) for heating their homes. We currently use sustainably sourced logs (seasoned or kiln dried) to provide most of the heating in our home during the colder months, which I know a number of other local residents do too. We are not financially able to switch our oil heating system over to air sourced or to install solar panels. Nor would we currently have sufficient finances to switch our log burner over to a DEFRA approved burner type. This will result in us using more fossil fuels to keep our home warm. There will be a number of others in a similar position to us. How badly polluted is the air in the small villages on the outskirts of York? I suspect that it is actually very low.
112	Naburn is not connected to the gas infrastructure. Most residential properties have for generations been heated by open fires using a combination of coal or smokeless fuel and logs. Walking around the village in the winter months it is obvious that open fires are in operation but there is no evidence that there is smoke pollution. The implications of the proposal will be yet another cost to the householder & eliminate an efficient & traditional way of heating homes.
113	York council need to ensure our villages have a gas supply if they are going to stop us from using our multi fuel burners.
114	You say you will take financial concerns as mitigating circumstances when levying a fine however people with low incomes tend to live in areas of deprivation. And this means neighbours are likely to have health issues. By being lenient with one householder you will continue to expose family members an neighbours to danger and cause/exacerbate health issues. Please find solutions that stop the burning/the belief the householder has no other options. Please also do more to alert residents to the dangers. I don't believe asking people to act responsibly is sufficient. Forcing people to confront the effects of consequences on themselves, their children, their grandchildren, their parents, their visitors with images such as those on cigarette packets and the cost of illhealth - 20 years of not being able to work will cost... etc

115	This is needless additional control over residents, we live in Poppleton surrounded by open fields, most PM2.5 particles around here come from either the busy A59 or A19 so what effect would this additional control on residents provide? Zero! and this comes from Council who block/close roads to create more air pollution, have the main household waste tip in the centre of York which again causes more air pollution. I notice Bonfire is not covered! so it's ok to pollute on one night but not the others! Double standards there! I think the council have more pressing matters to deal without this pointless extra regulations for residents who are not in the centre of york and most of the pollution is actually traffic that cant get into or out the city and this proposal will do feck all for that.
116	I'm completely in favour of this and can't see any good reason not to expand the Smoke Control Area to my village and other outlying villages. I understand some people feel strongly about using wood-burning stoves etc, but the reality is that sometimes we need to change our habits for the sake of public health and the climate. I realise there will be objections from people who don't want to give up what they're used to. In fact, I came across this in a village Facebook group, which seemed to be encouraging people to object, but clean air is essential, not optional. Breathing polluted air shouldn't be the price we pay for outdated heating methods. It would be great if we could also further educate people who are using wood burning stoves etc how bad it is for them in their own homes. I hope the council will be bold and push this through.
117	I support responsible use of fireplaces and multi fuel stoves. CYC should be more proactive in raising awareness of this issues. Areas outside of the ring road are generally more rural in character. I have chosen to live here, one of the main reasons being that it was NOT a smokeless zone. I believe that levels of air pollution are generally lower in these areas than inside the ring road. With responsible and considered use of solid fuels I do not see the need to declare these neighbourhoods smokeless.
118	I support improving the city's overall air quality and achieving this goal. However, it should not be forced onto residents in this manner and should allow for a phased and timely transition giving residents adequate time to update and upgrade their appliances, many of whom rely on for heating and cooking in the surrounding villages of York. This will also negatively impact local businesses who legitimately supply seasoned firewood to thousands of homes within York and the surrounding area.
119	I can understand the need for stricter control within an urban environment due to the number of properties in close proximity. I do not think it is appropriate to extend such controls into a rural setting where properties are more sparse and may need traditional heating rather than a reliance on gas / electric.
120	This is a total waste of time and money. Strensall should not be included. There is no problem. The council should stop wasting money on activities like this. The residents of Strensall have been using Wood Burning Stoves for years without causing any problems for anyone. The reasons and data given by the council for this initiative are

	weak,flawed and out of date.There is no smoke problem in Strensall and surrounding areas.This seems to be a ‘politically driven’ initiative to support a nonsense government agenda of net zero. Wood burning stoves are sustainable and environmentally friendly.
121	The Council should lobby government to extend smoke control to outside of properties (bonfires, etc.)
122	At a time of great pressure on household budgets, how can you expect people to replace or update their wood burning stoves, especially in my area where there is no access to mains gas?
123	My use of a wood burning stove is to supplement heating provided by an air source heat pump which was installed for its environmental benefits. Unfortunately it can't cope with demands of heating an old rural property hence the need for additional heating. Restricting the use of home-sourced logs leaves few practical options for heating for people like me.
124	Rufforth has no gas mains supply so we are dependent on oil fired central heating.
125	These proposals are too much of a 'blunt tool', and risk undermining existing good practice that is less harmful to the environment than their implementation would be. - I am opposed to stipulating the wood burnt must be kiln dried: It is essential that all wood burned is low moisture (below 20%). this can be achieved without buying kiln dried wood. Kiln dried would potentially incur more CO2 emissions through its production and transportation costs. This consequence directly contradicts the council's own Climate Emergency policies. Whereas there is local produced wood, from suppliers and in residents' gardens that can season naturally. Remember many of these outer villages have a plentiful supply of aging trees that is part of a natural cycle. - I am opposed to stipulating all woodburning stoves must be DEFRA approved: I support all stoves installed from now being DEFRA approved. However existing stoves that are in use and cannot be changed with kits should be permitted to be in use until they have ended their lifecycle. Otherwise the rules potentially cause wastage of good resources and emissions through production and transportation of new appliances (just pushing the problem elsewhere). To be clear, it is not a solution to suggest that 'older stoves can be used burning smokeless fuel', this notion is undermined by my first point, as in the virtues of burning naturally seasoned locally produced wood.

	- I am opposed to stipulating open fires must burn smokeless fuel: As previously explained all appliances and open fires should be able to burn low moisture local wood. Instead of the proposed regulations I would support further raising public awareness on: - importance of regular sweeping of chimney's - how to optimize combustion - the importance of seasoned wood
126	I do not support the extension of the smokeless zone to Poppleton. I recognise and support CYC's commitment to clean air and reducing the impact of PM10 and PM2.5 particles on public health. I also recognise that the Council does not seek to ban the burning of solid fuels but seeks to stipulate compliant stoves and fuels. I also support the Council's public awareness campaign on this issue. However, I do believe that extending the zone into Poppleton and similar outlying York areas should not proceed for several reasons. Sources of PM2.5 and PM10 are many and varied. Given the varied sources and nature of PM2.5 particles, I believe that targeting solid fuel burning is misdirected and risks alienating many people in the proposed extension zones. Sources that effect people include road transport from vehicles exhaust fumes, tyre dust and brake wear not to mention from road erosion. Poppleton has very low levels of traffic and I would assert that exposure to road transport induced PM2.5 particles is relatively low. I live in Nether Poppleton very close to the boundary of the proposed smokeless zone and therefore close to agricultural areas. It is common for agricultural waste to be spread on land around Poppleton which is a source of ammonia. This would be true for the other proposed areas which are similar in character to Poppleton. Ammonia reacts with nitrogen oxides to form to ammonium nitrate PM2.5 particulates which can travel long distances. Indeed, pollen and even sea spray can contribute to PM2.5 particles. Burning scented candles indoors has a similar effect. I'm not seeing a proposed ban on candle sales. Not being a smokeless zone is one of the reasons I chose to live in Poppleton. That said, I have always taken a responsible attitude to solid fuel burning by using seasoned wood with a moisture content less than 20%. I am aware that numerous houses in the area have solid fuel stoves. Despite this, I cannot recall ever even smelling solid fuel smoke in winter and have not noticed any impingement on air quality. This suggests to me that people are already adopting a responsible and common sense approach to their local air quality. Our house is also old, and we rely on

	our wood burner, and intermittently used open fire, to supplement our central heating in the colder months despite double glazing, cavity wall insulation, increased loft insulation and under floor insulation. Regulating for kiln dried wood offsets the problem and runs contrary to the Council's climate commitments. Without knowing the provenance of kiln dried wood, it is possible that drying the wood has a significant CO2 footprint, releases VOCs and if biomass is used for heating the kiln, displaces particulates elsewhere. There is also a network of wood fuel suppliers that provide locally sources sustainable wood fuel that is well seasoned. Insisting on kiln dried wood will destroy many people's livelihoods. As an alternative I make some recommendations: i. Do more to raise public awareness about air pollution and quality. This can be to promote wood fuel seasoned for more than 2 years with a moisture contents less than 20%, regular servicing and sweeping of chimney/flues. I would even support the Council stipulating that people have their chimneys/flues swept. I believe that this will have a greater positive impact on people complying than imposing regulations which would be unenforceable. ii. Work with farmers to reduce the air quality impact of manure management, and fertilizer application. This could be positive publicity for CYC. iii. Promote less reliance on car transport. This can extend to more cycling routes – York's outlying areas have poor cycle provision – the very areas to which you propose extending the smokeless zone. iv. Raise awareness of other sources of PM 2.5 and what people can do to mitigate exposure.
127	The population density of housing in Rufforth is not so great as to require a smokeless zone. One size does not need to fit all. Within an urban environment I can see the need for control, but not within an open rural area.
128	The proposals are really necessary to improve the air quality. I don't believe that my neighbours know or are concerned about what they are allowed to burn.
129	We live in a listed property which is very leaky and the log burner is the only way of effectively heating the house when it is very cold. Most of the properties in Naburn have the same problem. Naburn is rural and log burner smoke will not have the same impact as in a built up area. If the enforcement comes in to play we will have to consider moving as it is impossible to effectively heat our house without the log burner.
130	We have no gas supply in Rufforth and while I am particular in what type of wood I burn I feel that this proposal goes too far.

131	Making the villages smoke free zones will have minimal impact on air quality which is already very good. Requiring residents to change stoves and buy smoke free fuel is an unnevessary added cost.
132	This initiative to penalise rural villages and communities is a complete waste of taxpayers' money. There are no smoke problems in the countryside.
133	I agree with the advice/guidance but 'No smoke' is impossible to achieve on start up therefore renders the rules impossible to comply with
134	We live in a rural area with no mains gas supply. We have reduced our use of fossil fuels (oil) by changing to a biomass fuelled boiler for heating and hot water. The house is a listed building (grade 2) and is not well insulated. Seasonal use of wood-burning stoves, covered by the exemptions, should continue to be allowed. Where stoves do not meet the exemption there needs to be a period of notice before enforcing any change of the zone, so that any residents affected can make changes in an affordable manner, i.e. have time to save or budget for the expense of changing
135	While I fully support City of York Council's commitment to improving air quality and reducing the impact of PM10 and PM2.5 particulates on public health, I do not believe that extending the smokeless zone to Poppleton is an appropriate course of action. I acknowledge that the Council is not seeking to ban solid fuel burning outright but rather to ensure the use of compliant stoves and fuels. I also support the Council's efforts to raise public awareness on this issue. However, I believe that expanding the smokeless zone into Poppleton and similar outlying areas requires further reconsideration for several reasons. The sources of PM2.5 and PM10 particulates are numerous and varied. By focusing primarily on solid fuel burning, the proposed extension may be misdirected, potentially alienating many residents in the affected areas. Significant contributors to PM2.5 pollution include vehicle exhaust, tyre dust, brake wear, and road erosion. Given Poppleton's low traffic levels, exposure to these pollutants is likely minimal compared to more urban areas. Additionally, as a resident of Nether Poppleton near the boundary of the proposed zone, I am aware of the impact of agricultural activities in the area. The spreading of agricultural waste on nearby land releases ammonia, which reacts with nitrogen oxides to form ammonium nitrate PM2.5 particulates—capable of traveling considerable distances. Other natural sources, such as pollen and sea spray, also contribute to PM2.5 levels. Indoor activities, such as burning scented candles, can have a similar effect, yet no restrictions are proposed on such products.

	I have always taken a responsible approach to solid fuel burning, ensuring that I use seasoned wood with a moisture content below 20%. I have never noticed an impact on air quality, nor have I detected smoke during winter months from other households. This suggests that residents are already exercising common sense and care regarding their local air quality. My home is Victorian, and I rely on my wood burner and open fire to supplement central heating in colder months. Regulation requiring kiln-dried wood presents additional concerns, as its environmental footprint remains uncertain. Drying processes may contribute to CO2 emissions, release volatile organic compounds, and, if biomass is used for heating kilns, relocate particulate pollution elsewhere—all of which contradict the Council's climate commitments. For these reasons, I urge the Council to reconsider the proposed extension to the smokeless zone in Poppleton and similar outlying areas. A more comprehensive approach to air quality should take into account a wider range of pollution sources and their relative impact on affected communities. Thank you for your time and consideration.
136	In the more rural areas of York, the decision on what to burn in a stove should be left to the individual, being aware of the health risks involved. Housing is sufficiently dispersed so the particulates make do not affect air quality outside of the home any more than traffic would. The Guardian had an article on the subject which said that DEFRA stoves emit almost as many particulates as other stoves, and the exemptions for bonfires etc make a mockery of the policy anyway. There is an environmental cost to kiln drying wood to make it legal and it is also more expensive. People in the rural areas often air dry fallen trees, providing free disposal service, which costs nothing to the resident who eventually burns the wood. Many rural villages do not have a gas supply, so burning wood is essential to keep some residents warm. Finally, how do you police the policy without resorting to big brother tactics and forcing entry into people's home, when the are doing nothing which will harm their neighbours - only themselves?
137	This would cause problems to us and other local residents some of which don't have gas mains
138	we need our open fire to heat our house and use wood from our garden. it is always seasoned. gas heating is very expensive and the winter fuel allowance has ended, it is how we manage our household finances.

Table D2 – Comments received via email / letter

Email Response No.	Comment	Respondent Type
1	I wish to object in the strongest possible terms regarding the legislation to make Naburn a smoke free area. Naburn is a small rural village completely separate to York the village consists of mainly properties in a non urban type environment ie space between the individual properties. The village has no gas supply so sources of heating are limited and the majority of houses are heated by oil or biomass boilers ,this legislation is unfairly victimising people of Naburn. The majority of houses in the village are older and wouldn't be suitable for air source heat pumps due to the method of construction used without undertaking much improvement work at considerable cost to the residents. I feel that this legislation hasn't been thought out and is grossly unfair to residents in the rural villages in York City Council area.	Resident
2	Dear York council, You have put a notice order in towthorpe regarding smoke protection. Can you please explain in plain English exactly what this means, to the house holds under the York council who have a log burner for heating and a back boiler to heat their water!! Are you saying that any one with a log burner to heat their home can't use it from June 25, therefore must spend thousands of pounds installing some other type of heating or go cold this winter. A explanation would be grateful. I await your response.	Resident
3	I wish to object to the imposition of this order on the residents of Naburn on the following grounds; 1. There is no justification for this applying to Naburn unless you have scientifically validated data to suggest otherwise. 2. Most houses use oil fired central heating supplemented by solid fuel. There is no gas supply to the village. 3. The notice about this was skilfully hidden and seemingly the council want neither a consultation nor any objections.	Resident
4	It has been brought to my attention a recently posted notice within the village of Askham Richard regarding a smoke control initiative. There is a concern, especially from the elderly	Parish Council

	residents, who have coal and log burning methods of heating, that this could have an effect on their current status. Could you advise, in plain english, what, if any, the effect this order will have upon the village households. Thanking you for your attention.	
5	I am writing as a resident of Stockton on the Forest to formally object to the proposal to extend the Smoke Control Area (SCA) across the entire City of York Council area. I use a solid fuel stove as part of my home heating system and, importantly, it is already DEFRA-approved. While I take air quality concerns seriously, I believe the current proposal is disproportionate and unnecessarily penalizes responsible users like myself. 1. Minimal Number of Affected Households According to the Council's own figures, only 98 households across the entire CYC area use solid fuel as their primary heat source and fall outside the current SCA. Implementing a sweeping policy that affects thousands of households to address such a small number appears excessive — particularly when many of us, including myself, are already compliant. 2. Data Used Is Outdated and Fails to Reflect the Ongoing Cost-of-Living Crisis The analysis underpinning this proposal relies on EPC data from March 2022, which is now outdated and does not take into account the significant changes in household circumstances since then. Over the past three years, residents have faced record-high energy prices, inflation, and a worsening cost-of-living crisis — all of which have made solid fuels a more financially viable and necessary option for many households. It's highly likely that more families are now turning to solid fuel, especially in rural areas like mine, for affordability and security of supply. Relying on pre-crisis data underrepresents the real number of people who may be affected, particularly those who are already vulnerable or financially constrained. Implementing restrictions based on outdated assumptions risks disproportionately punishing those already facing hardship. 3. Disproportionate Impact on Rural and Responsible Users Rural communities like mine often use solid fuels for practical and economic reasons. Many rural homes are older, poorly insulated, or entirely off the gas grid, making solid fuel stoves one of the few effective and affordable ways to keep homes warm during cold weather. As someone who has already invested in a DEFRA-approved stove and uses it responsibly, I take pride in using cleaner-burning methods. Applying a blanket restriction to compliant users, particularly those in properties with limited alternatives, seems punitive and unnecessarily burdensome.	Resident

	4. Lack of Local Pollution Evidence The proposal states that PM2.5 levels across York are already below national limits, and no evidence has been provided that villages like Stockton on the Forest significantly contribute to pollution. Without specific, localised data demonstrating a public health risk in my area, applying the same restrictions citywide lacks reasonable justification. 5. Legal and Policy Overreach The Clean Air Act allows discretion in setting SCAs — it does not mandate total coverage. In the absence of robust, recent evidence or clear necessity, proceeding with a blanket approach may be seen as exceeding the Council's remit and could risk undermining public confidence. 6. Inconsistency in Exemptions for Outdoor Burning The proposed SCA continues to allow burning through outdoor sources such as barbecues and pizza ovens, even though these can also contribute to particulate pollution — especially in built-up or enclosed areas. It seems inconsistent that outdoor recreational burning is permitted while indoor wood-burning stoves, often used responsibly and as part of essential heating, are subject to tight restrictions. This inconsistency undermines the argument that this proposal is based purely on reducing emissions and protecting health. 7. Solid Fuel Systems Are Often More Efficient and Practical for Rural Heating Modern solid fuel stoves, particularly DEFRA-approved models, can offer superior thermal efficiency and localized heat compared to central heating systems or electric heating, especially in older rural homes with poor insulation. Solid fuel systems allow households to heat the spaces they use most, reducing wasted energy. They are also more reliable during power outages — a concern not uncommon in more remote areas. Replacing or restricting solid fuel appliances may force households to rely on less efficient, more expensive, and less sustainable heating alternatives, potentially increasing both emissions and financial strain. 8. Risk of Unintended Consequences and Energy Inefficiencies This proposal could inadvertently lead to less sustainable outcomes. Households who are no longer able to use solid fuels may resort to inefficient electric heaters during peak hours, increasing both demand on the grid and their energy bills. Depending on the time of day and the energy mix, this could actually increase overall emissions, especially where fossil fuels still make up part of the UK's electricity generation. Others may turn to unregulated	

	outdoor burning, such as fire pits or chimineas, which fall outside SCA enforcement but can still contribute to local air pollution. The policy risks encouraging worse alternatives in an attempt to restrict a form of heating that is, in many cases, already being used responsibly. 9. Lack of Transitional Support for Affected Households There appears to be little to no provision for financial or practical support to help households transition away from solid fuel use if needed. For low-income, elderly, or rural residents, the cost of replacing appliances or switching to more expensive fuels can be significant. A fair policy must include meaningful assistance — such as grants, advisory support, or phased implementation — for those who would be most affected by such changes. 10. Greater Impact Could Be Achieved by Addressing Methane Slip in Gas Boilers If the goal is to achieve meaningful reductions in air pollution and climate-related emissions, I urge the Council to instead focus and consider regulating methane slip from domestic gas boilers, which remain widespread throughout York. Methane slip refers to the unburned methane that escapes during combustion or from leaks in gas systems. Methane is over 80 times more potent than CO_2 over a 20-year period in terms of its climate impact, and it also contributes to ground-level ozone, which worsens respiratory illness and cardiovascular disease. Unlike wood-burning stoves, which are often localized and already heavily regulated, methane slip occurs across tens of thousands of conventional boilers and remains largely unaddressed. Policies targeting this issue could deliver significantly greater environmental and health benefits with broader reach. 11. Insufficient Community Engagement Lastly, I question the adequacy of local engagement and communication regarding this proposal. Many residents of Stockton on the Forest were not aware of this policy change until very recently, despite its potentially serious impact. Communities should be fully consulted — not just via citywide publicity — before major regulatory changes are introduced, especially when they affect how people heat their homes. Given the scale of this proposal and the number of residents it will affect across both urban and rural areas, I also urge the Council to undertake a more thorough, citywide public consultation process. This should go beyond online feedback and legal notices — and include public meetings, engagement with parish councils, and clear outreach to affected households. A policy with such broad implications requires a fair and accessible	

	consultation process that gives residents the opportunity to properly understand, question, and respond to what is being proposed. Request I respectfully request that City of York Council either: -Exempt areas like Stockton on the Forest, where there is no identified air quality issue and many residents already use DEFRA-approved appliances; or -Introduce a more targeted or tiered approach, focusing only on areas with proven air quality issues. Should the proposal proceed as currently outlined, I ask that my objection be formally recorded and that I be informed of any public inquiry or a further opportunity to make representations to the Secretary of State. Closing Summary In closing, I strongly urge the Council to reconsider the breadth and bluntness of this proposal. A citywide Smoke Control Area may appear to offer consistency on paper, but it unfairly impacts responsible rural residents, risks unintended environmental consequences, and is based on outdated data. I support the goal of reducing harmful emissions, but this policy overreaches, lacks flexibility, and does not reflect the lived reality of many households in communities like mine. A more balanced, evidence-led approach would better serve both the environment and the public. Thank you for considering my views.	
6	I would like to object to the plans to prohibit wood burning stoves in Skelton. Like many rural homes I rely on my wood burner to keep small areas of my home warm, and there are many in Skelton with no gas	Resident
7	In order for us to be able to respond to the consultation for expanding the Smoke Control Area into Rural West York, we would be very interested to know what the air quality is in the seven villages and farmsteads which make up the ward and how that compares with public safety standards. We would appreciate your sending us that information in the next week before the May Parish Council meeting cycle starts on Wednesday 7 June with Askham Richard PC. Many properties in the ward are not connected to the gas network and so residents burn wood in their hearths. Are domestic fires excluded from the rules? Whenver a tree falls in the ward, especially when there is a storm or the tree is diseased, residents normally recover the wood and dry it for use in their stoves. It would be a shame if such a useful resource could no longer be put to good use and had to be disposed of at	Councillor

	considerable cost – sometimes to CYC or a cash-strapped parish council. We look forward to receiving the data on clean air quality in our ward.	
8	Since my ancient gas boiler died last year, I have been using my wood stove, (which is on the Defra Exempt list, serviced regularly, I use kiln dried wood, by design to keep emissions low) to heat my home whilst I save up to outfit my home with a heat pump. I don't earn enough to be considered earning enough to live modestly on, but earn enough not to be able to claim benefit top ups. So it is a big deal to save for new heating. So whilst the changes don't effect me, as I have exempt status, I do think that you could spare a thought for my neighbours across the road (aged 96 and 78) whose small old farm house non central heated home is powered by solid fuel. Whatever they can get their hands on cheap, they don't have much, no holidays for them. We are a village here surrounded by fields. Apparently we are urban enough here for you to ban my elderly neighbours from heating their home, but too rural for you to provide a bus service for them to get their groceries. Make your changes but provide free insulation and free heat pumps to the villagers affected not just those on benefits, the squeezed lower too. Not everyone in Knapton lives at the posh end. Some of us have to bike everywhere, and ration energy in Winter	Resident
9	I'm writing to express my objection to the proposed expansion of the smoke control order in York. We have a wood burner and with the excessively expensive utility bills use it in the winter to heat our home. I notice that briquettes will still be allowed … but these are also very expensive. Dunnington is a rural area and there fire do not see the need for the expansion.	Resident
10	I'm writing to express my objection to the proposed expansion of the smoke control order in York. We have a wood burner and with the excessively expensive utility bills use it in the winter to heat our home. I notice that briquettes will still be allowed … but these are also very expensive. Dunnington is a rural area and therefore I do not see the need for the expansion.	Resident *(comments almost identical to respondent 9)*
11	I haven't voted for this measure. It us ridiculous given the price of gas and electricity that you are preventing alternative heating sources. You are causing fuel poverty. Try focusing on measures which will improve safety in the city by cutting out crime associated with hen and stag do every weekend. This is a much greater risk	Resident (via webpage comment)

12	I fully support the Council's proposal to extend the Smoke Control areas.	Resident (via webpage comment)
13	I would agree of smoke free areas in York. But not in the country on the outside of the city of york	Resident (via webpage comment)
14	Rufforth with Knapton Parish Council have some serious concerns over the proposals to extend the smoke free zone over the entirety of the authority area. 1. Rufforth and Knapton are traditional rural villages with many of the properties featuring open fires which are regularly used to supplement central heating. Rufforth has no connection to the gas supply network meaning that residents have no alternative to oil central heating with it's corresponding relative cost. 2. A significant proportion of residents within the Parish are of pensionable age and many can be categorized as "asset rich, cash poor "- a group about which CYC has expressed considerable concern over recent years. Such people do not have the wherewithal to adapt their heating arrangements to comply with the new regulations and equally rely on their open fires to keep warm in winter. 3. At a time when winter fuel payments have been withdrawn and when CYC are spending considerable time and effort on initiatives such as encouraging uptake of pension credit and "keep warm "grants it seems perverse to cast more burdens on this vulnerable group of people. 4. We note in the consultation notes that the Council intend to take a considered approach to prosecution of non compliance but this will not prevent the fear of prosecution causing distress and resulting in vulnerable people suffering the consequences of being cold. 5. It is our belief that these proposals have been put forward as a simplistic city wide approach with no consideration for rural communities such as ours and evidenced by the lack of prior consultation with parish councils.	Parish Council
15	I write to object to City of York Council's (CoYC) plans to impose and enforce a Smoke Control Order across its entire administrative area. I live in Naburn and object to the proposed order on the following grounds: 1. Public health impact:	Resident

	Naburn is a small rural village surrounded by farmland. The minimal smoke created by the domestic heating appliances of a population of fewer than 500 people disperses across open fields and pastures. It is not concentrated, and prevented from dispersing, by tall buildings (as happens in densely populated, built-up areas). The public health impact of the Proposed Order will therefore be negligible. 2. Financial impact on residents: a. Naburn, despite being located less than 4 miles from York Minster, does not benefit from a mains gas supply. Residents are therefore reliant on oil or LPG as main heating sources, putting us at a significant financial disadvantage compared to other residents in the CoYC area. Many Naburn residents have woodburning stoves and open fires as supplemental heating sources to mitigate their high heating costs. Prohibiting us from using those supplemental sources will increase that already substantial financial disadvantage. b. The branded manufactured solid fuels that would be permitted for use under the Proposed Order are prohibitively expensive compared to the cost of well-dried logs many currently burn - compounding our financial disadvantage. c. Setting aside the environmental cost of disposing of several hundred existing appliances, the many hundreds of pounds it will cost to remove existing appliances, and purchase and install one of those on the DEFRA exempt appliances list, will further exacerbate the financial impact of the Proposed Order. 3. Inadequate consultation and publicity: I do not believe residents have been given adequate, accessible information on the Proposed Order, its implications, and their right to object. This is not ''public consultation'' as announced by CoYC. Disappointingly, I view this a deliberate attempt to minimise public awareness of the Proposed Order, and the volume of objections to it.	

	a. The Clean Air Act Public Notice is posted on a single lamp post in the village. It is folded around the lamp post and laminated, making it difficult to read, especially in bright conditions (photos attached). The notice has not been posted on the official Parish Council notice board, no notices have been posted in additional village locations, there has been no leaflet delivered to residents' homes, and no consultation meetings have been arranged and publicised. If residents don't happen to have walked past that one lamp post, noticed the poster affixed to it, and taken the (significant) time required to read it, they will remain unaware of the Proposed Order. b. The Clean Air Act Public Notice consists of multiple paragraphs of dense, technical text, with a Flesch-Kincaid Grade Level of 16.6, equivalent to academic papers studied at postgraduate level. This makes it entirely incomprehensible to many residents who may well be unaware of its implications, or their right to object (which appears some 700 words into the document) as a result. Councils are expected to communicate in plain English using clear, easy-to-understand language, avoiding jargon, technical terms, and complex sentence structures.	
16	In response to the invitation by CYC to contribute to the CYC Smoke Control Area Consultation Osbaldwick Parish Council respond thus; Since the dawn of time man has burnt wood to keep warm and to cook with and the Parish Council see no reason to extend the existing smoke control areas in York nor to increase the relatively 'light touch' current enforcement of current areas and restrictions. From an air quality perspective the imperative for change and greater enforcement can not be justified, certainly in Osbaldwick air quality monitoring doesn't indicate an issue and if it did then perhaps the large industrial wood burning plants at Derwenthorpe and York University ought to be addressed first. Ordinary people supplementing their household heating by using open wood burning fires or enclosed wood burning stoves should be left alone as most fires will be DEFRA approved stoves and if they aren't will eventually be brought up to date during normal household appliance renewals. The unintended consequences of banning open wood burning fires on already struggling public houses can not be underestimated.	Parish Council

	Certainly in Osbaldwick and Murton Parishes faced with acre upon acre of incendiary BESS installations it is bizarre to for the local authority to be seeking to impose restrictions on wood burning by citizens when the impact of a BESS thermal runway event or minor fire would far out way the emissions and pollution if every household in the two Parishes burnt wood for heating and cooking! Similarly the regular burning of cable at the Osbaldwick & Gypsy Caravan Site and the previous burning of scrap fridges/freezers that saw no enforcement action by CYC will have and has had a much greater impact on local air quality than more restrictions on wood burning. City of York Council and the clearly overburdened Environmental Protection Unit ought to be tasked with more important matters that are clearly of interest to residents.	
17	Both myself and my next door neighbour object most strongly to the proposal to enlarge the smokeless zone to the whole of the York area for no good reason other than it is easier for the council. We live in a rural village with no similarities to a York urban environment and where smoke is no problem. The open fire is my sole source of heating and next door uses his for the majority of his heat kindly leave us alone we do not need saving from your spurious excuse of saving us from the effects of pollution.	Resident
18	I would like to object to the proposed smoke control order, which I understand is open to consultation and I would like to make the following points. I believe the consultation process is inadequate. I live in Naburn & there is one single laminated poster on a lamp post. There are none on any notice boards, websites, parish council information or other public areas. I do not believe that this can be considered a proper consultation. We are a small village & the public health impact on us would be negligible compared to a crowded city. Houses are more dispersed, we are surrounded by trees, fields and open spaces. It would have a big financial impact on many residents. We don't have mains gas so are already at a disadvantage. We have no choice but oil, LPG or solid fuel for heating & cooking. Most houses have an open fire or would burner and prohibiting their use would be a financial burden.	Resident

	The branded fuels suggested are typically more expensive compared to seasoned logs. Many of these fuels are imported which actually defeats the object when you consider getting the into the UK. Some people would have to get new appliances in order to comply, another huge individual cost and a total waste of resources. Thank you for considering my strong objections.	
19	We object to the above order due to the fact that older people use logs and logs to heat their houses and have done so for many years. It was one reason for us to move there and feel the use of small quantities of the above products should be allowed.	Resident
20	As a resident in Dunnington for over 15 years I object to the proposed extension of the smoke control area. We live in an area with low population and housing density where there is plenty of air movement between properties reducing the impact of smoke from chimneys. (We are surrounded by fields front and back of the property). We have an old house (built 1928) which is wholly unsuitable for modern heat source pumps etc and have installed 2 log burners - one of which is our primary source of heating in our main living/kitchen area. One was installed in 2011 and the second (the living area) in 2013 so before the DEFRA rules and both would require replacing at considerable cost. I object into the strongest terms.	Resident
21	I been a resident and pensioner of Rufforth rural village. I E-mail to object at including our Rufforth rural village into the Smoke free zone. 1/ Rufforth is a traditional rural village with many properties with open fire witch are regularly used to supplement central heating . Rufforth has no connection to gas supply network witch means that residents have not alternative to oil central heating with high relative cost. 2/ With winter fuel payments have been withdrawn York CC should be looking to help rural villages with heating restriction issues such as only oils heating option rather than impose smoke free zone proposal for rural villages.	Resident

	3/ In my opinion its is YCC 'one fits all solution proposal' this bring and not protecting rural residents that have very little options 4/ I strongly object to rural villages been included in this proposal	
22	I OBJECT most strongly to you thinking of Revising the Smoke Control Order , we live in Naburn and are disabled pensioners , our heating and hot water is supplied via our coal fires , and has been for many years , as we are state pensioners we are finding things hard enough financially then for the government to remove our heating allowance on which we relied added to our financial burden . We are in no position to upgrade our present heating / hot water as we have not the funds . We think you people who suggest these changes should come down from your ivory towers and live in the real world . It appears to us you are trying implement these changes through lack of public awareness and your noiifaction leaves a lot to be desired. I OBJECT MOST STRONGLY	Resident
23	I write to object to this Smoke Control Order, Hessay being a small village on periphery of York area and should be excluded from this Smoke Control Area. Many people burn wood on there open fires or in there stoves, wood being readily available. It should be noted that smokeless fuel is difficult to light and requires paper and wood initially to get going creating smoke. At times bonfires are required particularly on celebrating bonfire night November 5th. At times bonfires are required necessary to clear rubbish and tree brash and so ban will interfere with farming practices.	Resident
24	I am writing to you on behalf of the Parish Council regarding proposals to expand the Smoke Control Area (SCA) in York. We are aware that there was a consultation which ran to 3rd June 2025 which we were advised, was a consultation for individuals and therefore I am writing to you to express the views of the Askham Bryan Parish Council. We appreciate there may be a need to have an SCA but equally, we feel that most rural environments differ significantly from such built up areas where close proximity of residential dwellings and businesses is a contributing factor. The rules in an SCAs concern make reference to emission of smoke from chimneys. Whilst small scale smoke emission may have an adverse effect on air quality in densely populated	Parish Council **(received after consultation closing date)**

	areas, in rural areas such as Askham Bryan and other such areas around York, such controls will have little effect beyond a de minimis amount due to the lack of population density. Spacing between housing and the sheer limited number of dwellings in a rural area effectively make emission of smoke of such limited impact and concern that we do not feel the perceived benefit in any way compensates for the inconvenience and costliness that any ban would cause to those living in such areas. Many homes in such areas already include fire places and stoves that are key to life in a rural Parish. We therefore do not support proposals to extend the SCA and rather would oppose such an extension.	

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City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Environment, Transport and Planning
Service Area:	Environmental Protection (Public Protection)
Name of the proposal :	A York wide Smoke Control Area (SCA) Order
Lead officer:	Mike Southcombe
Date assessment completed:	Updated Sept 2025

Names of those who contributed to the assessment:

Name	Job title	Organisation	Area of expertise
Andrew Gillah	Principal Environmental Protection Officer	CYC	Environmental Protection / Air Quality
Mike Southcombe	Environmental Protection Manager	CYC	Environmental Protection / Air Quality

Step 1 – Aims and intended outcomes

1.1	**What is the purpose of the proposal?** Please explain your proposal in Plain English avoiding acronyms and jargon.
	The Executive is asked to approve the revocation of City of York Council's (CYC's) existing smoke control areas and a new order to designate the whole of CYC's administrative area as a smoke control area (SCA). This is a measure outlined in CYC's Fourth Air Quality Action Plan (AQAP4). A six-week public consultation on proposals to expand the SCA to the wider area of York ran from 22 April 2025 to 3 June 2025 SCAs are places where people and businesses must not emit substantial amounts of smoke from a chimney attached to a building. In addition, only authorised smokeless fuels can be burnt in an SCA, unless a DEFRA approved 'exempt' appliance is used (in which case, dry wood can be burnt). Proposals will ensure a consistent approach throughout York to dealing with smoke emissions across all current and future residential areas (incorporating future homes not currently included within the existing SCA boundary) and will provide clarity for the public over whether premises are within or outside an SCA. A city-wide smoke control area would act as a deterrent to burning non-authorised fuels (or using non-exempt appliances) which contribute to air pollution and especially fine particulate ($PM_{2.5}$) concentrations across the city, which impact human health.

1.2	**Are there any external considerations?** (Legislation/government directive/codes of practice etc.)
	The council has discretion under Section 18(1) of the Clean Air Act 1993 to declare the whole or any part of its area to be a smoke control area, via a smoke control order. A smoke control order may be revoked or varied by a subsequent order as per Section 18(3) of the Clean Air Act 1993. Schedule 1 of the Clean Air Act 1993 outlines the procedure that CYC must follow to make a smoke control order, including publicising its intention to make the order and how objections may be made. Once any objections have been considered, if delegation is approved, the Director of Transport, Environment and Planning will authorise confirmation of the smoke control order, which must come into effect no less than 6 months after it is made. The existing smoke control orders covering areas of York were made on various dates from 1968 to 1993. To revoke a smoke control order that was made on or after 13th November 1980, local authorities must follow the same steps as for making a new order. However, the procedure is different for revoking a smoke control order that was made before 13th November 1980. In this case, Part 3 of Schedule 5 to the Clean Air Act 1993 applies, which requires a revocation order to be confirmed by the Secretary of State. DEFRA have produced best practice guidance for local authorities on declaring, varying, or revoking smoke control orders.

1.3	**Who are the stakeholders and what are their interests?**
	Local residents and businesses who burn wood and other solid fuels. The proposed city-wide SCA will not ban domestic solid fuel burning (including wood) but will require all residents/businesses to take responsibility for the fuel they burn so as to minimise smoke and air pollution (outdoor and indoor). Local fuel merchants would also have an interest in the project as delivery of non-authorised fuels in a SCA is an offence. Any smoke control area boundary changes would be communicated to such businesses.

1.4	**What results/outcomes do we want to achieve and for whom?** This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan and other corporate strategies and plans.
	CYC's Executive is asked to approve the revocation of CYC's existing smoke control areas and a new order to designate the whole of CYC's administrative area a smoke control area. A York-wide SCA will: • ensure consistency in CYC's approach to dealing with smoke emissions across all current and future residential areas • ensure clarity for the public in terms of the rules for burning solid fuels (which are currently different in across different areas of York and in some cases even on the same street) • act as a deterrent to burning non-authorised fuels (or using non-exempt appliances) which contribute to air pollution and especially fine particulate ($PM_{2.5}$) concentrations across the city, which impact human health. • complement other transport related measures being implemented in York to reduce emissions and improve air quality. • Improve public health A review of CYC's smoke control area boundary is a proposal included within CYC's Fourth Air Quality Action Plan (AQAP4). AQAP4 outlines the action CYC will take to further improve air quality in York over the next 5 years, to go beyond health-based Air Quality Objectives in all areas of the city and to work towards meeting stricter World Health Organisation (WHO) Guidelines. AQAP4 is fully aligned to the Council Plan and reflects ambitions contained within our 10-Year Strategies covering climate, health and wellbeing and the economy. Measures within AQAP4 have been considered in terms of affordability to the public and each measure balanced against a potential adverse economic impact.

	AQAP4 supports the aims of the council's Health and Wellbeing Strategy by minimising and reducing public exposure to air pollution and raising public awareness about the impacts of air pollution on health. AQAP4 will also continue to ensure that new developments provide a safe and healthy environment for occupants, support active travel initiatives and help to address health inequalities in the city. AQAP4 additionally embeds the council's commitment to healthy and affordable (energy-efficient) homes and has been developed to complement CYC's Climate Change Strategy and support the guiding principles of our Economic Strategy, which aims to build inclusive, healthy and sustainable communities. AQAP4 provides a framework for air quality improvement activities and emission reduction policies. Many AQAP4 measures directly support CYC's carbon reduction programme and complement measures to reduce pollution from combustion across the city. AQAP4 contains measures relating to the Local Plan that will build upon previous actions delivered as part of earlier AQAPs for the city. These include the continued development of Low Emission Planning Guidance, to formalise the approach for assessing and mitigating the emissions impacts of new development. Ensuring that only the cleanest appliances and fuels can be used on existing and future residential sites will maximise public health outcomes across the city.

Step 2 – Gathering the information and feedback

2.1	**What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?** Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
Source of data/supporting evidence		**Reason for using**

Public consultation on smoke control area order expansion	Statutory consultation has been undertaken to gather feedback from residents and local businesses, including fuel merchants. Proposals have been advertised in the London Gazette (statutory notice), local press (statutory notice), CYC website and social media channels and via hard copies of notices placed around York in line with statutory requirements. CYC is obliged to consider all comments and objections received as part of the consultation process. Revocation of old smoke control orders (pre 13th November 1980) will also be subject to approval by the Secretary of State, prior to any new order coming into effect. A summary of comments received and issues raised during the consultation is included in the Annexes to the main report to CYC's Executive.
Consultation activities for AQAP4	Feedback from interested local organisations and bodies (e.g. residents and local businesses) was gathered as part of a widespread consultation on AQAP4 undertaken between 22nd November 2023 and 4th February 2024. The process of reviewing the smoke control area boundary is referenced within this document as a specific measure. The consultation showed that 68% of consultees 'supported' or 'strongly supported' measures to reduce emissions from non-transport sources, including domestic combustion activities. The consultation approach was discussed with CYC's Access Officer and consultation materials were circulated directly to members of the York Access Forum and wider disabled community to provide opportunities for feedback on the measures proposed within AQAP4. AQAP4 was approved by CYC's Executive on 18th July 2024.

CYC Research	Research undertaken has analysed household Energy Performance Certificates (EPCs) for 53,720 households across York. Solid fuel was identified as a source of heating for 8% of these households (4302 locations). Outside the current SCA boundary, 3% of households (1,611 locations) used solid fuels, with 0.2% (98 locations) using a solid fuel as a main source of heating. Of the 98 households outside the SCA that used solid fuels as a main source of heating, it is estimated that around 39 locations are burning wood fuels and therefore *may* be required to upgrade appliances to comply with smoke control requirements (if stoves cannot burn smokeless fuels or be modified to do so).
CYC's 'Fuel for Thought' campaign (including survey work and focus group activities)	This campaign reinforced existing CYC strategies aimed at reducing emissions and exposure and complemented and reinforced messaging delivered through the national 'Burn Better, Breathe Better' campaign. As such, this aligned with the national Clean Air Strategy objective of delivering action to reduce emissions at home. Baseline public awareness of issues relating to the burning of solid fuels in York was established via online pre-campaign survey work and in-person focus groups held across different areas of York. These activities helped to shape the messaging and creative route for CYC's awareness campaign. CYC did notice an increase in contact with the council during the campaign and immediately following the campaign. This included requests for information about smoke control areas and the regulations around sales of solid fuels. However, this also included some negative comments around the cost-of-living crisis and objection to CYC providing advice to residents on how they should heat their homes.
Various academic and government research papers and policy documents	DEFRA's National Air Quality Strategy outlines that air quality interventions should be designed in a way which takes account of the disparities in exposure to and impacts from poor air quality. The strategy

	outlines that local authorities have a duty to publish air quality information regularly and transparently.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.
Gaps in data or knowledge	**Action to deal with this**
Proposals *may* increase the number of smoke complaints received by Public Protection, which would need to be investigated / enforced. This could add to existing workload pressures.	CYC has developed a new enforcement policy in line with recent changes to the Clean Air Act 1993 (made under the Environment Act 2021). These changes have strengthened and streamlined provisions for local authorities to tackle pollution from domestic solid fuel burning. CYC will only take enforcement action when it is proportionate and in the public interest to do so, in accordance with the Council's enforcement policy. There may be reasons why a financial penalty would not be imposed for smoke control contraventions (for example hardship, if proven), and these may include issues relating to inequalities. Such reasons will be assessed on a case-by-case basis in consultation with relevant CYC departments, including Legal Services.
Impact on fuel poor households who may be using open fires or burning cheap wood as a secondary source of heat (rather than using electricity, gas or oil).	CYC recognises that burning solid fuels can be a financially viable option for some households and that some rural communities use solid fuels for practical and economic reasons, particularly where homes do not have mains gas supply. Proposals would mean that people could only *purchase* clean seasoned 'Ready to Burn' wood to burn in exempt stoves or use 'smokeless' fuel in open fires. This could potentially be more expensive for people who are reliant upon foraged wood as a source of fuel in open fires.

	It should be noted that Smoke Control Areas do not prevent residents from burning solid fuels, simply that they do not cause excessive emissions / smoke when doing so. Foraged wood / logs can still be burned in suitable appliances assuming they are correctly seasoned to remove moisture (<20%) that can exacerbate smoke emissions. It takes on average 12–18 months to dry firewood so its moisture content is 20% or less. CYC actively discourages the burning of wet, painted, stained or chemically treated wood (e.g. pallets / old furniture). Particle board, chipboard, plywood, and MDF contain glue and other curing chemicals that emit extremely dangerous gases when burnt. Not only this, but burning the wrong materials can damage stoves and pose a fire risk. Where existing stoves are not DEFRA approved, they can remain in place, but people would have to burn smokeless fuels or upgrade their appliances where this is not possible. Some stoves can be modified to become DEFRA approved with a manufacturer supplied kit. CYC would assist any affected residents by signposting to relevant sources for advice on suitable upgrades. CYC recognise there must be a balance between the environmental and health benefits of the proposal and any potential harm caused by the economic impacts for residents. CYC will only take enforcement action when it is

	in the public interest to do so, in accordance with the Council's Enforcement Policy. CYC will take a proportionate approach, on a case-by-case basis, to those who are burning non-compliant solid fuel for financial reasons and who are unable to afford an alternative means of heating. CYC would also signpost residents and businesses to energy efficiency upgrade grants and advice services to mitigate any detrimental impacts on fuel poor households.

Step 4 – Analysing the impacts or effects.

4.1	**Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?** Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations**.**		
Equality Groups and Human Rights.	**Key Findings/Impacts**	**Positive (+) Negative (-) Neutral (0)**	**High (H) Medium (M) Low (L)**
Age	Whilst air pollution can be harmful throughout life and across all age groups, some people are more affected because they are exposed to higher levels of air pollution in their day to day lives, live in polluted areas, or are more susceptible to air pollution related health issues. Young children and older people (65 and older) are considered vulnerable to the	+	M

	impacts of air pollution. (Age impacts may also be a consideration in relation to lack of access to digital technology to obtain air quality information that will help to reduce exposure). Proposals will aim to reduce indoor and outdoor air quality impacts associated with domestic solid fuel burning and thus overall will have a positive impact on vulnerable age groups. Please also note comments in relation to 'low income groups' below, which may apply to older people / pensioners.		
Disability	People with respiratory illnesses are more adversely affected by poor air quality.	+	M
Gender	Poor air quality is likely to adversely affect the health of the most vulnerable such pregnant women. Impact on pregnant women (and women of childbearing age) due to the impact of air pollution on premature births, reduced birth weights and reduced lung function in children. The proposals aim to mitigate these effects so will have a positive impact.	+	M
Gender Reassignment	No impacts identified	0	-
Marriage and civil partnership	No impacts identified	0	-
Pregnancy and maternity	Poor air quality is likely to adversely affect the health of the most vulnerable such as pregnant women. Pregnant women are more likely to suffer from pregnancy complications including low birth weights and pre-term birth in areas of high air pollution. The proposals aim to mitigate these effects so will have a positive impact.	+	M
Race	Research shows people from ethnic minority backgrounds are more likely to live in urban areas or near major roads in	+	L

	major cities, hence can be more affected by air pollution. Whilst this may not necessarily the case in York, the proposals aim to improve air quality across the whole of York and will therefore have a positive impact on all communities.		
Religion and belief	No impacts identified	0	-
Sexual orientation	No impacts identified	0	-
Other Socio-economic groups including :	**Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?**		
Carer	No impacts identified	0	-
Low income groups	Fuel poor households who may be using open fires or burning cheap wood as a secondary source of heat (rather than using electricity, gas or oil) could be affected by the proposals. Proposals would mean that people could only *purchase* clean seasoned wood to burn with a moisture content of less than 20% (carrying the 'ready to burn' logo, where retail packaged) in exempt appliances, or use an authorised / smokeless fuel. This could be more expensive for people who are reliant upon foraged wood as a source of fuel. It should be noted that foraged wood can still be burnt in exempt appliances, assuming it is appropriately dried / seasoned (so moisture content is below 20%) and combustion produces no visible smoke (after an agreed light up period). CYC would continue to signpost residents and businesses to (a) energy efficiency upgrade grants and advice services, and (b) the Household Support Fund and	-	L

	other benefits such as pension credit, to mitigate any detrimental impacts on fuel poor households.		
Veterans, Armed Forces Community	No impacts identified	0	-
Other	N/A	-	-
Impact on human rights:			
List any human rights impacted.	N/A	-	-

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

High impact (The proposal or process is very equality relevant)	There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
Medium impact (The proposal or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
Low impact (The proposal or process might be equality relevant)	There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	**Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?**

Proposals have the potential to reduce concentrations of fine particulate matter ($PM_{2.5}$) / smoke associated with burning wet wood and other non-authorised fuels. CYC is obliged to take into account comments received in relation to the proposals as part of the statutory public consultation activities outlined in the Clean Air Act 1993.

As previously outlined, CYC would continue to signpost residents and businesses to energy efficiency upgrade grants and advice services to mitigate any detrimental impacts on fuel poor households. CYC would also continue to provide advice on the Household Support Fund and any other benefits such as pension credit.

Additionally, CYC will only take enforcement action when it is proportionate and in the public interest to do so, in accordance with the Council's enforcement policy. There may be compelling reasons why a financial penalty would not be imposed for smoke control contraventions (for example hardship, if proven). Such reasons will be assessed on a case-by-case basis in consultation with relevant CYC departments, including Legal Services.

Step 6 – Recommendations and conclusions of the assessment

6.1	**Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:**

- **No major change to the proposal** – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.

- **Adjust the proposal –** the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.

- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty

- **Stop and remove the proposal –** if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	**Conclusions/justification**
No major change to the proposal	No potential for unlawful discrimination has currently been identified and any potential adverse impacts will be appropriately mitigated as outlined in this document. CYC will take into account comments and any objections received as part of the consultation. Opportunities to advance equality and foster good relations will be sought throughout this project and as part of AQAP4's wider delivery.

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	**Action to be taken**	**Person responsible**	**Timescale**
Impact on existing residential areas outside existing SCA boundary	CYC has followed the statutory consultation process as outlined in the Clean Air Act, and comments will be fully considered by members prior to expanding the SCA	CYC Public Protection has progressed a public consultation and has summarised comments received for consideration by CYC elected members	Consideration of comments by elected CYC members. The time required to revoke existing orders and consult on and set up a new order is approximately 12 months. In line with the statutory Clean Air Act requirements, any new Smoke Control Order cannot come into effect less than six months after it is made. This would effectively allow a grace period of 6 months for any affected residents to explore / trial the use of alternative smokeless fuels.

			The provisional date for the proposed order to come into effect is 25th May 2026 (this aligns with the date of the revocation order for the existing smoke control areas declared prior to November 1980).
Implementation of a revised enforcement procedure for new SCA in line with changes made to Clean Air Act 1993	Enforcement policy and penalty definition previously approved by Executive Member for Environment and Climate Emergency. CYC will only take enforcement action when it is proportionate and in the public interest to do so, in accordance with the Council's enforcement policy	CYC Public Protection (with input from CYC Legal Services)	Enforcement procedure will be followed for all smoke control breaches within the expanded area (following the new order being made and coming into effect).

Step 8 - Monitor, review and improve

8. 1	**How will the impact of your proposal be monitored and improved upon going forward?** Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	• Ongoing monitoring of air pollution across York to determine positive impacts in terms of reduced concentrations of fine particulate matter ($PM_{2.5}$) and associated public health benefits. • Request for advice / smoke complaints received / enforcement activity undertaken (with any local enforcement policy and penalty definition subject to regular review). • The CYC webpages and publicly available GIS maps will be full updated with information for the public and other relevant stakeholders. Revised SCA boundaries will also be communicated to CYC's Local Land Charges team and solid fuel merchants (who have legal responsibilities in terms of delivery of compliant fuels within SCAs).

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CITY OF YORK COUNCIL

CLEAN AIR ACT 1993

CITY OF YORK COUNCIL SMOKE CONTROL ORDER (2025)

The Council of the City of York ("the Council") make this Order in exercise of the powers conferred by section 18 of, and Schedule 1 to, the Clean Air Act 1993 (as amended) hereby makes the following Order:

Citation

1. This Order may be cited as the 'City of York Council Smoke Control Order (2025)'.

Commencement

2. This Order shall come into operation on [insert date] and shall continue in force until varied or revoked.

Declaration and Application

3. City of York Council declares the whole of the area within its boundary to be a smoke control area. The extent of the smoke control area is shown in the map annexed at **Schedule 1** to this Order.

4. This Order applies to all buildings, fireplaces, fixed boilers or industrial plants within the smoke control area unless otherwise excluded from the operation of Schedule 1A to the Clean Air Act 1993.

5. In the whole of the Smoke Control Area created by this Order (that is, all land within the Council boundary), the operation of Section 19A of the Clean Air Act 1993 (Penalty for emission of smoke in smoke control area in England) shall be applicable to all buildings.

Exemptions

6. There are no buildings, fireplaces, fixed boilers, industrial plants that are exempt from the operation of Schedule 1A to the Clean Air Act 1993 under this Order.

Revocation

7. (a) The smoke control order(s) specified in **Schedule 2** to this Order; and

   (b) any other smoke control orders made pursuant to section 11 of the Clean Air Act 1956 or Part III of the Clean Air Act 1993, on or after 13th November 1980, by the Council, or the authorities specified in **Schedule 3** to this Order, in so far as they have been transferred to the Council and apply to the administrative boundary of the Council

   are hereby revoked.

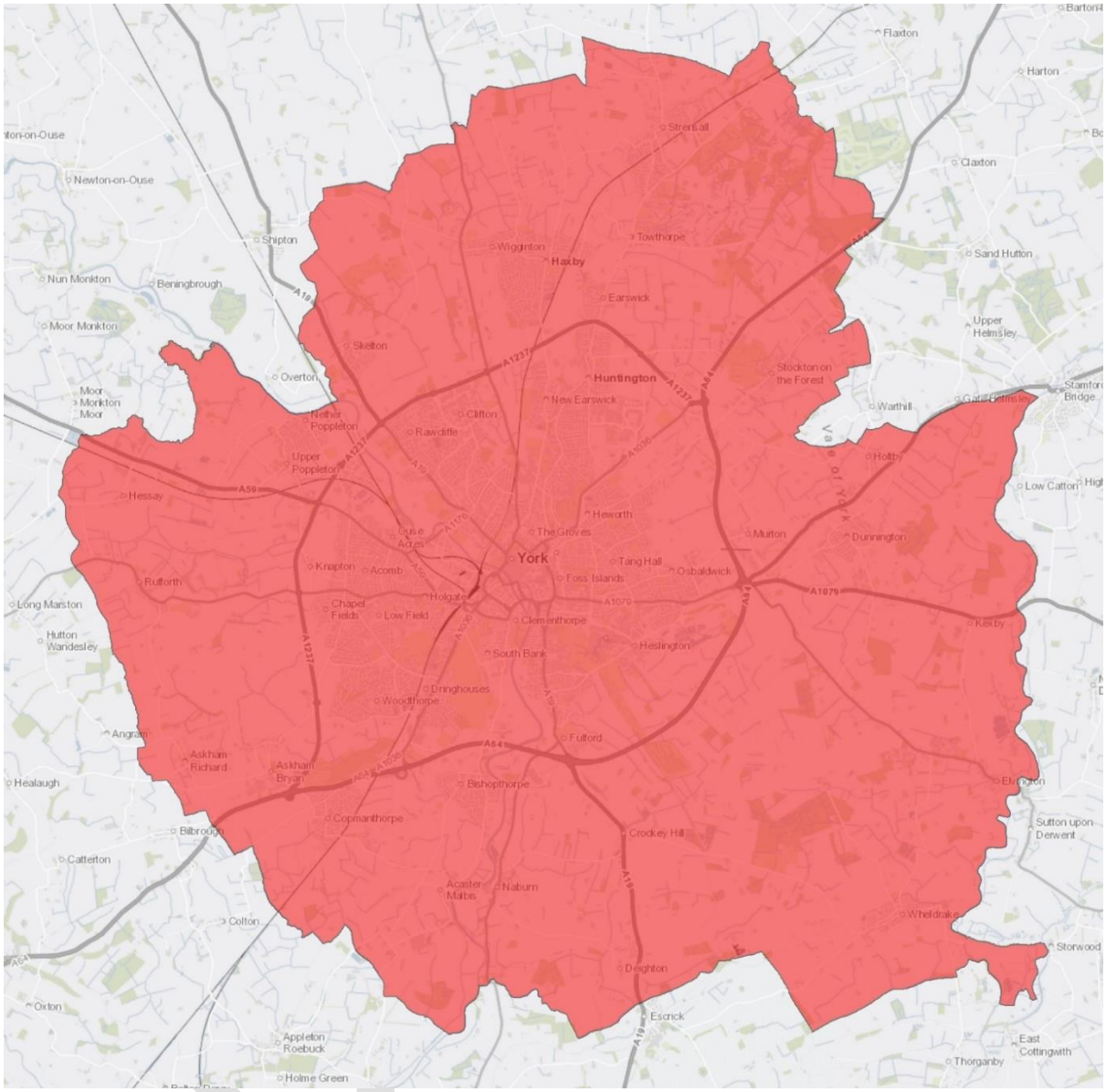
[*insert date of order*]

[*insert relevant seal of signing authority*]

DRAFT

Schedule 1

Map of Smoke Control Area



© Crown copyright and database rights 2025 Ordnance Survey: AC0000822532

Smoke Control Area covering City of York Council's administrative area

Schedule 2

Revocations

The City of York (No. 9) Smoke Control Order 1983

The City of York (No. 10) Smoke Control Order 1984

The City of York (No. 11) Smoke Control Order 1985

The City of York (No. 12) Smoke Control Order 1986

The City of York (No. 13) Smoke Control Order 1986

The City of York (No. 14) Smoke Control Order 1987

The City of York (No. 15) Smoke Control Order 1987

Haxby & Wigginton (No. 4) Smoke Control Order 1988

The City of York (No. 16) Smoke Control Order 1989

Haxby & Wigginton (No. 5) Smoke Control Order 1989

Clifton Without and Rawcliffe (No. 1) Smoke Control Order 1991

Huntington (No. 2) Smoke Control Order 1992

Osbaldwick (No. 1) Smoke Control Order 1993

Heworth Without (No. 1) Smoke Control Order 1993

DRAFT

Schedule 3

Ryedale District Council

Harrogate Borough Council

Selby District Council

DRAFT

Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Garry Taylor, Director of City Development
Portfolio of:	Councillor Lomas, Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion Councillor Ravilious, Executive Member for Transport

Decision Report: Appropriation of Land at Bootham Stray for Highway Purposes

Subject of Report

1. This report seeks consent to appropriate land on a small part of Bootham Stray for highway purposes. The land is shown shaded orange in Annex 1. This will enable the existing site access to be upgraded to improve cycle and pedestrian facilities across the site access, linking with existing facilities in the vicinity of the site. It will also enable the relocation of a bus shelter and the provision of access routes for pedestrians and cyclists between Wigginton Road and the Cocoa Gardens housing development site.

2. The proposed appropriation is to be carried out under Section 122 of the Local Government Act 1972.

3. This follows a similar request which was granted by Executive in September 2018 to widen the vehicular access which historically served the Nestle works.

Benefits and Challenges

4. The Cocoa Gardens housing site currently being developed by Latimer Developments (a subsidiary of Clarion Housing Group) will deliver 302 new residential units, accessed off Wigginton Road,

north of its junction with Crichton Avenue. Under the planning permission for the scheme (Ref 21/01371/FULM), the scheme is to include 56 shared ownership units and 54 affordable rent units, representing 36% affordable housing provision. This represents a 16% increase in affordable housing units over and above the Council's planning policy of 20% affordable housing on brownfield sites.

5. The proposed scheme includes the land shaded orange on the plan at Annex 1 to provide cycle and pedestrian priority across the site access road, links between Wigginton Road and the site and an upgraded bus stop and shelter.

6. The highway works to be carried out on the appropriated land will benefit the public by linking with existing walking and cycling facilities and improving sustainable transport provision in the area. The land to be appropriated is stray land, classed as open space.

Policy Basis for Decision

7. The Council Plan advocates the provision of sustainable accessible transport for all. The land required will be utilised to provide cycleways, paths and a bus stop.

8. A further priority of the plan is to cut carbon, enhancing the environment for our future. The scheme supports the shift to sustainable transport modes and provides trees and landscaping.

Financial Strategy Implications

9. There are no financial strategy implications given the land is being retained in the ownership of the Council, albeit being appropriated for highway purposes.

Recommendation and Reasons

10. Executive is recommended to:

a) Note that the required consultation process in accordance with Section 122 of the Local Government Act 1972 for the appropriation of open space to be utilised as highway was carried out and no objections were received;

b) Approve the appropriation of the land shown shaded orange in Annex 1 for highway purposes.

Reason: to enable the developers of the Cocoa Gardens housing site to provide the required sustainable transport infrastructure to benefit existing highway users and future residents of the development.

Background

11. In September 2018 Executive agreed to appropriate an area of land forming approximately 379 square metres, owned by CYC and which forms part of Bootham Stray, to highway use (and authority was given for granting of a licence to the developer for carrying out highway works on that land). The rationale was to enable the development of the adjacent site for residential use.

12. The development of the site required an expanded access point onto Wigginton Road in order to create a suitable safe junction. The junction goes over land which forms part of Bootham Stray shown coloured red (“the Red Land”) and stippled blue (“the Blue Land”) on the Plan attached at Annex 2.

13. The Council is the owner of Bootham Stray and that land is an open space recreation area for the residents of York. The plan in Annex 3 illustrates the extent of the Stray. Vehicular access has been permitted across the thin strip of Bootham Stray that runs along the side of the former Nestle factory and that land has not been used for recreation since 1896, however any additional land needed for access is still subject to the legal protections afforded as open space.

14. Annex 3 shows the car park (in green), which at the time of the Executive report in 2018 was leased to and historically used by Nestle. The area of the car park was 1,385 square metres. It was agreed that as part of the deal to provide that the 379 square metres of Stray land be appropriated to highway use and for the developer being granted licence to carry out accessway infrastructure works on the land, that the land coloured green be laid out as publicly accessible open space/ stray land and then surrendered/leased back to the Council. That land was over 3 and a half times the size of the land proposed for the junction and was considered at the time, to more than adequately replace the

potential amenity value of the Red Land and the Blue Land. That legal agreement is still in effect and under the terms agreed the and will be returned as part of the development scheme.

15. Legal documents enabling the original appropriation transaction on the basis outlined were entered into on 13th November 2020.

16. Whilst the agreement of the documentation setting out the principles of this first appropriation have been agreed some years ago, City of York Council was approached again by the current owner and developer of the site as they require additional land to be appropriated to provide cycle and pedestrian improvements to the site access and a relocated bus shelter in accordance with the most recent planning consent for the site, obtained in 2022.

17. The additional land to be appropriated is shown shaded orange on the plan in Annex A. The land required comprises a further 464 square metres in total, comprising 282 square metres at the entrance of the site and a further 182 square metres for the paths linking the pocket parks and the housing site. Along with the original land agreed to be appropriated, the total (843 Sq M) is still less than that being returned by virtue of the former car park being returned to open space land.

18. In terms of open and landscaped spaces, the development includes the creation of a pedestrian square to enhance the pedestrian connection to the wider Cocoa Works Development; block paved driveways along the main streets accessing the development; a larger neighbourhood square to promote community building, community gardens & orchard with a variety of fruit bearing trees and different types of planting; and the large meadow, play area with exercise apparatus, and woodland park with a large number of new, existing and relocated native trees.

19. The site promotes access and engagement with nature, as well as food production, to help foster and sense of stewardship and pride between the local community and their environment. This includes existing retained mature trees set around new glades and woodland edge planting within the Stray land; managed woodland and native woodland edge/understorey planting; herb gardens and edible berries as well as the fruit trees.

Consultation Analysis

20. As part of the appropriation process, notices required under Section 122 Local Government Act 1972 (provided at Annex 5) were published in the local press on 3rd and 10th November 2025, inviting objections and responses to be submitted by 7th December 2025. No objections or representations have been received.

21. The housing development has planning consent under reference 21/01371/FULM and consultation has been undertaken in accordance with planning requirements to enable the site to obtain planning consent.

Options Analysis and Evidential Basis

22. The preferred option, in line with the previous decision in 2018 is to appropriate the land for highway purposes and for the developer to construct the required highway works. This would mean that, if in the future this access was no longer required, it could be returned to Stray use.

23. An alternative option would be to dispose of the freehold of the land to the developer. However, this is not recommended as the process of disposal of any Stray land would be very difficult, expensive and time consuming. It would also take the land out of Council ownership in perpetuity.

24. Another option would be to refuse the request for appropriation. This would prevent the developer from forming the access as required under the current planning consent (reference 21/01371/FULM). This would prevent the developer from providing the sustainable transport improvements which were assessed as required through the planning process.

Organisational Impact and Implications

- **Financial**

  No financial implications identified as the land is being retained in the ownership of the Council, albeit being appropriated to highways.

- **Human Resources (HR)**

  No HR implications identified.

- **Legal**

  Whilst the Council is the owner of Bootham Stray, that land is an open space recreation area for the residents of York. For the Council to appropriate part of Bootham Stray to another use/purpose (which includes highway) the following process is required and has been carried out:

  (i) Notice of this needs to be advertised in a local newspaper in two consecutive weeks and the Council must consider any objections or other comments received.
  (ii) Any appropriation of Council land to a different use/purpose must be approved by Executive.

- **Procurement**

  No implications identified.

- **Health and Wellbeing**

  No implications identified.

- **Environment and Climate action**

  The proposal to appropriate land for highway purposes, will result in improved walking and cycling infrastructure for the new development at Cocoa Gardens, supporting the shift to sustainable modes of transport.

- **Affordability**

  No implications identified.

- **Equalities and Human Rights**

  No differential implications identified. The decision is to appropriate Stray land which was inaccessible to provide sustainable transport improvements. These improvements include walking and cycling facilities and a relocated bus stop/shelter. This will benefit existing highway users and new

residents living on the development site and will benefit all users, including people with protected characteristics under the Equality Act 2010.

- **Data Protection and Privacy**

  No implications identified.

- **Communications**

  No implications identified.

Risks and Mitigations

25. Failure to appropriate the land for highway purposes would result in the developer not being able to provide the required highway and sustainable transport improvements.

Wards Impacted

Guildhall

Contact details

For further information please contact the authors of this Decision Report.

Author

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Job Title:	Director of City Development
Service Area:	City Development
E-mail:	garry.taylor@york.gov.uk
Report approved:	Yes
Date:	20 January 2026

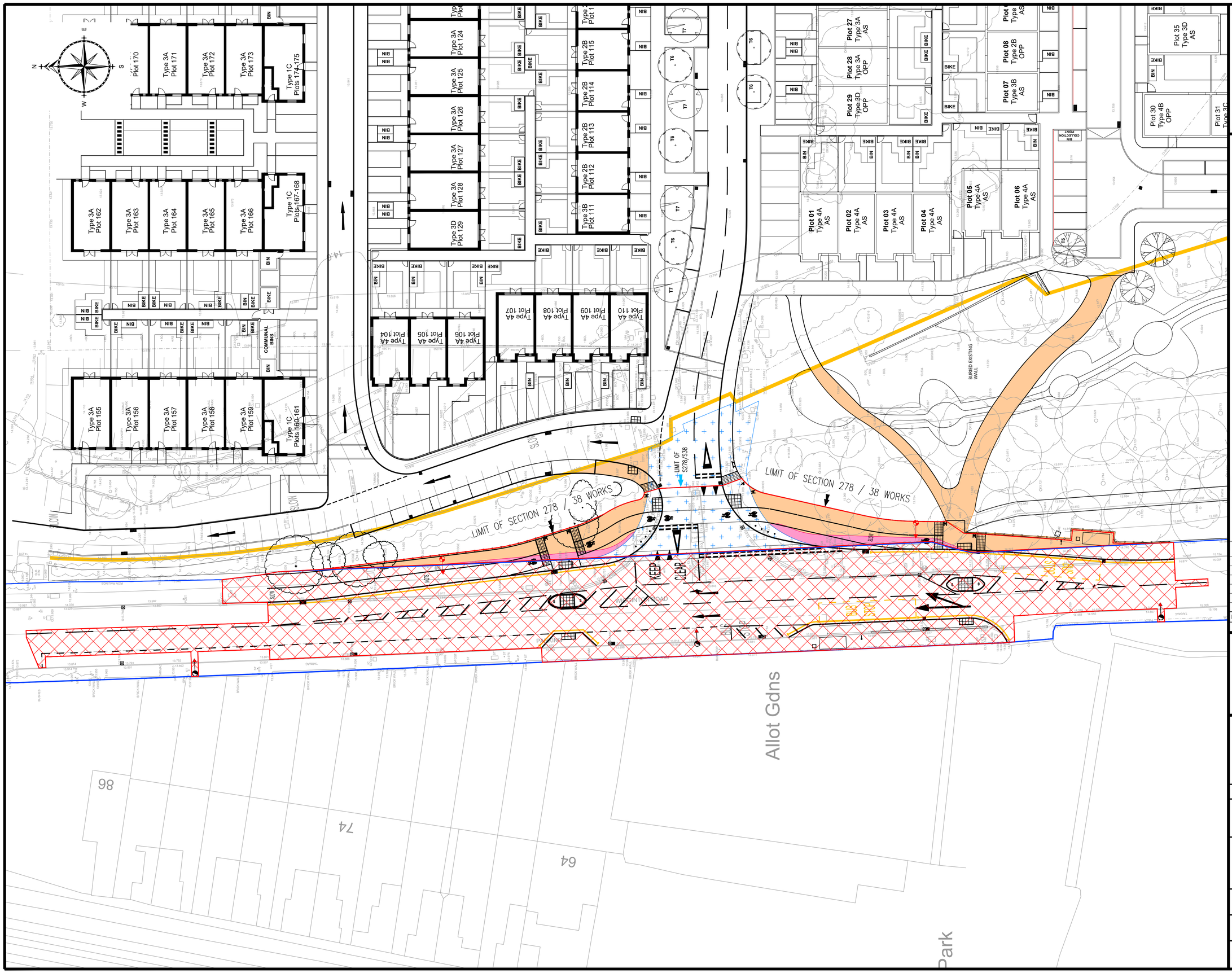
Background papers

Executive Report on 27 September 2018 - Appropriation of Land on Bootham Stray for Highway Purposes
https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=5332

Officer decision 13 October 2025 to conduct the consultation process required under Section 122 of the Local Government Act 1972 for the appropriation of open space to be used as highway on Wigginton Road, at the access to the Cocoa Gardens development
https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=7531

Annexes

1 – Plan of Proposed Land to be Appropriated
2 – Plan of 2018 Land Appropriation
3 – Plan of Stray and Former Car Park Land
4 – Photographs of Site
5 – Section 122 Notice



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NOTES

1. Do not scale from this drawing.
2. All details to be confirmed on site.
3. Background plan is based upon composite survey provided by JLP Surveying Consultants Drg. No. S20-313
4. Mechanical handling equipment to be used with materials in excess of 20 kg.
5. ADL Traffic and Highways Engineering takes no responsibility for any behaviour or consequence related to Covid-19, following the implementation and or operation of the development proposal assessed, or designed in this report/drawing or the highway works constructed .

KEY:

- EXTENT OF S278 WORKS
- EXTENT OF S38 WORKS
- EXISTING HIGHWAY BOUNDARY
- LAND OWNERSHIP BOUNDARY
- EXTENT OF EXISTING JUNCTION WITHIN STRAY LAND. 327m²
- EXTENT OF STRAY LAND REQUIRED [INCLUDED WITHIN TRI-PARTITE AGREEMENT]. 52m²
- EXTENT OF STRAY LAND REQUIRED [ADDITIONAL]. 464m²

FOR APPROVAL

No.	Revision Note.	Date.	By.	Checked.
G	Footpaths south of vehicular access added to extent of stray land required	10.10.24	MT	
F	Additional legal boundaries added	13.12.23	MT	
E	Boundaries revised	04.10.23	JW	MT
D	S38 Boundary revised	15.09.23	JW	MT
C	Revised following CoYC comments 14.07.23	25.07.23	JW	MT
B	Revised Road Layout.	18.04.23	MW	MT
A	Existing highway boundary added	20.01.23	JW	MT

AMENDMENTS

ADL TRAFFIC HIGHWAYS

ADL Traffic & Highways Engineering Ltd.
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The Oaklands Business Park
Yate, Bristol
BS37 5NA
Tel : 01454 332100
Fax : 01454 327983
E-Mail : hcad@adlhighways.co.uk

ADL Job No. 5036

Project: Cocoa West
Wigginton Road, York

Title: S278 Highway Works
S278 - S38 Legal Plan

Date	Drawn		
29.11.22	MT		
Checked	Date	Approved	Date
Scale	Drg No.		Rev.
1:250 @ A1	5036-001		G

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KEY

Assumed Extent of Stray Land

Extent of Exg Junction Within Stray Land

Extent of Stray Land Required

Approx. Extent of Exg Adoption

N

MP .25

14.0m

13.7m

WIGGINTON ROAD

1:250 / 1:500 SCALE BAR

0m 5m 10m 15m 20m 25m

G	NO ALTERATION TO INFORMATION. RE-PDF'D AT LARGER SCALE FOR CLARITY	07.09.2018
F	STRAY LAND REQUIRED FOR JUNCTION AMENDMENTS REFINED | by bdro	15.08.2018

FILE: X:\27050 Cocoa\West\Drawing\CAD 27050\00\Dis_SITE-LOCATION-PLANS.dwg TAB: LD004 Last Printed: 09/07/2018 11:08:19

Revision

AXIS architecture

Talbot Chambers 2-6 North Church Street Sheffield S1 2DH
tel: +44(0)114 2490944 fax: +44(0)114 2490966 www.axis-architecture.com

COCOA WEST

WIGGINTON ROAD

YORK

YORK 456 ltd

SITE PLAN

WIGGINTON ROAD ACCESS

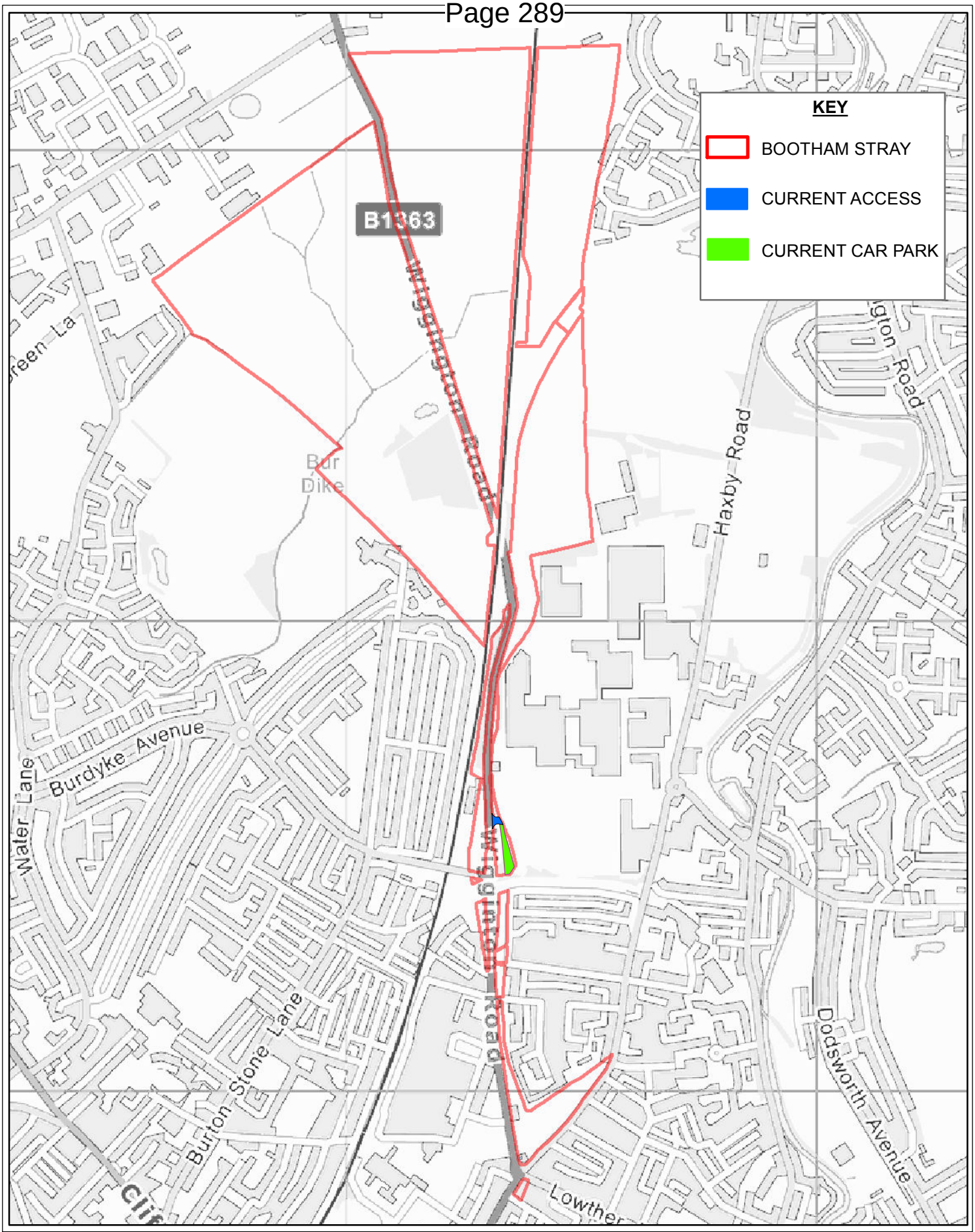
A1 Scale	A3 Scale	Date	Drawn By	
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Project Number	Drawing Number	Revision
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PRELIMINARY

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CITY OF YORK COUNCIL

Asset & Property Management

Bootham Stray Current Access & Car Park

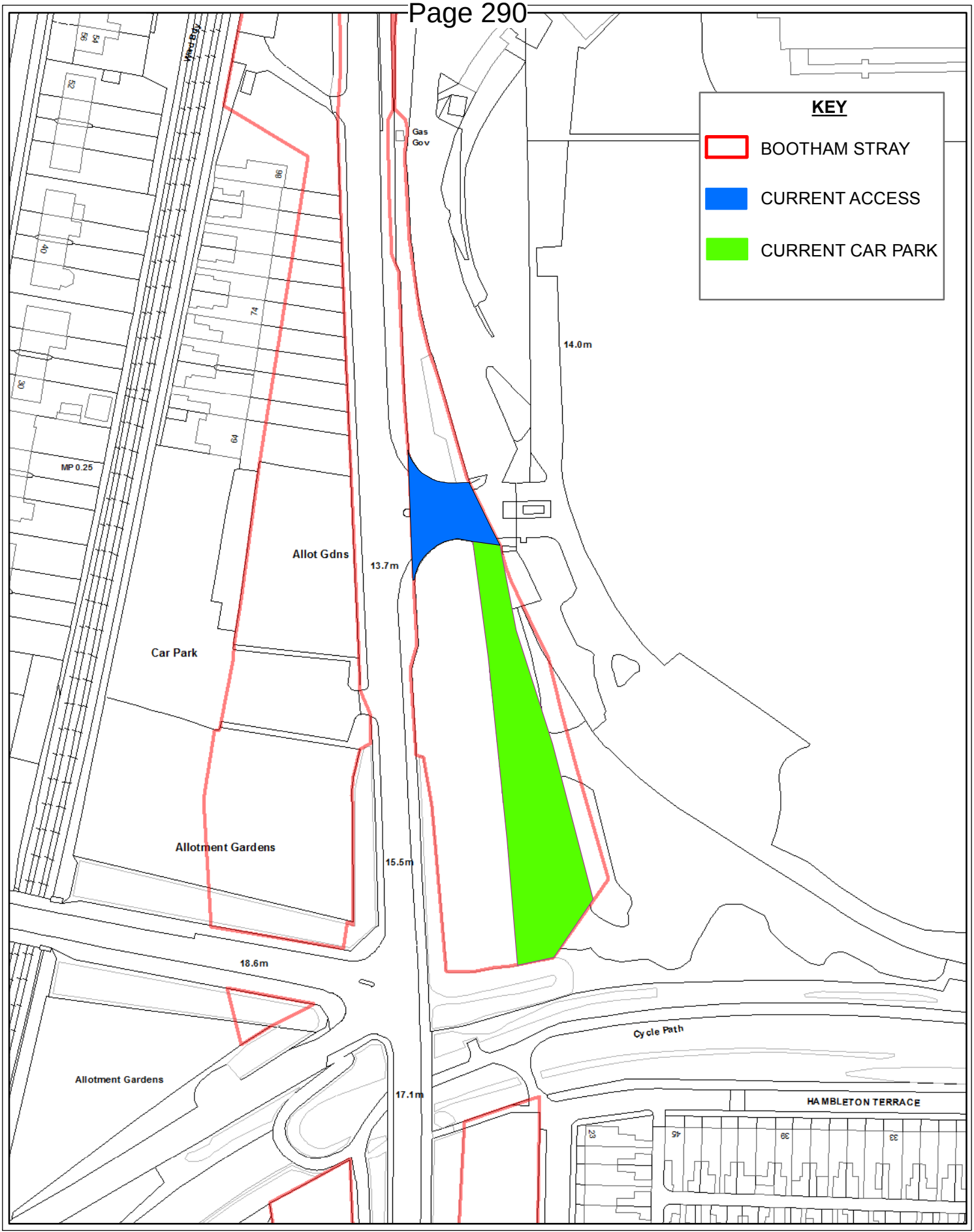
N W E S

SCALE 1:10,500 DRAWN BY: CC DATE: 04/09/2018

Originating Group: Asset & Property Management

Drawing No. E00079

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City of York Council 100020818



CITY OF YORK COUNCIL

Asset & Property Management

Bootham Stray Current Access & Car Park

N W E S

SCALE 1:1,250 DRAWN BY: CC DATE: 04/09/2018

Originating Group: Asset & Property Management

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The Land Required either side of the Wigginton Road Access (Photo 2024)





Access Point from Wigginton Road (Photo 2018)



Adjacent Car Park (Photo 2018)



City Development
Highway Regulation

City of York Council
West Offices
Station Rise
York
YO1 6GA

Our ref: Cocoa Gardens land appropriation

Date: 23.10.25

Section 122 of the Local Government Act – Notice of intention to appropriate public open space for highway purposes off Wigginton Road

Notice is given that City of York Council in exercise of its powers under section 122 of the Local Government Act 1972 intends to appropriate land at Wigginton Road, opposite the allotments, north of the junction with Crichton Avenue.

The proposal to appropriate the land as adopted highway is being considered to enable the construction of an improved junction for the Cocoa Gardens housing development off Wigginton Road, suitable pedestrian and cycle access between the housing site and Wigginton Road, and improved bus stop facilities in the vicinity of the site.

A plan of the areas proposed to become adopted highway is available at www.york.gov.uk/ProposedLandDisposalPlan.
A copy of the plan can also be requested by email (see contact details below) and/or consulted at the Council's offices (see address above).

All objections and responses to this consultation should be sent no later than 7 December 2025 to highway.regulation@york.gov.uk or to the postal address above, with the reference *"Cocoa Gardens land appropriation"*.

For further information about this proposal, please contact Helene Vergereau, Head of Highway Management, City of York Council at helene.vergereau@york.gov.uk or on 01904 552077.

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Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Pauline Stuchfield, Director of Housing and Communities
Portfolio of:	Councillor Michael Pavlovic, Executive Member for Housing, Planning and Safer Communities

Decision Report: Delivery of the Gypsy and Traveller accommodation improvement and expansion programme

Subject of Report

1. In March 2024, a report was brought to Executive to seek support for the delivery of additional Gypsy and Traveller accommodation pitches, and improvements to the existing sites owned by the Council; the need was identified and evidenced through the York Local Plan preparation process – the Local Plan was adopted in February 2025. An outline programme was agreed along with the principle of forward funding it subject to a more detailed delivery plan being brought to the Executive at a later stage, once further surveys had taken place. It was estimated that the cost of the additional pitch provision and improvements would be around £5.25m. This report confirms the proposals and asks authorisation to proceed with the delivery of the programme, subject to further Executive approvals being sought at identified key points within the programme.

2. This report seeks decisions in respect of:

   a) supporting the delivery of the Gypsy and Traveller accommodation sites improvement and expansion programme and associated outline cost plan (See **Annex A**) in line with previous Executive approval obtained in March 2024; and

   b) noting a grant award and give approval to proceed with entering into an agreement to receive funding for the retrofit of energy

efficiency measures to the utility buildings at the three Council Gypsy and Traveller accommodation sites.

Benefits and Challenges

3. There is an identified need to provide additional Gypsy and Traveller accommodation in the city. Without planned provision, there will be significant housing pressures on members of these communities which could result in overcrowded accommodation and unhealthy living environments. The planned provision is now embedded in the adopted York Local Plan and this report seeks support to start the delivery of the Council's own planned provision within an existing Council site at Clifton.

4. As previously agreed, the delivery of additional accommodation will be forward funded from the Council, with grant funding and S106 contributions being utilised where appropriate to reduce the long-term capital investment costs.

5. In addition to the new pitches, the Council has a duty to ensure that existing accommodation and associated facilities are safe and provide satisfactory living conditions, giving residents the best opportunity to thrive. The need for significant investment has been informed by a stock condition survey and engagement with key stakeholders through the Gypsy and Traveller Working Group, and the existing residents. More detail about these surveys is provided in the Background section below. Without this investment, residents will not be given the opportunity to have a home environment within which they can thrive.

6. This programme of work aims to increase both the amount and quality of accommodation for Gypsy and Traveller communities and reduce the costs of living through upgrading the energy efficiency of the Council owned buildings. Improving the energy efficiency of the buildings will reduce carbon emissions. Improving the sites will have a positive effect on residents' physical and mental health.

7. Accommodation is only one part of the solution to removing inequalities that exist within our Gypsy and Traveller communities. As such, this report builds on existing work which is taking place within the city and seeks to ensure that investment decisions are part of the wider and holistic approach that is being taken to support Gypsy and Traveller communities in York.

Policy Basis for Decision

8. The reasons and rationale of the programme were set out in the report brought to Executive in March 2024 including the Council Plan 2023-27 seeking to increase the supply of Gypsy and Traveller homes. The programme is now embedded in the adopted York Local Plan. Relevant requirements (Policy H5) include:

    - the provision of additional pitches at the Clifton site subject to the production and approval of a masterplan;

    - the requirement to identify measures to improve the access to the Osbaldwick site to ensure it is brought up to an acceptable standard, with the carriageway properly surfaced, and pavements and street-lighting provided; there is also a requirement that the measures to improve access arrangements "should involve a link from the north of the site to the new road that will connect Strategic Site ST7 (Land East of Metcalfe Lane) to Murton Way".

    - Requirement to deliver a landscaping belt and/or other measures required to lessen the environmental impact of the waste processing site adjacent to the Osbaldwick site.

    - The policy also refers to the need to provide 28 further pitches through the housing strategic allocations. The Executive agreed in March 2024 that 17 pitches will be delivered on a Council-owned site (existing or new). Their location will be determined through a Call for Sites exercise in collaboration with stakeholders.

    - Paragraph 4.29 of the Local Plan explains that: "The Council is committed to investing in each of its owned and managed traveller sites to ensure that current and future residents are not exposed to unsatisfactory living conditions and that steps are taken to improve existing facilities".

9. National Planning Policy is currently in transition with a new draft National Planning Policy Framework (NPPF) currently being consulted on, with an expected publication date of Summer 2026. The consultation seeks views on amalgamating the current guidance in Planning Policy for Travellers (PPTS) into the main

NPPF and criteria as where Gypsy and Traveller sites may be suitable. This may influence future identification of suitable sites and decision-making on planning applications.

10. The Council Plan (2023-27), contains four core commitments to enable it to deliver the vision for the next four years, including 'Equalities and Human Rights - Equality of Opportunity' and 'Health and Wellbeing'.

11. This programme supports the core commitments of the Council in the following ways. The Gypsy and Traveller community is one of the largest minority groups in York, and inequalities affecting the community include lack of access to suitable accommodation. This programme of work aims to both increase both the amount and quality of accommodation for Gypsy and Traveller communities and reduce the costs of living through upgrading the energy efficiency of the Council owned buildings. Improving the energy efficiency of the buildings will reduce carbon emissions. Improving the sites will have a positive effect on residents physical and mental health.

12. As Gypsy and Traveller communities are groups who face some of the most considerable health inequalities, the delivery of improvements to the sites, alongside the provision of additional accommodation is essential.

Financial Strategy Implications

13. This programme requires significant investment over several years. This report seeks approval to deliver in the first place the improvements to the existing Council sites and the creation of six additional pitched at the Clifton site. This will be funded by the Council with some of this investment being repaid over the coming years through S106 contributions and grant funding.

14. The Executive agreed to forward fund the full programme in March 2024, and this was confirmed in February 2025 by Full Council as part of the Council's Capital Budget. This report gives an update on the anticipated expenditure and funding requirements of £5.25m over a three-year period which will require Council borrowing. Of this sum, potentially £1.95m will come from future s106 contributions. A grant of £625k from the York and North Yorkshire Mayoral Combined Authority (YNYMCA) has been awarded to

contribute towards the retrofit works and funding from Homes England's Social and Affordable Homes Programme (SAHP) will be sought for the creation of additional pitches. This would leave up to £2.675m long term borrowing requirement from the Council's General Fund – this figure is expected to come down when funding from Homes England is secured. This will also help to cover the borrowing costs.

15. The income from the licence fee for the 61 pitches is around £300k per year. Around half of this is spent on staffing costs within the housing service, including support workers and supervisors. Currently, the other half covers all physical asset costs including repairs and utilities. It is not expected that any surplus from the income generated can be set aside for capital investments to improve facilities on these sites. However, this position may change once the improvement programme has been completed, with a likely reduction of repairs required.

16. A Cost Plan is attached in Annex A with estimated costs and programming. This cost plan will get refined as designs get progressed. This report seeks approval to proceed with the improvement works at Outgang Lane, the procurement of Retrofit Services and the procurement of a design team to prepare the Clifton site's expansion proposals.

Recommendation and Reasons

17. Executive Members are asked to**:**

    a) Agree with progressing the delivery of the Gypsy and Traveller accommodation improvement and expansion programme and associated cost plan to implement the York Local Plan proposals relating to Council-owned sites as set out in its Policy H5; this includes authorisation to use £1.95m from S106 contributions, £0.625m from YNYMCA grant, and up to £2.675m from General Fund long term borrowing.

    b) Agree to the delivery of the improvement works of the Osbaldwick site access road (Outgang Lane) as a priority and for CYC Highways to prepare the improvements proposals and issue a Traffic Regulation Order (TRO) to restrict parking

as part of the proposed improvements, and (where necessary) to procure a contractor for the works.

c) Agree to procure a retrofit services team to produce proposals which improve the energy efficiency of the three Council sites' 61 utility buildings from EPC E to EPC A-B and to procure a contractor to carry out the works.

d) Agree to procure a design team to develop a masterplan for the expansion of the Clifton site and design for the 6 additional pitches with utility buildings, to submit planning application for the site expansion, and to procure a contractor to carry out the works.

e) With respect to (a) to (d) above, agree to delegate authority to the Director of Housing and Communities (in consultation with the Director of Finance and the Director of Governance) to take such steps that are necessary to procure and appoint any contractors for the aforementioned works and/or services, and to determine the provisions of and enter into the resulting contracts (and any subsequent modifications and/or extensions thereto), in accordance with the Council's Financial Regulations set out in Appendices 10 and 10a of the Constitution (the "Finance Regs"), the Contract Procedure Rules set out in Appendix 11 of the Constitution (the "CPRs") and (where applicable) the Procurement Act 2023 and the Public Contract Regulations 2015.

f) Note that a site search as referred to in the Local Plan or 'Call for Sites' exercise to be undertaken by Planning in 2026 in collaboration with stakeholders, will identify the location(s) of 17 further pitches to be provided on existing or new Council sites to meet the identified accommodation need.

g) Note the Carbon Negative Challenge Fund grant award received from the York and North Yorkshire Mayoral Combined Authority (YNYMCA), to contribute to the retrofit measures to improve the energy efficiency of the three Council sites' 61 utility buildings from EPC E to EPC A-B, agree to proceed with entering into a grant agreement to receive funding and agree to delegate authority to the Director of Housing and Communities (in consultation with the Director of Finance and the Director of Governance) to determine the provisions of and enter into the grant funding agreement, and the provisions of

any subsequent modifications and/or extensions thereto, to ensure compliance with the Subsidy Control Act 2022, the Finance Regs and the CPRs.

h) Approve the transfer to capital contingency of £625k for budget released from this scheme as a result of the YNYMCA grant award.

i) Agree to the application to Homes England for funding from the Social and Affordable Homes Programme (SAHP) to deliver the new accommodation pitches on Council sites, and (provided that the application to Homes England is successful) agree to proceed with entering into a grant agreement to receive funding and agree to delegate authority to the Director of Housing and Communities (in consultation with the Director of Finance and the Director of Governance) to determine the provisions of and enter into the grant funding agreement, and the provisions of any subsequent modifications and/or extensions thereto, to ensure compliance with the Subsidy Control Act 2022, the Finance Regs and the CPRs.

Reasons:

- To ensure that the Council's commitment to meeting pitch requirements as set out in the Local Plan is appropriately met.

- To ensure any works and/or services are procured in compliance with the Finance Regs, the CPRs, and (where applicable) our statutory duties under the Procurement Act 2023 and the Public Contract Regulations 2015.

- To ensure any grant funding arrangements comply with the Subsidy Control Act 2022.

Background

18. Since the last report brought to the Executive in March 2024 and the budget agreed in February 2025, the Local Plan has been adopted, setting out clear requirements for existing and future provision on Council sites. A Senior Gypsy and Traveller Accommodation Project Officer was appointed, and preliminary work has been completed. A stock condition survey on a sample of

existing utility buildings at the three Council sites was commissioned to inform the production of a scope for the improvement of the utility buildings. A residents' survey was also carried out to help define the improvements further and prioritise them.

Retrofit programme

19. Each of the 61 Council owned and managed pitches contains a service/amenity block including a kitchen area and bathroom. There is an associated hardstanding area for a caravan and vehicles. The Council has responsibility for repairs and maintenance within the service block with the residents responsible for their own caravans. Pitches are used under a license agreement. This service is provided within the General Fund.

20. Through the resident surveys carried out between July 2024 and January 2025, issues that were frequently commented on were the high cost of electricity bills and the fact that expansion to sites would only be welcomed if residents saw improvements to sites. It was also found that 71% of all surveyed residents suffered from pollution from mostly rats, then dirt/dust, then fly tipping; and 70% of all surveyed residents thought their bathroom was too cold.

21. A stock condition survey of the existing facilities at the three Council owned Gypsy and Traveller sites was commissioned, using a sample of utility buildings, at each of the three sites – in total 18 buildings were surveyed.

22. The buildings at the James Street site are believed to have been built in the 1980s and are of traditional construction, with brick and block cavity wall structures and were considered to be in a good state of repair with evidence that investment had been made in recent years e.g. bathrooms, windows, consumer units and main door all has 25 years remaining life with roofs having 35 years remaining life. Of the sampled buildings (6), the majority had an Energy Performance Certificate (EPC) rating E (the two others were D and F).

23. At Clifton, the buildings are similar of age and construction to those at James Street with most components having significant remaining life, albeit below James Street's performance. Of the sampled buildings (6), the majority had an EPC F – the lowest possible rating (the three others were D, E and E).

24. At Osbaldwick, the buildings are more recent, some built in early 2000s and some as recently as 2014. They are also of traditional construction, with brick and block cavity wall structure. The remaining life of components is more consistent and overall higher than at the two other sites. Of the sampled buildings (6), the majority had an EPC E (the remaining one was F).

25. The insulation in wall cavities is mostly absent in buildings at the three sites. They were signs of damp and mould in buildings at Clifton and some buildings at Osbaldwick. Overall, 78% of the buildings surveyed condition summary scored as “Good”, 10.2% scored “Average” and the remaining 12.7% “Poor and Very Poor” and were referred to Building Services for repairs.

26. None of the buildings reach the required EPC level C which is required by Government Standards by 2035 (PAS2035 Framework). While the assessment of the energy efficiency of buildings showed poor results, with the EPC of the majority of buildings not above E or F, all buildings had overall significant remaining life, including both external and internal components. They also presented good opportunities for retrofitting measures that would improve the EPC to A-B e.g. improving or introducing insulation in wall cavities.

27. Retrofit assessments were carried out by a Retrofit Assessor using the Government PAS2035 framework, to identify the measures to improve energy efficiency of the buildings and bring them to an EPC rating A. Each building has its own set of measures. The measures that are included are:

    - Increase of loft insulation to 270mm
    - Cavity wall insulation
    - Party wall insulation
    - Floor insulation (solid floor)
    - Low energy lighting for all fixed outlets (installed late 2024).
    - High heat retention storage heaters & dual immersion cylinder
    - Solar water heating
    - Solar photovoltaic panels 2.5 KWP

28. The residents survey showed that a large majority of surveyed residents at James Street and Clifton sites felt the utility buildings

were too cold. At Osbaldwick, residents welcomed the retrofit proposal for its cost saving benefits.

Outgang Lane (access road to the Osbaldwick site)

29. The improvement of Outgang Lane, the access road to the Osbaldwick site in Osbaldwick & Derwent ward, is now a requirement from the adopted Local Plan. It was previously agreed that the improvement works at Outgang Lane would be front-loaded in the programme due to concerns for the safety of pedestrians accessing the residential site located at the end of the road which goes through an industrial estate. Pedestrians have no safe route, especially at night, in the absence of pavement and lighting on the industrial estate road where traffic of large vehicles is common. This report seeks approval to proceed with preparing the improvements proposals, including a Traffic Regulation Order (TRO) to restrict parking along some sections of Outgang Lane and reconfigure the parking spaces, and to appoint a contractor for the works. The residents' survey results confirmed that residents felt that the access road was in a bad condition.

30. Measures will be put in place during construction to minimise the disruption to residents and maintain safe access to their homes. It is likely that a section of the road will be closed for one to two weeks. All residents will be given information in advance of the work commencing.

Other improvements

31. In addition to improving energy efficiency of buildings, and the site-specific improvements of Outgang Lane, a landscaping belt will be created at the Osbaldwick site to lessen the environmental impact of the adjacent waste processing site.

32. At the Clifton site, the residents' survey revealed that the majority of residents were concerned about safety due to previous antisocial activity at this spot. They suggested the installation of a CCTV camera to address the issue. Whilst local crime statistics do not record high levels of crime, the site at Clifton is known by the Police to host several criminal activities, including fly-tipping, but it is rarely reported to the Police or City of York Council for a number of reasons. As a result, the Council has committed to the installation of a CCTV, now complete, on an existing streetlight pole. CCTV cameras are already situated at the James Street and

Osbaldwick sites, where there is far less crime and fly-tipping as a result.

Clifton site expansion

33. The Gypsy and Traveller site expansion programme includes the provision of 6 new pitches at the Clifton site. The site currently has 23 pitches and the expansion will bring the total to 29. 85% of the surveyed households (20 participated to the survey out of 23 households at the site in total), were in favour of the 6-pitch expansion at the time the survey was undertaken. The remaining 15% were indifferent to the proposal.

34. The expansion will be informed by a masterplan with a detailed site layout to be developed collaboratively with the residents and stakeholders. The design of a new utility building (kitchen and bathroom) for each pitch will follow the same process. The feedback received so far from residents about pitches provides the Council with the understanding that one size doesn't fit all and that the design development process will be collaborative from the outset.

35. This report seeks approval to procure a multidisciplinary design team to help prepare proposals and submit a planning application, and to procure a contractor to carry out the works once planning permission is obtained.

Further provision

36. The Local Plan policy refers to an identified need of 28 new Gypsy and Traveller pitches in York that is to be met through the Housing Strategic Allocations.

37. The Gypsy and Traveller community provided important feedback in relation to future needs and the future of Gypsy and Traveller accommodation in York. All surveyed residents (45 households out of 61) across the three Council-owned sites would not object to new housing estates being built near where they live; the vast majority (97%) would not consider living on a small site of x2 plots within a new brick building housing site; 81% would not consider buying and developing land; 83.4% of all surveyed residents on average across the 3 sites would not consider living in a brick house, with all surveyed residents at the James Street site feeling this way. One of the common issues commented on by tenants

across the three sites is about having poor mental health. This will be an important factor to consider in the provision of new pitches and masterplanning for any site expansion to understand and ensure that the design of improvements/expansion can support lifestyles that allow the community to thrive.

38. The Executive agreed in March 2024 that 17 of these will be delivered on Council-owned site(s) and that a 'Call for Sites' exercise will be carried out to identify and evaluate possible sites for delivery of Gypsy and Traveller pitches.

39. A 'call for sites' is an open invitation to residents, landowners (including the Council) and/or developers to identify and submit sites that they think could be available and deliverable for a particular use; in this case, Gypsy and Traveller pitches.

40. Following identification of land through this process, the Council would evaluate the land's suitability for this use based upon an agreed set of criteria. Subject to identifying the site as suitable, available and deliverable, the land would be kept on a list identifying its potential (such as in a Strategic Housing Land Availability Assessment) or it could be allocated for this use through planning strategy documents.

41. Any land identified through this process that is Council-owned or that can be purchased by the Council will be considered to accommodate the new council-owned pitches provision. Once the location(s) have been agreed as part of a collaborative process with stakeholders, a masterplan and pitch/accommodation design can be developed and a planning application submitted.

Consultation Analysis

42. The Gypsy and Traveller accommodation sites improvement and expansion programme delivers the City of York Local Plan's Gypsy and Traveller accommodation requirement based on identified needs. The proposals have been tested through the preparation of the Local Plan and its public examination before it was adopted in February 2025.

43. Key stakeholders in this process have been and continue to be the residents at the three Council-owned accommodation sites, York

Travellers Trust, and the Gypsy and Traveller Working Group for York.

44. A detailed resident survey at the three Council-owned accommodation sites was carried out between July 2024 and January 2025 to understand residents needs better and prioritise issues to be addressed. 75% of households across the 3 sites took part in the survey with 13 at Osbaldwick (out of 18); 20 at Clifton (out of 23); and 12 at James Street (out of 20). The findings are referred to in relevant sections. The engagement is on-going and will continue throughout the preparation of masterplan and building design proposals so that the detailed proposals meet the needs of residents.

45. Regular engagement with the York Travellers Trust takes place that also helps understand well the community needs.

46. The local Gypsy and Traveller Working Group meet every quarter and includes York Travellers Trust and a number of public service organisations to ensure effective cross-organisation working to improve the Gypsy and Traveller community's inequalities in health, housing, education and employment. The group seeks to address the inequalities that the Gypsy and Traveller communities face. The vision is to work towards ensuring that Gypsy and Traveller residents experience an inclusive, fair, and understanding community in York. It is chaired by CYC Executive Member for Housing, Planning, and Safer Communities. Gypsy and Traveller accommodation sites improvement and expansion programme is embedded into the Group's Annual Action Plan. The Senior Gypsy and Traveller Accommodation Project Officer provides an update on her progress quarterly.

47. Collaboration with residents and stakeholders will continue through the preparation of the new pitch and expansion proposals.

Options Analysis and Evidential Basis

48. The reasons and rationale of the programme were set out in the report brought to Executive in March 2024. The programme is now embedded in the adopted York Local Plan.

49. Through the Local Plan process a need has been identified for additional Gypsy and Traveller accommodation pitches. This need will be met through the delivery of additional pitches on Council sites alongside delivery on Strategic Sites within the Local Plan. This report sets out a forward funding approach for the delivery of additional pitches by the Council with investment supplemented by S106 funds when received and any grant funding opportunities. As well as meeting need for additional pitches this report sets out a plan to invest in existing pitches and sites, informed by a stock condition survey and liaison with existing residents around priorities. Approval is sought for the delivery of the programme and associated cost plan to proceed.

50. Failure to agree for the delivery of the programme to proceed with the associated cost plan would prevent the Local Plan from being delivered and this important aspect (sites capital works) of the Gypsy and Traveller Action Plan to be delivered and therefore also affecting the Council's ability to fulfil its responsibilities under the Equality Act 2010.

Organisational Impact and Implications

Financial

- **Financial** – in February 2025, the Council approved the capital programme 2025/26 to 2029/30 which included a budget of £5.25m for the Gypsy and Traveller scheme, funded from a combination of corporate prudential borrowing and S106 receipts. The costing at Annex A is affordable within this capital budget. The YNYMCA grant awarded helps to reduce the ongoing revenue costs of the borrowing requirement for the scheme. Therefore, a transfer of budget equal to the grant awarded (£625k) will be made to capital contingency.

- For the pitches that will be ultimately funded from s106, a business case will need to be completed examining the likely timeline between payments being made and receipts from s106 coming in. There is likely to be a short-term cash flow cost and there may also be risks around total costs and total receipts.

- The ongoing revenue costs of the new pitches once in use, such as maintenance and the operating costs of the new CCTV will be met from the rental income received from residents.

Human Resources (HR)

- There are no HR implications in this report.

Legal

Contracts for Commissioned Works & Services

- Any contracts for necessary works and/or services will need to be commissioned via a compliant procurement route under the Finance Regs and the CPRs, and (where applicable) the Procurement Act 2023 or the Public Contract Regulations 2015, with advice from the Commercial Procurement team (see **Procurement Implications** below). All options will require advice from Legal Services and Commercial Procurement on the different routes and the associated advantages and risks of each route to ensure compliance with relevant legislation and our Constitution.

- Any contracts will need to be drafted and completed with support from Legal Services.

Grant Funding

- The application to any external funding body for grant funding by the Council is subject to Rules 6 to 9 of the Financial Regs.

- The application will need to be assessed by Legal Services to ensure that any subsidy awarded to the Council complies with the Subsidy Control Act 2022.

- Any application to an external funding body for grant funding by the Council is subject to Rules 6 to 9 of the Financial Regs.

- Such applications will also need to be assessed by Legal Services to ensure that any subsidy awarded to the Council complies with the Subsidy Control Act 2022 prior to their submission.

- Where the funding is to be used to finance the delivery of a contract commissioned through an open and transparent procurement process, the Subsidy Control Act 2022 should not apply under the Commercial Market Operator principle.

- Further, where funding has been applied for under any pre-existing Subsidy Scheme (e.g., YNYMCA's Carbon Negative Challenge Fund Subsidy Scheme or Homes England's Social and Affordable Homes Programme 2026 to 2036), it should be noted that any application by the Council does not need to be assessed against the principles undress Subsidy Control Act 2022. This is because the principles assessment under Act should have been completed at scheme level, therefore any grant awards given under a scheme are required to demonstrate compliance with the relevant eligibility criteria under the relevant scheme.

- Where any procured works and/or services will be funded, in whole or part, by grant funding, Legal Services must be consulted to ensure that any rules or conditions imposed by the funding body are adhered to in addition to the requirements within the Financial Regs, the CPRs and (where applicable) the Procurement Act 2023 or Public Contract Regulations 2015. Where there is any conflict between the Finance Regs, or the CPRs, or (where applicable) the Procurement Act 2023 or Public Contract Regulations 2015, and the rules or conditions imposed by the funding body, the stricter requirement will be followed.

- Officers must exercise particular care when agreeing key targets and milestone dates with funders to ensure these are deliverable. Failure to meet agreed targets may result in grant being withheld, suspended, or clawed back. Early input from relevant council teams and external advisors at application stage is key to mitigate these risks.

Procurement

- Procurement will be a main tool used to deliver the priorities and projects set out within this report. All works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Creative and innovative ways of procuring will be explored to ensure elements of the council plan are captured within the procurements and to maximise social value and maximise public benefit. Further advice regarding the procurement process and development of additional

procurement strategies must be sought from the Commercial Procurement team.

Health and Wellbeing

- The 2023 York Gypsy and Traveller Health Needs Assessment concluded that 'Overcrowded sites and housing that is difficult to heat, and environmental factors are some of the most influential contributing factors to the poor health status of Gypsies and Travellers in York, including stress'. This investment will improve those factors.

Environment and Climate action

- Improvements to the energy efficiency of the 61 council owned buildings EPC E to EPC A-B will reduce carbon emissions and make a positive contribution to York's climate change ambition.

- Any improvement works to existing sites and planned future provision, should consider the potential impacts of climate change and ensure that new infrastructure is resilient and climate ready; considering the potential for increased instances of flooding and overheating.

Affordability

- This programme of work aims to increase both the amount and quality of accommodation for Gypsy and Traveller communities and reduce the cost of living for residents through upgrading the energy efficiency of the Council owned buildings.

Equalities and Human Rights

- The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and

persons who do not share it in the exercise of a public authority's functions).

- An Equalities Impact Assessment ("EIA") has been carried out and is annexed to this report at Annex F.

- The EIA demonstrates that the proposal positively supports the delivery of suitable accommodation to meet the needs of the Gypsy and Traveller community.

  Further surveys are underway, undertaken by the Senior Gypsy and Traveller Accommodation Officer, and further engagement will continue throughout the preparation of masterplan and building design proposals so that the detailed proposals meet the needs of residents.

  Any temporary disruption that may result from construction will be minimised and mitigated through a construction phase plan, developed with the contractors, and in consultation with the community.

Data Protection and Privacy

- The completion of data protection impact assessment (DPIA) screening questions evidenced there would be no processing of personal data, special categories of personal data or criminal offence data processed, so there is no requirement to complete a DPIA.

Communications

- Although there are no specific communication issues associated with this report, there may be some interest from local media and we will work with the housing service to ensure fair and accurate reporting. The retrofit works support the ongoing narrative of the council delivering adaptations to improve affordability and reduce carbon emissions for residents.

Economy

- Ensuring appropriate living accommodation for all of our communities is a key and vital underpinning of a successful city economy, providing the essential pre-conditions for learning, skills development and economic productivity. The

report recommendations will contribute to this and are welcomed.

Risks and Mitigations

51. Cost increases – the costs identified are based on estimates of planned works at current sites and the cost of providing new pitches. Ultimately costs will be dependent on pitch locations, access to highway infrastructure, planning requirements and works specification, inflation levels and ultimately procurement. Progressing the designs will enable the Housing Delivery Programme team to then assess the costs more accurately and get the costs confirmed through tender exercises. External subsidy has already been secured to contribute the retrofit works to bring the energy efficient above the minimum EPC rating required (A-B); further funding will be sought from Homes England to help funding the programme.

52. Delays – a large part of the programme delivery, the further 17 Council-owned pitches in location(s) to be determined through a site search by Planning, is dependent on the completion of this exercise. This will be subject of a separate Executive report.

53. Additional works not included in programme – the delivery of a link from the north of the Osbaldwick site to the new road that will connect Strategic Site ST7 (Land East of Metcalfe Lane) to Murton Way may be required as referred in the Local Plan Policy H5: this is not part of this programme. This will be considered as part of the Call for Site exercise and is subject to the delivery of the new road as part of the development of the strategic site in the first place. Should this be a requirement, funding would need to be sought and approved by the Executive.

Wards Impacted

Guildhall, Osbaldwick & Derwent, Rawcliffe and Clifton Without.

Contact details

For further information please contact the authors of this Decision Report.

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Co-author

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Service Area:	Housing and Communities
Telephone:	01904 551706
Report approved:	Yes
Date:	13 February 2026

Background papers

- Adopted City of York Local Plan (Policy H5: Gypsies and Travellers, pp. 146-148, 150-152)
- Adopted Local Plan Policies Map
- March 2024 Executive meeting – Delivering additional Gypsy and Traveller Accommodation and improving existing facilities. Report and Decision
- January 2025 Executive meeting – Capital Budget 2025/26 to 2029/30 Report (paragraphs 15 and 17-20) and Decision

Annexes –

- Annex A: Cost Plan
- Annex B: Outgang Lane improvement works Site Plan
- Annex C: Osbaldwick Site Plan
- Annex D: James Street Site Plan
- Annex E: Clifton Site Plan
- Annex F: Equalities Impact Assessment (EIA)

Abbreviations

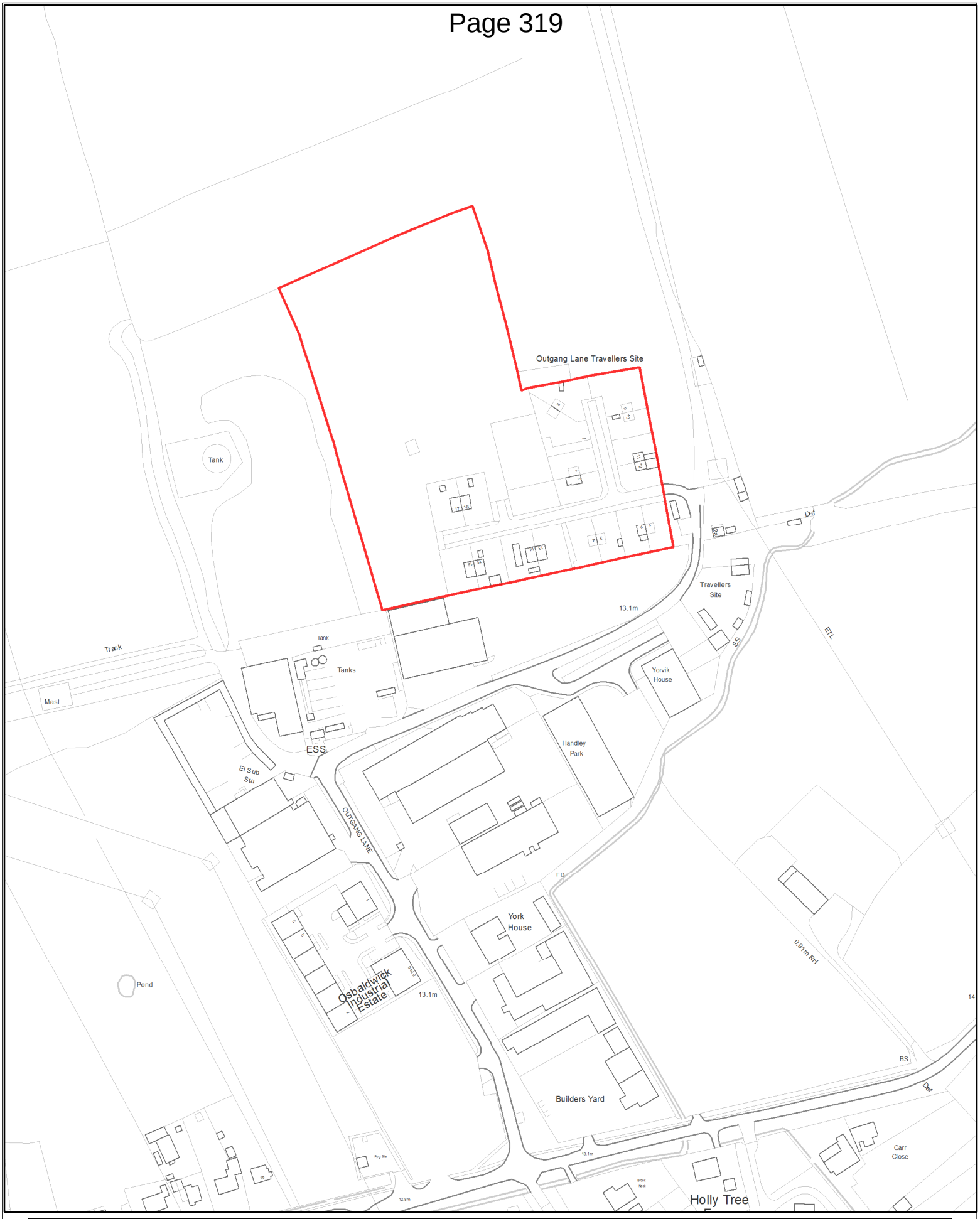
CPR – Contract Procedure Rules
CYC - City of York Council
EIA – Equalities Impact Assessment
EPC – Energy Performance Certificate
HDP – Housing Delivery Programme
SAHP – Social and Affordable Homes Programme
TRO – Traffic Regulation Order
YNYMCA – York and North Yorkshire Mayoral Combined Authority
YTT – York Travellers Trust

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Annex A – Cost Plan Gypsy and Traveller accommodation improvement and expansion programme

Project	Estimated cost (£)	When	Funding
Retrofit all sites: On costs Construction	 241,635 1,285,000	 2027	Successful bid of £625k from YNYMCA grant for retrofit Long-term borrowing of £1.175m
Outgang Lane improvements	220,000	2026	
Landscaping belt at Osbaldwick site	45,941	2027	
CCTV at Clifton site	7,424	2026	
SUBTOTAL improvements	**1,800,000**		
6 new pitches at Clifton with site expansion: On costs Construction	 180,000 720,000	 2027	Grant to be sought from Homes England's 2026-36 SAHP once planning permissions obtained £1.95m potentially from S106 Borrowing of up to £1.5m but could be reduced significantly with successful grant bid
4 new pitches within existing Council site (to be delivered after Call for Sites has taken place) On costs Construction	 150,000 450,000	 2028	
SUBTOTAL new pitches at existing sites	**1,500,000**		
13 further pitches (location to be determined through Call for Sites exercise, engaging with stakeholders) On costs Construction	 390,000 1,560,000	 2028	
SUBTOTAL further new pitches	**1,950,000**		
TOTAL	**5,250,000**		

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CITY OF YORK COUNCIL

Osbaldwick Site Boundary

Property & Assets Management

Scale: 1:2,500 Date: 07 Jan 2026 Drawn by: LBB

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CITY OF YORK COUNCIL

Outgang Lane

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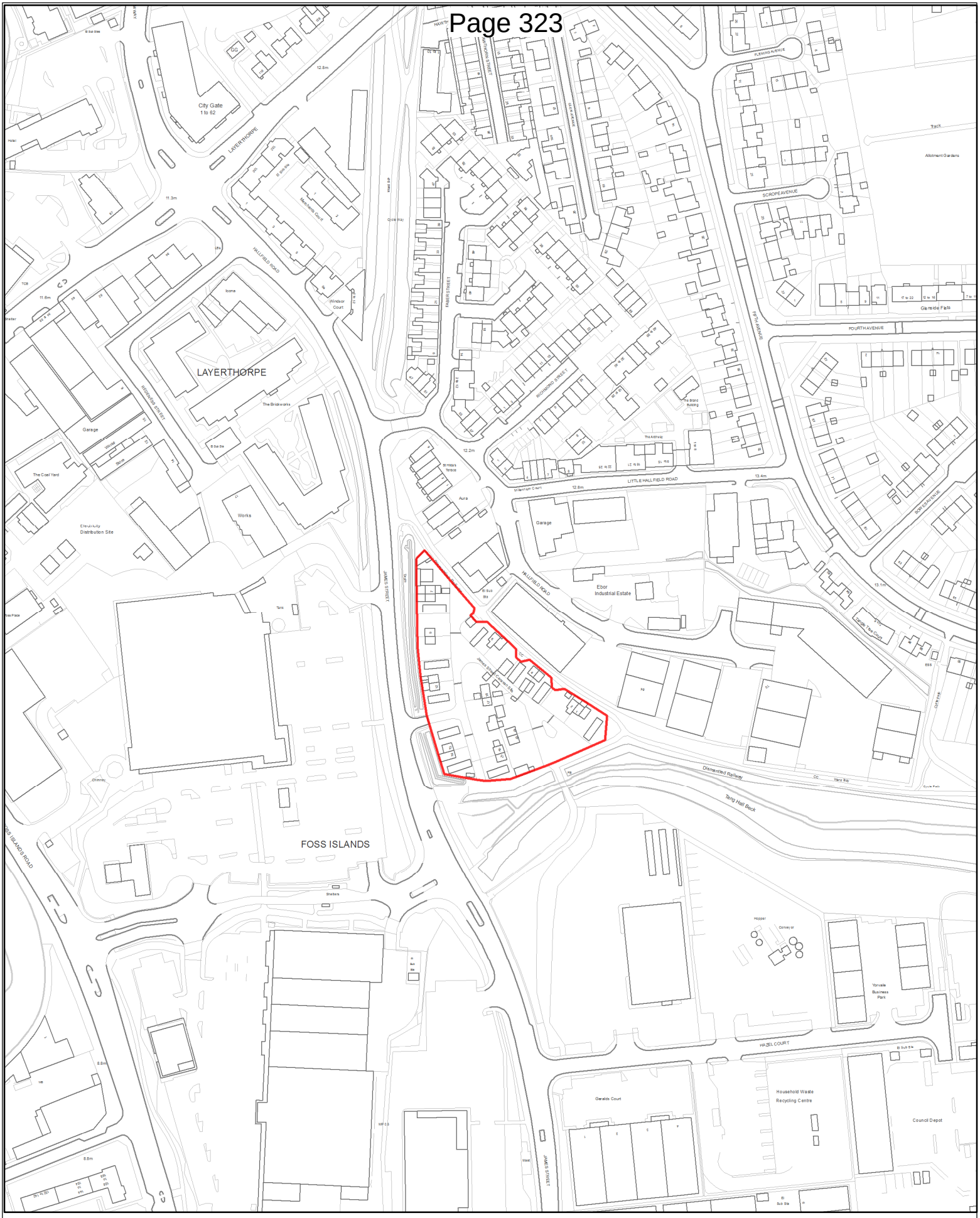
Property & Assets Management

Scale: 1:2,500 Date: 22 Dec 2025 Drawn by: LBB

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CITY OF YORK COUNCIL

James Street Site Boundary

Property & Assets Management

Scale: 1:2,500 Date: 07 Jan 2026 Drawn by: LBB

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CITY OF YORK COUNCIL

Clifton Site Boundary

Property & Assets Management

Scale: 1:2,500 Date: 07 Jan 2026 Drawn by: LBB

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City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Housing and Communities
Service Area:	Housing Delivery
Name of the proposal:	Delivery of the Gypsy and Traveller accommodation improvement and expansion programme
Lead officer:	Florence Liber, Interim Housing Delivery Programme Manager
Date assessment completed:	16 January 2026

Names of those who contributed to the assessment:			
Name	**Job title**	**Organisation**	**Area of expertise**
Florence Liber	Florence Liber, Interim Housing Delivery Programme Manager	City of York Council	Project Management; Housing delivery

Step 1 – Aims and intended outcomes

1.1	**What is the purpose of the proposal?** Please explain your proposal in Plain English avoiding acronyms and jargon.
	This report to the Executive seeks approval to proceed with the delivery of the Gypsy and Traveller accommodation sites improvements and expansion of the Clifton site with six additional pitches, in line with previous Executive approval obtained in March 2024; and to enter into a grant agreement with the York and North Yorkshire Mayoral Combined Authority to receive funding for the retrofit of energy efficiency measures to the utility buildings at the three Council Gypsy and Traveller accommodation sites.

1.2	**Are there any external considerations?** (Legislation/government directive/codes of practice etc.)
	The Equalities Act 2010 provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It provides a discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society. Under the Act, the Gypsy and Traveller communities are specifically protected under the protected characteristics for 'Race'. Planning policy requirements regarding the spatial delivery of Gypsy and Traveller provision, must be evidenced based and in accordance with Planning Policy for Traveller Sites (2024) and the National Planning Policy Framework (2024). These are set out in the City of York Local Plan (2025).

1.3	**Who are the stakeholders and what are their interests?**
	Local Communities and Families: The census identifies that there are around 370 York residents who identify as being from the Gypsy and Traveller communities. We also have residents living on 61 pitches across three local authority sites. Voluntary and community Sector: The York Travellers Trust is a registered charity that work with Gypsy and Traveller community with York and surrounding areas. They seek to amplify the voices of and advocate for the community at a local and national level. City of York Council: The local authority is key stakeholder on the delivery of outcomes and engagement with the Gypsy and Traveller community. The Council has made commitments through the Council Plan to deliver on our equalities duty, suitable housing provision for all and reducing health inequalities for its residents, all of which are relevant to the Gypsy and Traveller community. Health Partners: The Health Needs Assessment for Gypsies and Travellers recognises the challenge with existing accommodation and the positive benefits appropriate accommodation could have on health.

1.4	**What results/outcomes do we want to achieve and for whom?** This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
	Improved accommodation for the Gypsy and Traveller community in York; and additional pitches to help meet their future accommodation needs. The Council Plan (2023-27), contains four core commitments to enable it to deliver the vision for the next four years, including ‘Equalities and Human Rights - Equality of Opportunity’ and ‘Health and Wellbeing’.

	This investment supports the core commitments of the council in the following ways. The Gypsy and Traveller community are one of the largest minority groups in York, and inequalities affecting them include lack of access to suitable accommodation. This programme of work aims to both increase both the amount and quality of accommodation for Gypsy and Traveller communities and reduce the costs of living through upgrading the energy efficiency of the council owned buildings. Improving the energy efficiency of the buildings will reduce carbon emissions. Improving the sites will have a positive effect on residents physical and mental health.

Step 2 – Gathering the information and feedback

2.1	**What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?** Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.
Source of data/supporting evidence	**Reason for using**
Stock condition survey of existing Gypsy and Traveller accommodation at Council-owned sites, completed in 2024.	To assess the condition and performance of existing utility buildings (kitchen and bathroom) and provide a baseline from which to develop a scope for improvements and associated costs.
Gypsy & Traveller Health Needs Assessment: A Rapid Assessment of the Health Needs of York's Gypsy and Traveller Population (2024)	Produced by the City of York Public Health team with local level information regarding the state of health for York's Gypsy and Traveller community. This assessment provides a comprehensive insight into the

	health needs. Includes some local quantitative research undertaken in 2022 and 2023.
City of York Local Plan (2025) and associated evidence and consultations Phase 3 Hearing Statement for Matter 9: Gypsy and Travellers (2022) EXCYC121a Gypsy and Traveller Pitch Provision trajectory (2022) Phase 5 Hearing Statement for Gypsy and Traveller policy session (February 2024)	The Local Plan provides the planning policy to support some of the physical improvements to existing accommodation sites and the spatial location of new pitches required to meet further Gypsy and Traveller accommodation needs. This was considered in depth with stakeholders through the preparation and through the formal Examination in Public.
EIA to the adopted Local Plan (February 2025)	The implications of the adopted Local Plan were subject to an EIA.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.
Gaps in data or knowledge	**Action to deal with this**
Further surveys / engagement with the local Gypsy and Traveller community to develop a masterplan for the expansion of the Clifton site so that the new pitches meet the accommodation needs of the community.	Surveys are underway, undertaken by the Senior Gypsy and Traveller Accommodation Officer, and further engagement will continue throughout the preparation of masterplan and building design proposals.
The report does not bring forward site expansions further than the planned Clifton site expansion with six additional pitches.	The location for the required 17 further council-owned pitches will be determined though a Call for Sites exercise, involving key stakeholders. Once locations have been agreed, approval to deliver these pitches will be sought.

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	**Key Findings/Impacts**	**Positive (+) Negative (-) Neutral (0)**	**High (H) Medium (M) Low (L)**

Age	The proposal seeks to provide investment to improve accommodation outcomes for the Gypsy and Traveller community. The breadth of actions is likely to have positive outcomes for people of all ages.	**+**	**H**
Disability	The proposal is inclusive of all Gypsy and Traveller residents and seeks to provide investment to improve the accommodation provision for residents. This is likely to have positive outcomes for those identified to be disabled.	**+**	**H**
Gender	This proposal is not expected to impact on that characteristic	**+**	**L**
Gender Reassignment	This proposal is not expected to impact on that characteristic	**+**	**M**
Marriage and civil partnership	This proposal is not expected to impact on that characteristic	**+**	**L**
Pregnancy and maternity	The proposal is inclusive of all Gypsy and Traveller residents and seeks to provide investment to improve the accommodation provision for residents. This is likely to have positive outcomes for those identified under this characteristic.	**+**	**M**
Race	The purpose of the proposal is to specifically address accommodation needs for the Gypsy and Traveller communities. This should have significant positive outcomes against this characteristic.	**+**	**M**

Religion and belief	The proposal is inclusive of all Gypsy and Traveller residents and seeks to improve outcomes for all residents regardless of their religion.	**+**	**M**
Sexual orientation	This proposal is not expected to impact on that characteristic	**+**	**M**
Other Socio-economic groups including :	**Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?**		
Carer	This proposal is not expected to impact on that characteristic	**+**	**H**
Low income groups	The proposal is inclusive and will be directed to the Gypsy and Traveller community regardless of their income.	**+**	**H**
Veterans, Armed Forces Community	This proposal is not expected to impact on that characteristic	**+**	**M**
Other	This proposal is not expected to impact on that characteristic		
Impact on human rights:			
List any human rights impacted.	The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to and came into force in the UK in October 2000. Specifically relevant to the Gypsy and Traveller community are: - Article 14: Protection from discrimination in respect of these rights and freedoms		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

High impact (The proposal or process is very equality relevant)	There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
Medium impact (The proposal or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
Low impact (The proposal or process might be equality relevant)	There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	**Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?**

There are no negative adverse impacts identified with the delivery of improvements to existing accommodation and new pitches for the Gypsy and Traveller community. This approach should make a positive difference in addressing issues of concern for the community.

The stock condition survey has provided detailed information about the condition and performance of existing utility buildings (kitchen and bathroom) and provide a baseline from which to develop a scope for the improvements of existing facilities. On going engagement with residents will ensure that they are fully aware of the improvements programme. At Clifton, further surveys are taking place to understand any specific needs to be fed in the design of the site expansion with six additional pitches.
Any temporary disruption that may result from construction will be minimised and mitigated through a construction phase plan, developed with the contractors, and in consultation with the community.

Step 6 – Recommendations and conclusions of the assessment

6.1	**Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:**

- **No major change to the proposal** – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.

- **Adjust the proposal –** the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.

- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty

- **Stop and remove the proposal –** if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	**Conclusions/justification**
No major change overall at this stage as it is high level still without much detail but adjustments to the proposal may be brought as the preparation of the detailed proposals progress.	The EIA demonstrates that the proposal positively supports the delivery of suitable accommodation to meet the needs of the Gypsy and Traveller community. Further surveys are underway, undertaken by the Senior Gypsy and Traveller Accommodation Officer, and further engagement will continue throughout the preparation of masterplan and building design proposals so that the detailed proposals meet the needs of residents. Any temporary disruption that may result from construction will be minimised and mitigated through a construction phase plan, developed with the contractors, and in consultation with the community.

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	**Action to be taken**	**Person responsible**	**Timescale**
Review	Impacts of accommodation proposals and actions to be kept under review.	Programme Manager	

Step 8 - Monitor, review and improve

8. 1	**How will the impact of your proposal be monitored and improved upon going forward?** Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The Local Plan policies will be monitored in accordance with an agreed monitoring framework and reported through the statutory Annual Monitoring Report.

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Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Pauline Stuchfield, Director of Housing and Communities
Portfolio of:	Councillor Michael Pavlovic, Executive Member for Housing, Planning and Safer Communities

Decision Report: Delivering More Affordable Housing in York – Castle Mills

Subject of Report

1. In October 2025, a report was brought to Executive with an update of the Housing Delivery Programme in light of the Government Comprehensive Spending Review which had placed housing at its centre with a commitment to deliver the biggest increase in social and affordable housing in a generation and the new Social and Affordable Homes Programme (**SAHP**), which provides a decade of certainty over funding to support the delivery of new homes between 2026-2036.

2. The report sought to use the security of the national position to support the delivery of new affordable homes in York, building a strong pipeline to seize the opportunities this funding presents. Future developments through the Adopted Local Plan alongside our own housing building programme, could also include increasing Council stock through the purchase of s106 properties on private developments.

3. This paper seeks support to continue this work with a proposed delivery route for affordable housing at the Castle Mills site.

4. This report seeks decisions in respect of:

    a) Continue supporting the development of a strong new build pipeline with a budget to prepare the design by adapting existing proposals to build 100% affordable housing at the

Castle Mills site; submit a planning application; apply for Homes England's Social and Affordable Homes Programme (SAHP) grant; and procure a development partner, with an updated business case to be presented to and approval sought from the Executive before entering into a construction contract.

b) Note that Brownfield Fund grants have been awarded from the York and North Yorkshire Combined Authority (**YNYCA**) to CYC for the development of affordable housing at Castle Mills, Former Manor School and 68 Centre sites and agree to proceed with entering into respective grant agreements to receive funding.

c) Note that a Brownfield Land Release Fund grant application to the One Public Estate (**OPE**) has been submitted to contribute to funding of the Willow House project delivery including the necessary enabling works; and pending the grant award, agree to proceed with entering into a grant agreement to receive funding.

Benefits and Challenges

5. Utilising Council-owned land to deliver affordable housing ensures that the maximum benefit is being achieved through our land assets. The Council has built an established and experienced team who are able to directly deliver much needed affordable homes in the city which meet the needs of our residents. All future projects are designed as 100% affordable housing, maximising both internal funding such as Right to Buy receipts and the newly announced Homes England funding combined with devolved funding through the YNYCA. The proposed developments remain mixed tenure combining social rented homes with shared ownership to provide a range of housing options for residents in various forms of housing need across the city.

6. Delivering the homes directly in the Housing Revenue Account (**HRA**) ensures that the Council continues to replenish housing stock lost through Right to Buy and that the income generated through rent continues to increase over the course of the 30-year business plan, supporting the ability to invest in existing homes. In the short-term, developing homes directly results in increased borrowing to support the delivery of new homes, however increasing the number of homes in the Council's housing stock has a positive long-term impact.

Policy Basis for Decision

7. One of the seven priorities outlined in the Council Plan (2023-27) is to increase the supply of good quality affordable housing.

8. The Housing Delivery Programme has a broad agenda around meeting affordable housing need but also tackling issues around mental and physical health and wellbeing, sustainable transport, equality, and climate change. The principles of the programme and recommendations contained within this report are supportive of achieving the objectives set out in the Climate Change, Health and Wellbeing, and Economic Strategies.

Financial Strategy Implications

9. The delivery of Castle Mills as 100% affordable housing requires additional borrowing to support the delivery of 56 new build social rented flats, 37 new build shared ownership flats and 3 commercial units. The business case in **Confidential Annex A** sets out the proposed funding to deliver Castle Mills and requires £10m of long term HRA investment (including cost of borrowing) to deliver the project. This long-term investment is combined with external grant funding along with any available Right to Buy receipts, currently assumed at £6.3m, to maximise the use of available funding to subsidise the costs of this project. The use of the Council's Right to Buy receipts ensure that they are spent in due course. The receipts currently available and projected to be received next year have been prioritised to projects which are dependent on this source of subsidy such as Ordnance Lane. This still leaves a significant amount of Right to Buy receipts for Castle Mills.

10. Whilst the abnormal site conditions of this site such as contamination, easement and flood attenuation, result in higher-than-average build costs, this is offset using subsidy to ensure delivery of a site that has previously been stalled, and which is part of the wider high profile Castle Gateway scheme. The business case meets the financial hurdle rates and presents a viable investment of funds.

11. The paper proposes the strengthening of the new build pipeline also by seeking to receive Brownfield Fund grants that have now been awarded to CYC by the YNYCA for the development of

affordable housing at Castle Mills, Former Manor School and 68 Centre sites, through formal grant agreements.

Recommendations and Reasons

12. Executive are asked to**:**

a) Agree the preferred delivery route of 100% affordable housing at the Castle Mills site with the procurement of a design team to update the design previously approved by Planning to adapt it to 100% affordable housing, and achieve a refined design to RIBA Stage 3, using the proposed on-cost budget.

b) Agree to the submission of a planning application with the refined Castle Mills design.

c) Agree to procure a contractor to operate under a Pre-Contract Services Agreement or other type of design-only contract to collaboratively design Castle Mills to RIBA Stage 4 and price the design, to enable an updated full business case to be presented to the Executive for approval.

d) Recommend to Full Council the creation of the Castle Mills scheme within the HRA capital programme; the wider business case for which will come forward at a later date.

e) Recommend to full Council approval of a budget of £2.377m funded from HRA borrowing, to develop the proposals through RIBA stages 3 and 4 as described in a), b) and c) above.

f) Agree to delegate authority to the Director of Housing and Communities (in consultation with the Director of Finance and the Director of Governance) to take such steps that are necessary to procure and appoint such the contractors, and to determine the provisions of and enter into the resulting contracts described in a) and c) above (and any subsequent modifications and/or extensions thereto), in accordance with the Council's Financial Regulations set out in Appendices 10 and 10a of the Constitution (the "**Finance Regs**"), the Contract Procedure Rules set out in Appendix 11 of the Constitution (the "**CPRs**") and (where applicable) the

Procurement Act 2023 (the "**Procurement Act**") and the Public Contract Regulations 2015 (the "**PCRs**").

g) Agree to the preparation and submission of applications to Homes England for funding from the Social and Affordable Homes Programme (SAHP) to deliver the affordable homes at Castle Mills, and (provided that the application to Homes England is successful) to receive funding and agree to proceed with entering into a grant agreement with Homes England; and

h) Note the Brownfield Fund grant awards received from the York and North Yorkshire Combined Authority (**YNYCA**) for the development of affordable housing at Castle Mills, Former Manor School and 68 Centre sites and agree to proceed with entering into grant agreements to receive funding.

i) Note that a Brownfield Land Release Fund grant application to the One Public Estate (**OPE**) has been submitted to contribute to funding of the Willow House project delivery including the necessary enabling works; and pending the grant award, agree to proceed with entering into a grant agreement to receive funding.

j) Further to g),h) and i) above, to agree to delegate authority to the Director of Housing and Communities (in consultation with the Director of Finance and the Director of Governance) to determine the provisions of and enter into any resulting grant funding agreements with Homes England and YNYCA, and the provisions of any subsequent modifications and/or extensions thereto, to ensure compliance with the Subsidy Control Act 2022, the Finance Regs and the CPRs.

Reasons:

- To ensure any works and/or services are procured in compliance with the Finance Regs, the CPRs, and (where applicable) our statutory duties under the Procurement Act 2023 and the Public Contract Regulations 2015.

- To ensure any grant funding arrangements comply with the Subsidy Control Act 2022.

Background

13. Central to the success of the Council's Housing Delivery Programme (**HDP**) is the belief that a high-quality, affordable, comfortable home is essential for residents to thrive. Good quality housing impacts all areas of life from increased educational attainment and better health to improved economic outcomes. The Housing Delivery Programme aims to deliver an exemplar for housing developments nationally, by prioritising placemaking and building sustainable and supportive communities.

14. The first Passivhaus developments of the programme are now achieving completion with 34 homes and a commercial space complete at Duncombe Square and a further 78 homes due to complete this financial year at Burnholme Green.

15. There is another round of projects that have reached advanced design stages and a further site for which design development will start this year, the Manor School site. Other pipeline sites are at feasibility stage.

16. In addition to the homes delivered directly through the Council's Housing Delivery Programme, the team are also actively working with wider partners across the Registered Provider (RP) sector to expediate the delivery of new affordable homes by disposing of unused land assets owned by the Council as set out in the Executive Report from July 2024. There are 3 small sites in the pipeline for which bids have been accepted including the 68 Centre, supported by a grant awarded in principle from the YNYCA Brownfield Fund (subject to conditions being fulfilled) towards the development cost which will require enabling works.

Consultation Analysis

17. The work of the Housing Delivery Programme continues to be driven by the values outlined in the approved Design Manual 'Building Better Places' which was developed in partnership with key stakeholders across the city. This document sets a clear vision for the ways in which the housing we build can meet a range of objectives around supporting better mental and physical health, tackling climate change, eliminating fuel poverty and increasing healthy and sustainable transport object.

18. It is also critical to work with neighbourhoods to codesign the projects with meaningful engagement from local people, businesses and charity groups. In addition to consultation with key stakeholders in the city, the team continues to build strong relationships with Registered providers working in the city. All potential sites allocated for disposal for 100% affordable housing are tested with RP sector to ensure there is sufficient interest and the projects are indicatively viable prior to marketing.

19. At Castle Mills, large scale engagement with the community was previously undertaken as part of the wider Castle Gateway Masterplan planning process in which the sales of the proposed new apartments at the Castle Mills site would help fund the wider masterplan's public benefits. This resulted in a planning approval for the Castle Mills site in 2020 which have now lapsed. Further public consultation will be undertaken with adjusted proposals for 100% affordable housing.

20. An Options Appraisal setting out the possible delivery routes for 100% affordable housing at Castle Mills was prepared following soft market testing with all active Registered Providers (RPs) working in the city.

Options Analysis and Evidential Basis

Castle Mills background

21. The Castle Mills site (See plan in **Annex B**) is located in the Guildhall ward, in city centre off Piccadilly and adjacent to the River Foss to the west. The site obtained planning permission as part of the wider Castle Gateway scheme in December 2020 for 106 apartments, flexible commercial space to the ground floor and provision of a new pedestrian and cycle bridge across the River Foss, and new public realm. Since this time, planning permission has also been granted for the core public realm component of the Castle Gateway Scheme – Castle & Eye of York. In the context of funding availability and technical constraints including ecology, the previously planned footbridge does not now form part of that scheme and is not fundable or deliverable within the parameters of the Castle Mills Housing Scheme. The Council will seek to deliver active travel connectivity via alternate routes.

22. It was originally envisioned that the Council would directly deliver this planning approval and generate a profit from the market sale homes to cross subsidise the delivery of public realm improvements. In November 2023, a decision was made by the then Executive to pause work on the development, being no longer a viable scheme, and to explore longer term delivery of affordable housing on the site. The Housing Delivery team conducted soft market testing for the development of the Castle Mills site into 100% affordable housing with all active Registered Providers (**RPs**) working in the city. It was apparent that only one RP was interested in progressing the site for 100% affordable housing.

23. In July 2024, a paper was presented to the Executive seeking permission to progress discussions with this RP. Whilst the RP has undertaken some site studies with the original scheme architect, BDP, the acquisition discussions have historically been subject to delay whilst further information on funding was awaited from central government in the Comprehensive Spending Review in June 2025. More recently, the RP have indicated that they are not currently seeking to bring the site forward.

24. This is a challenging site with increased abnormal conditions such a easements and flood attenuation which means there is a requirement for an enhanced level of funding to make the scheme viable. The Council has applied successfully for Brownfield Funding from YNYCA for Castle Mills to further support the delivery of this scheme as affordable housing with a grant of £3.72m awarded. has been awarded.

25. A viability review of the design and cost information available has now taken place. Indicatively, and subject to increased grant rates through Homes England, in addition to the YNYCA Brownfield Fund grant, the review suggests that the site is likely to be viable for delivery as a fully affordable city-centre scheme, focussed on delivering much-needed affordable accommodation, including for key workers (currently appraised as 60% social rent and 40% shared ownership accommodation).

Castle Mills Options Appraisal

26. As suggested in the Housing Delivery Programme (HDP) update presented to the Executive in October 2025, an options appraisal has now been prepared to seek a decision on the preferred

delivery route for this site. Four scenarios were considered, as follows:

a) The HDP delivers the scheme, taking the existing designs for the previously approved scheme and adapts the design for affordable housing delivery.
b) The scheme is sold to a registered provider for the provision of 100% affordable homes.
c) The site is sold to the highest bidder.
d) We do not seek to deliver the scheme through the HDP or sell the site.

27. Each scenario has been analysed through 3 key themes: quality, time, cost, and the resulting overall risk to deliverability.

28. For both options a) and b), it is assumed, for the purposes of this report, that the applicant is successful in their application for Homes England funding (applications are submitted following the approval of detailed planning permission, but typically there are open lines of communication between the applicant and Homes England throughout the development stages).

29. The analysis is summarised below:

- Quality: Option a) – HDP delivers the affordable housing scheme, has the least risk due to having the highest quality outcome, having full control of the quality unlike other options where control is limited or inexistent.

- Time: for an upfront capital receipt in the shortest time, the site could be sold to the highest bidder i.e. Option c). However, Option a) presents the least risk of delay compared with other options where, again there is no control on the certainty and pace of delivery e.g. with Option b), the RP could withdraw; with Option c), there would be no control over how quickly the site would be delivered unless a covenant is applied. The HDP is in a good position to deliver at pace notwithstanding the usual risks of construction delays, having the expertise to deliver affordable housing.

30. Cost: for the largest capital receipt, to sell the site would be the best option i.e. Options b) and c). However, the RP which

previously showed interest have not made any step to apply for funding while the HDP has secured a £3.72m grant from the YNYCA. To deliver affordable homes, the option with the least risk of failure / protracted negotiations is Option a) – HDP delivery route. This route has the most certainty of a viable scheme delivery (considering the brownfield grant to cover abnormal conditions), however as with all HDP sites, the cost risk lies with the HRA.

- Overall deliverability risk: Option a) – the delivery of Castle Mills affordable housing through the HDP is the option with the least risk for delivery.

31. The recommendation is to proceed with Option a) – taking the existing designs for the previously approved Castle Mills scheme and adapt the design for affordable housing, to be delivered though the Housing Delivery Programme, using the Brownfield Fund grant awarded from the YNYCA and subject to applying and securing funding from Homes England's SAHP.

32. With this preferred option, Castle Mills could provide 60% social rented homes and 40% shared ownership accommodation with a mix of 1-bed flats (38) and 2-bed flats (18) for social rent, and mainly 2-bed flats (36) with one 1-bed flat for share ownership. The mix is indicative and will be refined, guided by stakeholders to create a sustainable scheme, to ensure the needs of residents are met. Targeted marketing will be used for the sale of the shared-ownership flats at Castle Mills to ensure key workers are given an early opportunity to buy these centrally located affordable homes.

33. In terms of design, although it will not be possible to achieve Passivhaus standard at Castle Mills due to the design having already been mostly developed and viability constraints, the adjustment of the existing design to 100% affordable housing will respond as far as possible to the HDP's Building Better Places principles while remaining viable. This will include providing homes that are tenure blind, and that provide a good level of accessibility for residents throughout their lives; and adoption of a fabric-first approach to reduce impact on the environment and reduce energy bills.

34. The existing proposals will be adjusted to have a maximum of six storeys as above this height, the enhanced requirements under the Fire Safety Act for fire prevention and under Building Regulations

in relation to the requirement for mechanical ventilation, would make the proposal unviable.

Business case

35. To date, there has been £2.45m spent on Castle Mills developing a scheme on the site. An indicative budget of £33.780m, including land, on costs, works including contingency (see breakdown in attached **Confidential Annex A - Business Case**), is anticipated to be needed to deliver the 93 affordable homes and 3 commercial units at Castle Mills and requires an estimated £10m of long term HRA investment to deliver the project.

36. This early business case has been prepared to test early financial viability of the scheme, prior to seeking a budget for further design development. Due to the abnormals (flood mitigation, easements) and resulting additional costs, the team has sought subsidies to offset these costs and support scheme viability. £3.72m Brownfield Fund grant from the YNYCA has now been awarded and further funding is expected to be sought from Homes England's SAHP. The business case also seeks to utilise any unspent Right to Buy (**RtB**) receipts to subsidise the social rented homes.

37. Based on receipt of these subsidies, the long-term HRA investment is estimated to be £10m which would be repaid over 35 years through rental income, representing a sound investment in accordance with well-established development finance modelling. The initial business case will be reviewed and updated through the next design stage.

38. In the first place, this report seeks £2.377m from HRA Housing Delivery Funding to take the project through RIBA Stage 3; submit a planning application; and develop the design further to RIBA Stage 4 collaboratively with a contractor.

39. With this recommended route of a HDP delivery with the proposed early business case, authorisation is sought to agree a budget of £2.377m for design development in the first place; procure a design team to update the design previously approved by Planning to adapt it to 100% affordable housing; submit the proposals to Planning; and procure a contractor to operate under a Pre-Contract Services Agreement or other type of design-only contract to collaboratively design Castle Mills to RIBA 4 and price the design to enable an updated full business case to be presented to the

Executive for approval. Authorisation is also sought to apply to Homes England for funding from the SAHP and to enter into a grant agreement with YNYCA to receive the awarded for Brownfield Fund grant. By the time a full business case for construction is presented to the Executive, the Homes England funding will have been confirmed.

40. The project will be subject to internal governance at each design stage to ensure the project stays within scope and is financially viable and affordable for the council to deliver. Updates will also be provided to the Executive.
41. Given the spend to date on the site, an assessment is required to determine the value that will be included in the cost to the proposed scheme.

HDP recent grant awards

42. In October 2025, the Executive agreed to the procurement of a multidisciplinary design team to lead the design for the development for new affordable housing (approximately 70 homes) at the 1.52ha Former Manor School site in the Acomb ward. It was also agreed that design development could proceed, and a planning application be submitted pending a successful bid to YNYCA for funding form the Brownfield Fund. An outline business case had been prepared, assuming the use of both Homes England and YNYCA funding to support the delivery of the site.

43. The bid to the YNYCA for funding from the Brownfield Fund has been successful, with £2.044m awarded to the project. This paper seeks authorisation to now enter into a grant agreement with the YNYCA to receive the grant. When proposals have been developed and a planning permission has been secured, authorisation will be sought from the Executive to submit a grant application to Homes England for funding from the SAHP.

44. 68 Centre is one of the small sites that the HDP team is working towards disposing of, actively working with wider partners across the RP sector to expediate the delivery of new affordable homes. A bid was received from an RP and the HDP bid to the YNYCA for funding from the Brownfield Fund has been successful, with £250k awarded to the project which will require enabling works; this will further support a speedy delivery of this site (approximately 10 affordable homes). This paper seeks authorisation to now enter into a grant agreement with the YNYCA to receive the grant,

subject to pre-conditions being fulfilled, which the HDP team are working through with the YNYCA.

45. A Brownfield Land Release Fund grant application to the OPE has been submitted to contribute £678.2k to the funding of the Willow House project delivery including the necessary enabling works. This report asks for approval to enter into a grant agreement to receive funding, subject to the bid being successful. This funding will complement other subsidies that have been allocated to the Willow House to fund the abnormal costs such as demolition and archaeology.

Organisational Impact and Implications

46. Financial

47. The Council currently has approved budget across several schemes in the capital programme to deliver housing schemes. This report contains proposals that would require additional budget of £2.377m to be added to the capital programme for the Castle Mills site for the design development stage of the project, which will require new HRA resources and approval up to this value.

- The proposal ultimately runs through to the development of a wider full business case for the scheme which will be brought back to Executive for approval. Therefore, a recommendation to Full Council is made to add a new scheme for Castle Mills into the current capital programme to this effect.

48. The spend to date of £2.45m is inherited from the original Castle Gateway project. Given the proposed housing scheme much of the costs will be relevant and attributable to the scheme. However further analysis will be undertaken to determine the value of work already relevant to the current affordable housing site and the value of any costs which should be considered as abortive.

49. The confidential Annex A gives a breakdown of the costs of the project including contingencies. These are indicative at this stage and a full business case and budget proposal with funding will need to be recommended to Executive following the design stage.

50. The costs arising from the proposals to continue to develop schemes at Willow House, 68 Centre and the former Manor School can be funded from funding awarded from the YNYCA Brownfield Fund alongside resources approved within the Housing Delivery Programme project Team.

Human Resources (HR)

- A requirement for additional resource within the Housing Delivery Programme Team will be needed should the recommendations be taken forward. Any additional resource will be funded, established, and resourced in accordance with Council policy.

Legal

Contracts for Commissioned Works & Services

- Any resulting contracts for any works and/or services will need to be drafted and completed with advice and support from Legal Services.

- It is noted that any constructions work at Castle Mills are subject to the design at Castle Mills up to RIBA Stage 4 being completed and a fully priced RIBA Stage 4 design and business case to be presented to the Executive for approval at a later date.

Grant Funding

- Applications to any external funding body for grant funding by the Council are subject to Rules 6 to 9 of the Financial Regs and Rule 4 of the CPRs and must be assessed by Legal Services to ensure that any subsidy awarded to the Council complies with the Subsidy Control Act 2022 prior to their submission.

- Subject to a full and proper assessment by Legal Services:

    - Where the funding is to be used to finance the delivery of a contract commissioned through an open and transparent procurement process in line with the Council's CPRs and the Procurement Act or the PCRs,

the Subsidy Control Act 2022 should not apply under the Commercial Market Operator principle.

- Further, where funding has been applied for under any pre-existing Subsidy Scheme (e.g., YNYCA's Brownfield Housing Fund Subsidy Scheme or Homes England's SAHP 2026 to 2036), it should be noted that any application by the Council does not need to be assessed against the principles under the Subsidy Control Act 2022. This is because the principles assessment under Act should have been completed at scheme level by either Homes England or the YNYCA for their respective schemes; therefore, with respect to any grant awards given to the Council under a scheme, the Council are only required to demonstrate compliance with the relevant eligibility criteria under the relevant scheme. However, further advice and support should be sought from Legal Services where required.

- Where there is any conflict between the Finance Regs, or the CPRs, or (where applicable) the Procurement Act or the PCRs, and the rules or conditions imposed by the funding body, the stricter requirement will be followed.

- Where the Council is required to carry out works or deliver goods or services, the Council cannot elect to award any onward grants to third parties where the sole purpose for doing so would be to avoid conducting a competitive tender process in accordance with Financial Regs, the CPRs and procurement legislation.

- Any grant funding agreements will need to be reviewed, drafted and completed with advice and support from Legal Services.

- Officers must exercise particular care when agreeing key targets and milestone dates with funders to ensure these are deliverable. Failure to meet agreed targets may result in grant being withheld, suspended, or clawed back. Early input from relevant council teams and external advisors at application stage is key to mitigate these risks."

Procurement

- Procurement will be a main tool used to deliver the priorities and projects set out within this report. All works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the Council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Creative and innovative ways of procuring will be explored to ensure elements of the Council plan are captured within the procurements and to maximise social value and maximise public benefit. Further advice regarding the procurement process and development of additional procurement strategies must be sought from the Commercial Procurement team.

- As referenced in the Legal Services implications, any grant funding received to the Council to finance and assist with delivery of contracts must also follow the guidance above. All works, services and goods must be procured via a compliant, open, transparent, and fair process in accordance with the Council's Contract Procedure Rules and where applicable, the Procurement Act 2023.

Health and Wellbeing

- Housing affordability is a key health issue in York, with the Health Foundation concluding that unmanageable housing costs can worsen mental health, while spending more on housing leaves less for other essentials that can be beneficial for health, such as food and socialising. It also found that, in terms of worsening health inequalities, a higher proportion of people in all minority ethnic groups have high relative housing costs compared with white British people, and 28% of people in households on the lowest incomes spent more than a third of their income on housing costs in 2023/24, compared with only 2% of people in households in the top income quintile (the top 20% of incomes).

Environment and Climate Action

- The built environment accounts for over 60% of direct carbon emissions from within City of York's local authority boundary; and half of these emissions are associated with domestic buildings. It is therefore essential that the construction and operation of any new or refurbished homes are low/zero carbon.

- The ambition for new homes at Castle Mills falls short of certified Passivhaus standard due to the existing design and viability constraints. The development should strive to align with the Housing Delivery Programme's Building Better Places principles to minimise operational emissions.

- In addition to operational emissions, the development should seek to minimise environmental impact during the construction phase (embodied carbon). This should start at design, with a carbon impact assessment and lifecycle analysis.

Affordability

- This scheme will provide 100% affordable housing, and the proposed development is mixed tenure combining social rented homes with shared ownership to provide a range of housing options for residents in various forms of housing need across the city.

Equalities and Human Rights

- The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

- An Equalities Impact Assessment has been carried out and is annexed to this report at **Annex C**.

Data Protection and Privacy

- The completion of data protection impact assessment (**DPIA**) screening questions evidenced there would be no processing of personal data, special categories of personal data or criminal offence data processed, so there is no requirement to complete a DPIA.

Communications

- This work forms an important part of the Council's narrative around delivering affordable homes for the city. As such, we will feed in progress to our long-term communication plans on this issue. We expect any sales support to be delivered separately.

Economy

- Housing affordability is a key challenge in York, with strategic economic implications in terms of retaining and attracting talent to support a buoyant labour market and thriving economy. The provision of 100% affordable housing across mixed tenures at this site will contribute to meeting affordable housing need and in doing so, supporting the city economy.

Risks and Mitigations

51. **Viability** – Whilst delivering homes directly through the Housing Delivery programme gives the greatest level of control over the type, tenure and quality of homes delivered, it requires significant financial investment, particularly to deliver projects as 100% affordable housing. Whilst there are significant Right to Buy receipts which need to be utilised and can subsidise the project costs, these receipts must be match funded through borrowing and interest rates which are currently high and make the viability of the projects more challenging. This is being managed through detailed financial modelling to ensure projects present a long-term financial return and thorough consultation with CYC's Finance team. The HDP has been successful in securing subsidies to the projects from different sources (Homes England, OPE, and YNYCMA) to make them viable.

52. **Inflation** - Build cost inflation remains high and therefore tender returns may vary from Pre-Tender Estimates. To overcome this, a full business case will not be presented to Executive until Castle Mills construction tenders have been returned and costs have been thoroughly ratified.

53. **Sales Prices for Shared Ownership homes** – these are reliant on the market. The York market is generally strong however, it has certainly been less buoyant in recent years and interest rates on shared ownership mortgages have been high, however despite this

the Council have continued to run successful shared ownership programmes so it is felt the risk is minimal.

54. **External Grants** – Castle Mills is viable due to the inclusion of grant from Homes England. Should this not be fully achieved this could lead to the scheme being unviable. Failure to secure sufficient grant would require a revised business case to be brought back before Executive for consideration.

55. **External Grants** - There is a risk that grant conditions around delivery cannot be fully met and potentially a proportion of any grant award may need to be repaid.

56. **Interest Rates** – the borrowing costs are based on interest rate levels of 4.5%. Should these increase beyond those levels at the time of borrowing this would impact the scheme viability.

Wards Impacted

Guildhall (Castle Mills), Acomb (Manor), Heworth (68 Centre)

Contact details

For further information please contact the authors of this Decision Report.

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Background papers

October 2025 Executive meeting – Delivering More Affordable Housing in York – Update on the Housing Delivery Programme: Report (paragraphs 45-47)

November 2023 Executive meeting – Castle Gateway Update: Report and Decision

Annexes –

Confidential Annex A – Castle Mills Business Case
Annex B – Castle Mills Site Plan
Annex C – Equalities Impact Assessment (EIA)

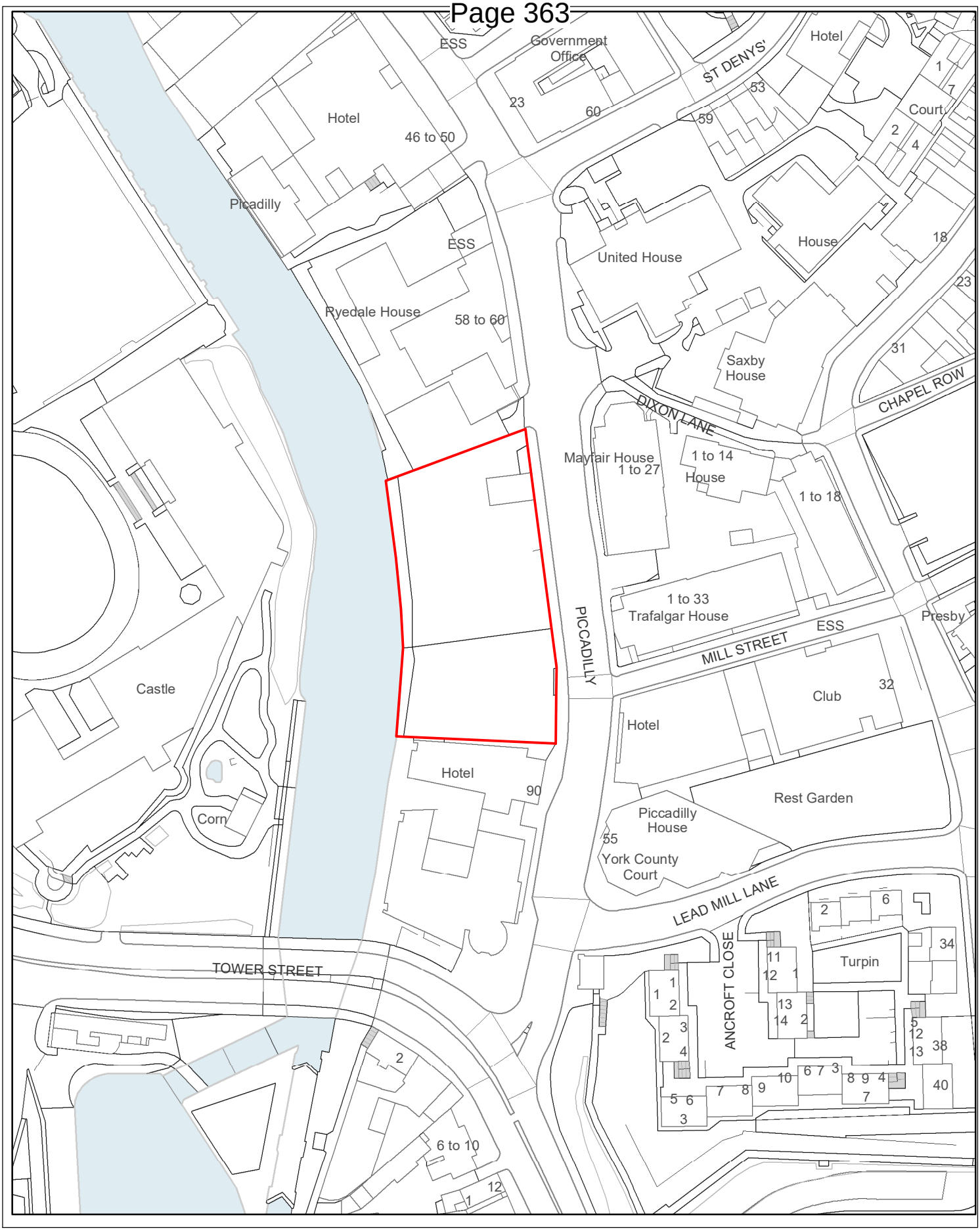
Abbreviations

HDP – Housing Delivery Programme
OPE – One Public Estate
RP – Registered Provider
RtB – Right to Buy
SAHP – Social and Affordable Homes Programme
YNYCA – York and North Yorkshire Combined Authority

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

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CITY OF YORK COUNCIL

Asset & Property Management

Castle Mills Site Plan.

N W E S

SCALE 1:1,250 DRAWN BY: KLM DATE: 23/02/2024

Originating Group: Asset & Property Management

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City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Housing and Communities
Service Area:	Housing Delivery
Name of the proposal:	Delivering More Affordable Housing in York – Castle Mills and update on the Housing Delivery Programme
Lead officer:	Florence Liber
Date assessment completed:	16 January 2026

Names of those who contributed to the assessment:			
Name	**Job title**	**Organisation**	**Area of expertise**

Step 1 – Aims and intended outcomes

1.1	**What is the purpose of the proposal?** Please explain your proposal in Plain English avoiding acronyms and jargon.
	The report seeks to continue the development of a strong new build pipeline with a budget to prepare the design by adapting existing proposals to build 100% affordable housing at the Castle Mills site; submit a planning application; apply for Homes England's Social and Affordable Homes Programme (SAHP) grant; and procure a development partner, with an updated business case to be presented to and approval sought from the Executive before entering into a construction contract. The reports also notes that Brownfield Fund grants have been awarded from the York and North Yorkshire Mayoral Combined Authority (YNYMCA) to CYC for the development of affordable housing at Castle Mills, Former Manor School and 68 Centre sites and seeks approval to enter into respective grant agreements to receive funding. Finally, it is also proposed that a bid to Homes England's Social and Affordable Homes Programme (SAHP) is submitted for Willow House once planning permission has been obtained.

1.2	**Are there any external considerations?** (Legislation/government directive/codes of practice etc.)
	YNYMCA's Brownfield Fund grants requires projects to be delivered within an agreed programme and require a 'Housing Construction Start' by March 2029 for this funding round (Round 3). The Homes England's SAHP sets eligibility criteria for the affordable homes funded utilising the grant funding.

1.3	**Who are the stakeholders and what are their interests?**
	- City of York Council – key stakeholders within the Council include Housing Services, Building Services, Communities team, Climate reduction team - Ward Councillors - Residents and local business within existing neighbourhoods surrounding Castle Mills.

1.4	**What results/outcomes do we want to achieve and for whom?** This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2023-2027) and other corporate strategies and plans.
	The recommendations set out in the paper reflect the 4 Core Commitments of the Council Plan 2023-2027 1) Equalities and Human Rights The paper proposes the development and delivery of affordable housing across the City which benefits those from lower socioeconomic backgrounds ensuring good quality housing provision. The new build homes will be built to a minimum standard of Part M4(2) 'Accessible and Adaptable dwelling' ensuring that the homes provide a good level of accessibility for residents throughout their lives. 2) Affordability The affordability of housing is a key issue for residents of York evidenced by the fact that the average house price is in excess of 10 times the average salary in the city. Increasing the supply of affordable housing for a broad range of residents including those on the housing waiting list, key workers, and adults with learning disabilities and/or autism. 3) Climate The Castle Mills development will respond as far as possible to the HDP's Building Better Places principles including adopting a fabric first approach, while remaining viable. However, due to the existing design and viability constraints, it will not be possible to achieve Passivhaus at Castle Mills like on other recent HDP new build schemes and as set out in the Building Better Place Design Manual. 4) Health and Wellbeing Good quality affordable housing has a positive benefit to the health and wellbeing of the residents. This paper aims to deliver high levels of affordable housing and improve access to good quality housing for the city's residents

Step 2 – Gathering the information and feedback

2.1	**What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?** Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.

Source of data/supporting evidence	**Reason for using**
Engagement with RPs for Castle Mills	Soft market testing has been undertaken which fed into an options appraisal; the outcome of the appraisal is summarised in the report.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.
Gaps in data or knowledge	**Action to deal with this**
The report brings forward an outline business case for Castle Mills but a full business case will be brought to the Executive once the building contract has been tendered. The business case will need to manage the financial challenges of providing 100% affordable housing whilst ensuring the homes are affordable to the residents and meet the objectives of the Council Plan.	Detailed financial modelling to be undertaken once tenders are received. The Housing Delivery team will need to work closely with wider internal and external stakeholders to ensure the proposed housing meets key affordability criteria, reflecting the needs of residents across the city.
Future engagement with key stakeholders and residents for Castle Mills	There is a planning permission already for the site which would have involved consultation with key stakeholders and neighbouring business and residents. They will be involved again in the design development of the new scheme, with the opportunity to provide ideas and influence the design through engagement events before the HDP team submit a planning application.
Engagement with Housing Strategy, Lettings, Housing Management staff, and Access Officer within CYC	Understanding the housing demand within the city is critical to designing homes needed by our residents. The Local Housing Needs Assessment demonstrates the greatest need for affordable housing is for smaller properties which is considered during each projects design phase. To refine the tenure mix and size mix, there will be more engagement with the Housing Strategy colleagues, Lettings and Housing Management staff within CYC.

Step 4 – Analysing the impacts or effects.

4.1	**Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?** Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations**.**		
Equality Groups and Human Rights.	**Key Findings/Impacts**	**Positive (+) Negative (-) Neutral (0)**	**High (H) Medium (M) Low (L)**
Age	Castle Mills a city centre high density site and will provide accessible one and two-bedroom apartments (to M4(2) accessibility standard - accessible and adaptable) accessible by stairs or lifts, for residents at all stages of life.	**Positive**	**High**
Disability	Castle Mills a city centre high density site and will provide one and two-bedroom apartments accessible by stairs or lifts. They will be designed to a minimum of M4(2) accessibility standard – accessible and adaptable) so that they can be adapted for wheelchair users.	**Positive**	**Medium**
Gender	The proposals do not relate directly to gender. There are no known implications related to gender.	**Neutral**	**Low**
Gender Reassignment	The proposals do not relate directly to those undergoing gender reassignment. There are no known implications related to gender reassignment.	**Neutral**	**Low**

Marriage and civil partnership	The proposals do not relate directly to marriage and civil partnership. There are no known implications related to marriage and civil partnership.	**Neutral**	**Low**
Pregnancy and maternity	The proposals do not relate directly to pregnancy and maternity. There are no known implications related to pregnancy and marriage.	**Neutral**	**Low**
Race	The proposals would support the housing position of Protected Characteristics Groups and provide accommodation for households with a very high level of need. The risk of community perceptions around this aspect of the Local Authority Housing Fund proposals will be managed with the support of the council's Minority Communities Officer, and the Communications team, and in particular emphasising that the plans are to increase overall affordable housing capacity which will benefit local residents as a whole within the City.	**Positive**	**Low**
Religion and belief	The proposals do no relate directly to religion and belief. There are no known implications related to religion and belief.	**Neutral**	**Low**
Sexual orientation	The proposals do not relate directly to sexual orientation. There are no known implications related to pregnancy and marriage.	**Neutral**	**Low**
Other Socio-economic groups including :	**Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?**		
Carer	The proposals do not relate directly to carers.	**Neutral**	**Low**

Low income groups	The proposals benefit low income groups. Affordable housing is more accessible to low income groups.	**Positive**	**High**
Veterans, Armed Forces Community	There is a high prevalence of homelessness among this socio-economic group and therefore the increased provision of affordable housing will impact this group.	**Positive**	**Low**
Other			
Impact on human rights:			
List any human rights impacted.	**N/A**		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

High impact (The proposal or process is very equality relevant)	There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
Medium impact (The proposal or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
Low impact (The proposal or process might be equality relevant)	There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	**Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?**
No adverse impacts have been noted above through the analysis however the projects will need to be managed thoroughly to ensure the benefits are realised. Affordability is critical to the delivery of the Council Plan's objectives and therefore this will need to be monitored closely to ensure that these objectives are delivered.	

Step 6 – Recommendations and conclusions of the assessment

6.1	**Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:**
- **No major change to the proposal** – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.	

- **Adjust the proposal –** the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.

- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty

- **Stop and remove the proposal –** if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	**Conclusions/justification**
No major change to the proposals	The analysis demonstrates that the proposals are robust with no negative impact to individuals or communities with protected characteristics. The Housing Delivery Programme is committed to creating inclusive and welcoming communities and will work collaboratively with stakeholders throughout the design and development process to deliver against objectives and monitor and adjust to any failure to meet these outcomes.

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	**Action to be taken**	**Person responsible**	**Timescale**
Refine the proposed size mix of the Castle Mills proposal	Engagement with Housing Strategy and Lettings and Housing Management staff within CYC and engagement with the community to ensure the accommodation offer meets the needs of residents.	Housing Development Manager for Castle Mills	Autumn 2026

Step 8 - Monitor, review and improve

8. 1	**How will the impact of your proposal be monitored and improved upon going forward?** Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	Continuous discussion and communication with residents and other stakeholders to identify and issues or improvement. Post occupation surveys to be carried out of new build projects to understand the outcomes for protected characteristic and marginalised groups. Fortnightly cross-department meetings to review progress. The project will also be reviewed by Housing Delivery and Asset Management Board on a monthly basis.

Meeting:	Executive
Meeting date:	3 March 2026
Report of:	Debbie Mitchell, Director of Finance
Portfolio of:	Councillor Lomas, Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion

Decision Report: Update on the Asset Management Strategy – 2026 to 2031

Subject of Report

1. This report sets out progress against the delivery of the Asset Management Strategy for the council for the period 2020-2025, as reported to Executive in November 2020. The report provides an update on the performance of the council's commercial portfolio of property, which provides a vital source of income in financing Council services. The report provides updates on work flows and sets out the Strategy for a further 5-year period to 2031, to benefit both social outcomes and financial performance, arising from the council's land and property assets.

2. The report sets out;
   a. The key principles of the Asset Management Strategy
   b. An update on those work flows as identified previously by the Asset Management Strategy split into;
      (I) Commercial Portfolio (Paras 22 to 40)
      (II) Operational Estate (Paras 41 to 48)
      (III) Community Assets (Paras 49 to 90)
   c. A number of property led proposals deliver strategic and financial benefits to the council, as set out within the main body of this report.

Benefits and Challenges

3. This report illustrates the benefits of the council's property portfolio both in terms of its revenue generation and its ability to aid the facilitation of regeneration.

4. The report provides an update on previously reported decisions, including disposals, bringing in the benefit of financial receipts to the council.

5. The report outlines a number of proposed property transactions whereby assets will be transferred to the community enhancing community involvement in the running of those facilities.

Policy Basis for Decision

6. The management of General Fund assets was set out by the previous Asset Management Strategy covered by the current Asset Management Plan 2020- 2025 and reported to Executive in November 2020. The principles of the Strategy were maintained in 2020 from the previous Strategy, with the addition to incorporate the impacts of the council's commitment to net carbon neutrality by 2030. The current Strategy sets out three objectives and a set of principles to drive future asset planning. The Objectives are;

    1. To use our assets to deliver policy goals;
    2. To operate our estate efficiently and dynamically to support the effective delivery of council services;
    3. To use council assets to generate maximum income in order to support the delivery of council priorities.

7. These objectives are broken down into more detailed principles which guide our activity planning and decision making, the principles are:

    a. We will use our assets to maximise positive outcomes for our communities;
    b. In order to protect direct services, we should reduce the overall cost of the estate through:

        I. rationalisation of assets
        II. disposal of poor-quality assets
        III. exploiting commercial opportunities
        IV. co-location of Council and other public sector services (including Health, care, police, education);

    c. We will use our commercial assets to generate income to support service delivery;

d. We will use our assets to create efficiencies and reduce service costs, for example to reduce reliance on out of city placements for people with complex needs;
e. Assets should support the council and its partners to achieve joined up services and improved outcomes - buildings should not be exclusive to one particular service and community spaces should where possible be flexible and adaptable to support a range of uses.
f. We will acquire or hold assets to drive economic development or regenerate an underperforming part of the city;
g. We will use assets to deliver and accelerate housing provision in the city.
h. To operate our estate sustainably, efficiently and dynamically to support the effective delivery of council services and achieve carbon neutrality by 2030 on our estate
i. Assets should be operated/managed by the community where a community group is best placed to deliver outcomes;
j. We should use assets to support area-based working. (This to ensure the outcomes of the Neighbourhood Model as approved by Executive in November 2025 are followed).
k. Where schools become academies, we will work to maximise the use of education land to the benefit of education and wider community use.

8. It is considered that the principles and objectives of the Asset Management Strategy (AMS) are fit for purpose and that they are retained going forwards. Through maintenance of this approach, the Asset Management Strategy will support the broad Council Plan aspirations as follows:

Equalities and Human Rights – utilise the council's estate to support regeneration to overcome deprivation in the city

Affordability – create more affordable housing on land that we own whilst supporting regeneration that can lead to the creation of better paid jobs in York

Climate – via operating the estate more sustainably in alignment with our climate and carbon ambitions

Health – create a more connected health and community estate, coopting space to make a generate more efficient services for residents. As in "J" above, this again links to the York Neighbourhood Model and integrated neighbourhood teams.

In doing so, it aligns with priorities identified in the Council Plan, namely:

Health and wellbeing: a health generating city for children and adults through the utilisation of the council assets to create a more sustainable environment that benefits from better use of community space whilst co-locating with partners to drive and improve efficiency in service provision

Economy: a fair, thriving, green economy for all through regeneration opportunities and using our assets to drive economic opportunity

Housing: increasing the supply of affordable housing – through using our assets to increase the supply of affordable housing in York

Sustainability: cutting carbon, enhancing the environment of our future – via using our estate as an exemplar of creating efficient, sustainable services

9. More broadly, the AMS links into the aspirations of the York 2032 strategy and policy framework which sets out a vision for York to be a "vibrant, prosperous, welcoming and sustainable city, where everyone can share and take pride and share in its success.

10. We have been designated a One Public Estate (OPE) authority since 2014 which has attracted funding totalling £675k to develop exemplar projects to support the national programme of work designed to:

    a. Create economic growth (homes and jobs)
    b. Encourage more integrated and customer-focused services
    c. Generate capital receipts
    d. Reduce running costs.

    This has included projects at; West Offices, Guildhall, Lowfields, Burnholme and Bootham Park Hospital. A further £2.64m has been received through the OPE's brownfield land release fund which has contributed to work at Ordnance Lane and the former Tang Hall library.

11. The strategy reflects these ambitions and progress to date exemplifies progressive cross-public sector working and demonstrable success in delivering these objectives.

12. The Council owns a number of vacant sites which Executive have made decisions upon (July 2024 and October 2025 and which are referenced on the "Background Papers" section of this report). Updates have been provided with the emphasis upon delivering affordable housing provision

on these sites which include the former Manor School, Askham Bar and Willow House. Executive will be updated in the future through the housing delivery programme reporting updates, on progress regarding such.

Assessing future use of council assets

13. The city council's estate is extensive and varied and there are a number of scenarios that initiate a review of the current or future use of an asset. These include:

- Service model shifts and requires different space use,
- Current asset no longer fit for purpose
- Asset requires significant maintenance investment
- Budget reductions require a rationalisation
- Potential for sharing an asset with another organisation or service
- Inability to let a commercial property or commercial asset not performing well
- Investment opportunity on the open market

14. The route to develop alternatives and proposals may vary depending on the above scenario but typically involves dialogue between a service, the Asset Management, City Development and Finance team, establishing the parameters for the decision, developing potentially multiple business cases that enable evaluation of the financial implications and the (more difficult to measure) social environment and economic impacts. The process for developing options and making recommendations is overseen by the Corporate Management Team who ensure that a comprehensive review of opportunities has been undertaken and that proposals made by services have strategic support.

Financial Strategy Implications

15. Depending on the scale of the proposals, decisions may be taken at different levels. The Financial Regulations set out the thresholds for decision making however the community impact/ sensitivity is less easy to calculate and therefore most asset disposals, acquisitions and significant changes of use decisions are taken by Executive or by the Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion.

16. There are a number of significant financial implications surrounding the recommendations in this report. These are considered by themes in the paragraphs within the report below.

17. The property portfolio provides a valuable income stream to the council which forms an integral part of its annual revenue in providing and funding its services. The performance of the portfolio is intrinsic to the delivery of its revenue targets and the recommendations outlined both note the performance of the asset base and provide opportunities to enhance its revenue profile whilst bringing forwards other strategic policy objectives.

Recommendation and Reasons

18. The Executive is asked to:
    a) Note:
        (I) the performance of the council's property estate and the annual revenue it provides.
        (II) the performance against the specific workflows, including disposals, as previously set out in the previous Strategy and the re-shaping of the operational estate at West Offices to provide additional annual revenue
        (III) the performance and role the estate has played in helping to reduce the council's carbon footprint
    b) Agree the principles of the Strategy which will form the Corporate Asset Strategy for the next 5 years, 2026-2031;
    c) Agree to:
        (I) the sale of 25/27 Coney Street and lease back of part on a 999-year lease;
        (II) the grant of a lease renewal at 17-21 Piccadilly;
        (III) lease the various City Council owned allotments, as detailed within the report to York Allotment Charitable Incorporated Organisation (YACIO) for 35 years at a peppercorn rental;
        (IV) lease Bustardthorpe Allotments, Bishopthorpe Road, to Bustardthorpe Allotment Association for 35 years at a peppercorn rental;
        (V) lease the store and outdoor space in Rowntree Park maintenance depot to York Canoe Club for 15 years at a peppercorn rental;
        (VI) lease the garage in Rowntree Park to the Friends of Rowntree Park for 15 years at a peppercorn rental;
        (VII) lease of the Rowntree Park Lodge Garden to the Friends of Rowntree Park for 99 years at a peppercorn rental subject to the Friends meeting the requirement of original lease for the upper floors;

(VIII) lease the land at York Road, Strensall to Strensall and Towthorpe Parish Council for 70 years at a peppercorn rental; and

(IX) lease the land in Hull Road Park to Choose 2 Youth for 10 years at a peppercorn rental,

all on the terms and conditions outlined in the report;

d) Delegate to the Director of Finance (in consultation with the Director of Governance) authority:

(I) to take such steps as are necessary to agree and complete the above transactions as detailed in this report; and

(II) to acquire and dispose of all interests in land for all future acquisitions and disposals.

19. **Reasons**

a. To ensure work continues to accord with the clear principles as set out under the Asset Management Strategy, which will continue to guide and shape future use of the council's property portfolio.

b. To continue to support the ongoing economic vibrancy of the city, to protect and increase the income from the council's commercial property portfolio.

c. To dispose of surplus property with an emphasis on providing affordable accommodation within the city; reduce the council's financial obligations and encourage regeneration and community involvement through the use of its assets.

Background

Our Property Estate

20. The councils' property estate (excluding housing and housing garages) is large and extremely varied with c.1,300 assets with a value of c. £396m (including schools) and generating an annual income of c.£6.9m. The estate can generally be classified into four separate blocks as follows;

- Commercial Portfolio
- Operational Estate
- Community Assets
- Surplus land for housing delivery

21. Updates to housing delivery on surplus land were reported to Executive in October 2025 and hence do not form part of this report. The other three areas which are detailed within the next sections of this report along with a

further section summarising the work that has been undertaken in using its assets to help meet our climate change ambition.

Options Analysis and Evidential Basis

A – The Commercial Portfolio

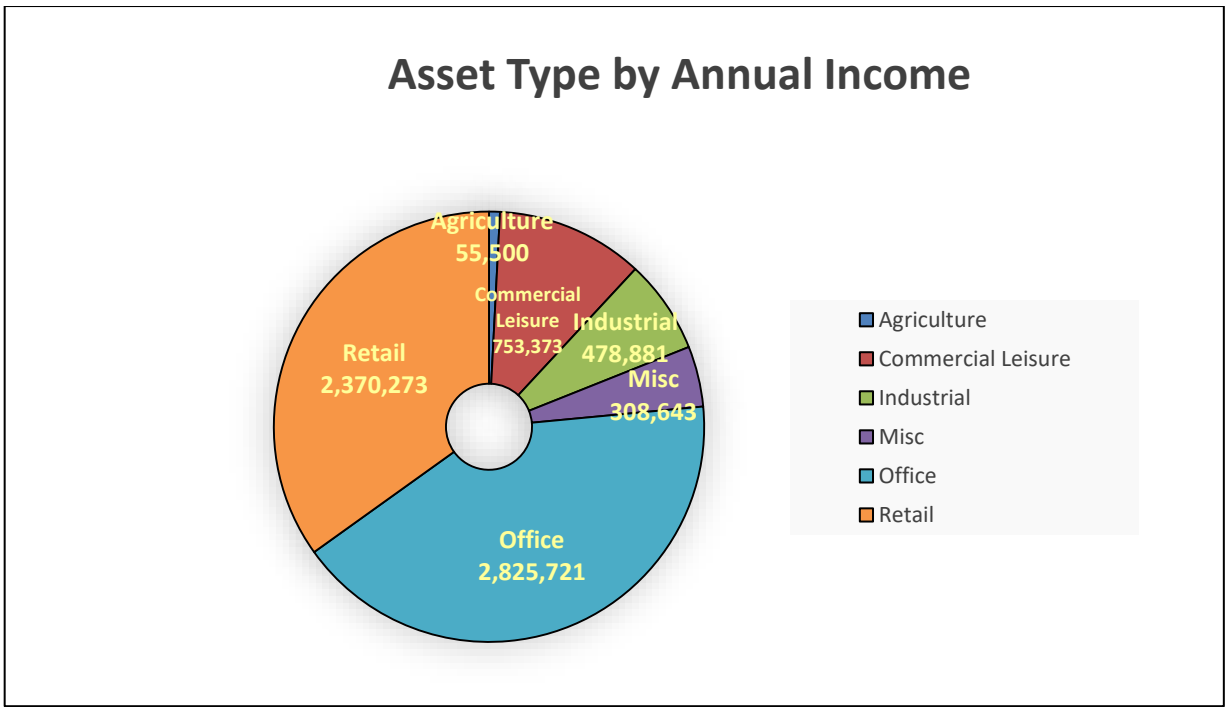
Composition of the Portfolio

22. The council has c.1,100 commercial legal agreements governing its property portfolio. In total, the assets provide an annual rent roll of c.£6.9 million. The portfolio comprises retail, light industrial, office and agricultural properties as well as the commercial lettings at West Offices and leases of the land on the Coppergate Centre and York Racecourse operate upon. Over the last decade, the council has made a number of strategic acquisitions. This has included interests at Hospital Fields Road, which has enabled housing development to be planned; commercial property in Swinegate and Coney Street and by purchasing the head lease interest in the Eco Business Centre.

23. The council has always focussed its commercial estate in York in order to promote and support economic vibrancy and ensure the preservation of historic buildings. Through its ownership of the estate the council therefore, provides accommodation which helps in developing and maintain the city's economy, serving a broad role in meeting social economic and environmental objectives such as regeneration and ensuring the sustainability and vibrancy of the city centre.

24. The 2020 Asset Management Strategy was written during the Covid period. The council was able to support its tenants through the period by offering deferred rental payments and whilst the cost-of-living crisis has followed Covid bringing considerable economic challenges, the council's property portfolio has remained robust, with high levels of occupancy being achieved.

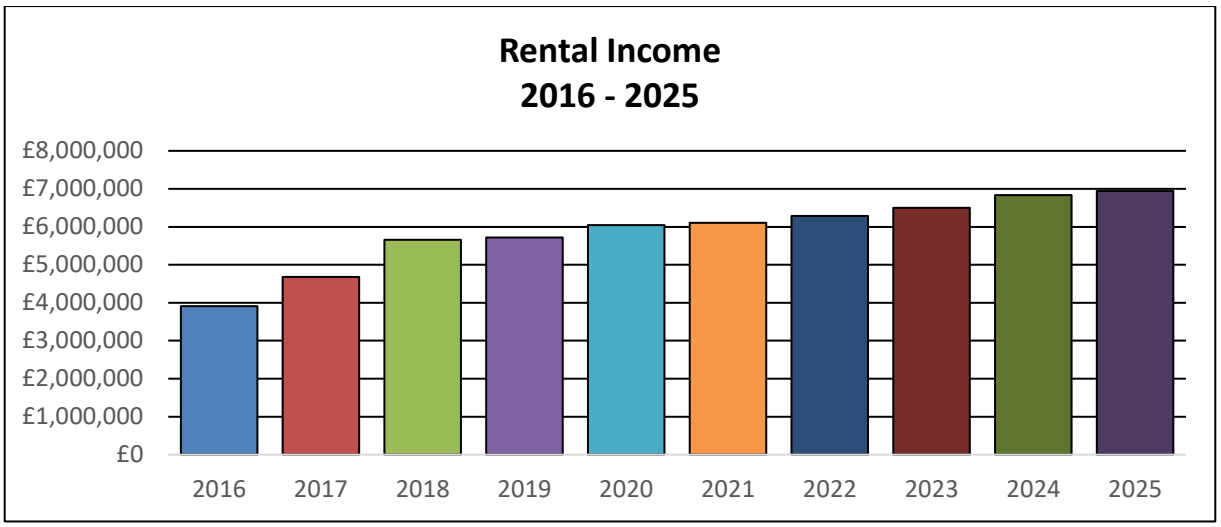
25. The graph below illustrates the composition of the assets which provide for the majority of the council's annual income generated from its asset base. These figures exclude minor agreements as well as operational property such as school and community lettings



Performance of the Portfolio

26. The council's estate was assembled over a long period of time, often to safeguard buildings at risk (the Shambles for example, from demolition) or to prepare for large capital schemes. For example, the council purchased a number of premises on Gillygate in the 1960's for an aborted inner ring road scheme. The city council's assets are well occupied and deliver a good financial return, with the portfolio providing a return of c.6.6%. This provides a considerable income which is an important part of the council's overall financial strategy.

27. The graph below shows the growth in commercial rental income since 2016, which has risen markedly over the period. The growth has been achieved through maximising revenue from its assets, the acquisition of assets as mentioned above, and through maximising the use of operational assets and driving revenue from areas not required. Particular success has been achieved at West Offices which is discussed later in this report.



28. The previous iteration of the Asset Management Strategy set out a number of opportunities for the commercial estate which have been progressed and have been reported to Scrutiny Committee previously in March 2024. A summary of those actions, along with property agreed to be disposed of by Executive in July 2024, are listed below which concern the commercial estate;

Action	Status
Agree to recommend to Full Council the establishment of a capital budget of approximately. £3.9 million, to fund the acquisition of the head leasehold interest of the Eco Centre, Amy Johnson Way.	Acquisition completed. Asset is well occupied and provides a financial return generally commensurate with the overall portfolio return.
Agree to lease 29 Castlegate as part of the commercial portfolio and agree to the use of the existing capital budget of £270,000 to undertake maintenance repairs to the property.	Lease granted in April 2022 and remains in situ to Work With York. Capital works carried out on budget
Agree to lease the Guildhall Business Centre to the University of York/York Science Park	Lease granted in April 2022 and remains in situ.
Agree that, were it to become available for sale within seven years of the transfer of Haxby Hall, to purchase the existing Haxby ambulance station site within the agreed budget.	Haxby Hall disposal completed. Ambulance station remains operational.

Action	Status
Agree to dispose of the council's shareholder interest in York Science Park Ltd for c. £500k.	Disposal completed.
To dispose of land at Lingcroft Lane, Naburn; and 2 former herdsman cottages (103 Heslington Road and159 Mount View)	The herdsman's cottage leasehold disposal at Heslington Road has completed, whilst the other is under offer to leasehold purchasers. The land at Lingcroft Lane is under review.
Former Network Rail Building, Holgate Road	Disposal complete
Sale of 22 The Avenue	Under offer to buyer
Grant of 999-year leases for 5 No. 1 bed flats at 28 & 45/47 Shambles.	Under offer to leasehold purchasers

Opportunities for the Commercial Estate

Coney Street

29. Opportunities for the council to be pro-active in the York property market are considered as they arise and reported to Members in accordance with governance and delegations. One current opportunity which requires an Executive decision is in regard to 25/27 Coney Street (see location plan in Appendix).

30. The council received authority to purchase this asset from Executive in November 2019, subsequently purchasing the asset in January 2020. The property is let to retailer, Holland and Barrett. The rationale for purchasing this asset was to act as a strategic lever in future consideration of how the city centre would adapt to reflect the changing and challenging retail picture. At the time of reporting, acquiring ownership of the strategically placed asset in the centre of Coney Street was considered to provide the opportunity to the council to shape further discussions with neighbouring landowners and steer future direction, rather than simply relying on the council's powers as a statutory authority, in accordance with the council's "My City Centre" vision.

31. Since the purchase, other property located on Coney Street has been purchased by the Helmsley Group, whom have subsequently sought and attained planning permission for a significant redevelopment of Coney Street. This is envisaged to comprise of a multi-million pound development which will provide a mixed use scheme, comprising retail and upper floor leisure and student accommodation.

32. As landowner of 25 Coney Street, the council has made it clear of its desire to see a riverside path form part of the development. Helmsley have now attained planning consent for the scheme, planning reference 22/02525/FULM. An integral part of that scheme is to create a new riverside path linking the existing City infrastructure to such, for the benefit of residents and visitors.

33. We are advised that the Helmsley Group have spent in the region of c. £1 million in fees in attaining the planning consent. Whilst Helmsley are seeking development funding for the project, they hope to start development later in 2026 and they are confident in the delivery of such.

34. The financial offer of the deal is contained within the confidential appendix. The structure of the deal will see the council sell the entire property to the Helmsley Group for a capital payment, paid upon completion. In addition, the Helmsley Group will deliver the council, as part of the new development scheme, a newly refurbished ground floor retail unit, with a basement, situated on the existing property's ground floor footprint. Helmsley will be fully responsible for all costs associated with such and will lease the council this space back for 999 years at nil rent. The council will then be able to lease this space out for a commercial rent. The rationale for this capital and lease back arrangement is that with the multi million pounds of development costs invested in the street, it is anticipated that the value of assets in this location will increase. In retaining an asset in this location, as part of the new scheme, the council will benefit in having a retained interest in the new scheme and be able to benefit in the income.

35. The council has sought independent valuation advice upon this proposal, and it is considered that the deal represents Market Value and indeed represents a higher capital value than it paid for the asset in 2020.

36. Additionally, the Helmsley Group have agreed that in the legal transfer documentation there will be a positive obligation to deliver the riverside pathway. This is an example of the council using its assets in bringing about regeneration to the city.

17 – 21 Piccadilly

37. 17-21 Piccadilly (see site plan in Appendix) is the site of the former Reynard's Garage and is now the site of the hugely successful Spark:York, a temporary pop-up container development hosting many small, local, retail, food, and drink businesses. Spark have occupied the site since 2017.

38. In accordance with a decision made by Executive in March 2022, registered providers were approached to provide affordable housing on the site, and it was anticipated that the value of the site could provide £500,000 on a 999-year lease basis. Despite soft test marketing providing a reasonable response from registered providers to the opportunity, when expressions of interest were subsequently invited, only one expression of interest was made. Rising build costs and the small nature of the site were cited as challenging issues which had put would be bidders off. Spark York has proven to be popular and continues to bring vibrancy and activity to Piccadilly. 18 out of 19 units are currently occupied and the others are under offer, particularly appealing to start-up businesses. In addition, there are art studios, co working space and meeting rooms. Spark advise that 26 of their previous occupiers have moved on as part of those businesses' growth. They also estimate that there is a £5m turnover from current businesses providing 68 equivalent FTE jobs and attracting 400,000 visitors a year to the facility.

39. Spark currently pay a rental of £27,500 per annum and are not in any rental arrears. The lease was renewed until November 2026 in accordance with the Executive decision of November 2023. Spark have been looking for an alternative site in the city and have looked at York Central, but this will not be ready to cater for any possible provision prior to the expiry of their current lease. Given the success of Spark and the previous lack of interest by registered providers in the affordable housing proposition here, it is proposed that the current lease be extended until such time as Spark find an alternative location. The timeline will be controlled by limiting their tenure to the period in which they have secured planning consent for the site, for which was granted a 5-year extension under planning reference 25/01151/FULM in October 2025. Spark will continue to pay the market rental value for the site, which will be assessed at the time of any extension to their tenure. This will provide further time to continue to work with Spark to ascertain if an alternative venue within York could be suitable.

40. In line with previous decisions, any renewal of the tenancy will provide that Spark must abide by all statutory controls which will necessitate them in

applying for an extended planning consent. Furthermore, controls within the renewal lease, governing noise and issues of potential disturbance would mirror any requirements from the statutory authority permissions to ensure compliance to such given the close proximity of residential accommodation.

B – The Operational Estate

41. The comprehensive rationalisation of the council's administrative accommodation in 2012 culminated in the development of the council's headquarters at West Offices with its depot located at Hazel Court, James Street.

42. West Offices is the largest operational asset the council owns; valuable commercial income has been increased here through the pro-active rationalisation of operational space within the building. Prior to Covid, the council occupied the vast majority of the 4-storey building, utilised as its head-quarters, whilst leasing out the top floor to partner organisations. These were predominantly public sector based, such as the NHS, the council occupying 3 of the floors itself, with the ground floor in part, providing the customer centre and café as well as office space.

43. The council has operated on a hybrid office working basis historically and has maintained and increased this post Covid. This has enabled the council to reduce its required floor space requirement. Its occupation for office space has been reduced to one floor within the building plus use of meeting rooms located across the building, whilst retaining the customer centre and café at ground floor level.

44. The surplus space on the 2 floors has been let to both public and private sector organisations, such as the Mayoral Combined Authority and LNER. Income from West Offices has been increased to just short of £2 million per annum annually. Annual running costs excluding staff (but including security and cleaning), amount to c. £2.6m a year currently for the building, meaning that due to the success in leasing space, the cost of the building to the council has significantly reduced.

45. From an economic development perspective, in attracting occupational tenants to the building, the council has ensured that occupational tenants are retained within York city centre, where otherwise they may have located elsewhere, thus providing/ protecting jobs in the city.

46. Hazel Court is the council's logistics headquarters, providing space for its operational fleet. This has benefited through the provision of an EV

scheme constructed on site and which serves to power its electric vehicles. Hazel Court also provides office space used operationally.

47. Remodelling the operational asset base in our communities has been a long running theme of the portfolio. In recent years this has continued, and sales of assets progressed. The new library at Clifton has been developed by the Council and the old library site and building sold. The site of the former Haxby library has been sold and new library provision provided at Oaken Grove community centre. The former elderly person's home at Oakhaven has been sold to realise a capital receipt and the facility at Haxby Hall has been sold with a modern private owned facility replacing it.

48. Whilst the operational estate has seen considerable rationalisation in the past, thus providing the council with a slimmed down asset base, further rationalisation work is recognised as being required to ensure the council makes the best use if its assets with the resources it has. Future reports will be taken to Executive to detail work which will be undertaken on the remaining operational asset base for which the council has worked together using partnerships such as York Explore, GLL and York Museum Trust. The Council will utilise its property assets in support and have regard to the Heritage Programme as reported to the Combined Executive Member Decision Session dated 4th November 2025, given the importance of its heritage assets within the city.

C – Community Assets

49. The council own and directly operate only a handful of community facilities based in communities, including, Clifton Community Hall and Moor Lane Youth Centre. Over the years, considerable numbers of council owned community assets have been transferred to the community, where a community group are able to use the asset for improved community or social outcomes. This process is most effective when it is developed in partnership with communities, to develop shared visions and collaborative proposals. We ensure that groups taking on the responsibility for operating assets have the support and capability to do this successfully. Each case is considered on its own merits having regard to the business case and proposals submitted in support of such.

50. All the leases have transferred maintenance and repair responsibilities to the community groups concerned for the duration of the respective leases with associated revenue savings made by the council, if it were to otherwise retain management and responsibility of the assets.

51. The Community Asset Transfer Policy was adopted by the council in 2007 in response to the Quirk Review set up by central government in 2006 to investigate future options for the increased community management and ownership of assets, in particular looking at ways to overcome barriers, taking into account the need to manage risk. The Policy states that qualifying community groups must meet certain criteria, which are set out as follows;

A. It must be the intention to open up the asset for the whole community to have access and for a variety of uses and not just be a specialist or single purpose group. There should also be a minimum time (measured in hours per year) when the land and/or building is open to the public.
B. The community group must show that it is properly constituted and is sustainable in economic and social terms. It needs to show it will have the capacity to manage and run the property that meets the terms of any agreement.
C. The aims of the group and its proposed use of the asset must support one or more of the council's priorities and objectives contained in the Corporate Strategy and match the council's strategic values.
D. Need for the project – including how the needs have been identified, the outcomes for the project and how these outcomes will meet the needs.
E. Partnership working – identify the partners, what each will bring to the project, the experience, skills and capacity of the partners to deliver the project.

52. Qualifying groups may be offered a lease for a term of up to 99 years, in order that the tenant can apply for funding to support the use of the asset, and any work needed to repair or refresh the property. The lease term is offered on a nil rent basis subject to the following conditions;

A. The tenant has full responsibility for repairs and decoration and for payment of all outgoings relating to the premises including insurance business rates and utility costs
B. The premises must be open for the public to use for a minimum period each year
C. The tenant is restricted from transferring the lease

53. These conditions are included as specific covenants within the lease granted by the council, as landlord, which also include a community use agreement. The following community asset transfers have taken place

since 2017. All the leases have transferred maintenance and repair responsibilities to the community groups concerned;

54. The bowling greens at West Bank Park, Glen Gardens, and Clarence Gardens have been transferred to the respective clubs on 25-year leases. Scarcroft Bowling Club and the RI Bowling Club, Holgate have been transferred on 30-year leases. The Hut, Clarence Gardens has been transferred on a 99-year lease. Tang Hall Community Centre has been transferred on a 30-year lease. Seventeen of the Council's allotments across the authority have been transferred to The Officials of York Allotments Charitable Incorporated Organisation on 7-year leases and a 99 year lease granted to Rufforth and Knapton Parish Council for allotments.

55. Furthermore, Poppleton Community Centre has been transferred to Poppleton Community Trust on a lease of 99 years, whilst another 99-year lease was granted for land at Clifton Without to Clifton Without Parish Council. A lease of 25 years was granted to Rowntree Park tennis Club for the courts and pavilion and a lease of Mayfields South to Friends of York Railway Pond and Reserve was granted for 25 years.

56. In the case of transferred assets to community groups, it is worth noting this is often the starting point for a new relationship between the Council and the group. As matters progress Council officers may need to attend an AGM to monitor progress, offer support or hear about future ambitions, offer written support for a funding bid, help with constitution and good governance, or comment on non-legal matters. Legal advice can never be given. Maintaining such relationships Is beneficial to both parties; giving reassurance and support, and in so doing, hopefully helping the group to thrive.

57. In relation to youth building assets, the 68 Youth and Community Centre closed just before Covid due to its poor condition and this site is now part of the Housing delivery programme. Moor Lane Youth Centre remains a Council run centre that is home to the Youth Justice Service, Choose 2 Youth and a variety of youth clubs that operate on an evening.

58. As was reported in the previous Asset Management Strategy, 153 acres of agricultural land had been purchased to create a community woodland, combining this with council assets in the adjacency to provide a site of c.180 acres. This land has now been leased to Forestry England who have paid for the planting of the woodland and pay for the costs of managing it in line with a management plan with the council, which is reviewed annually.

Opportunities for the Operational & Community Estate

A number of further opportunities are presented, and these are set out below;

a) <u>York Allotments</u>

59. In November 2017 York Allotment Charitable Incorporated Organisation (YACIO) took on the management of the city council allotments on a 7-year trial basis at a peppercorn rent (Bustardthorpe Allotments was omitted as it was already self-managed by tenants). The history of the transfer can be found in a report to the Executive 19th October 2017. A list of the allotments is contained within the appendix.

60. Over the last seven years YACIO have successfully managed 16 sites with over 1,500 tenants in occupation. This has been carried out through a voluntary board of trustees and a paid administrative function. Each trustee has taken on a specific responsibility e.g. legal matters, repair and maintenance, health and safety. The organisation has been very stable and of the original 5 trustees, all are still in that role with 3 new trustees joining the Board.

61. The organisation is governed by Charity Commission rules, holds an Annual General Meeting at which paid up tenants have a say on policy matters and elect Trustees. Day to day management is supported by volunteer site secretaries who show prospective tenants around plots and report repair and maintenance issues. YACIO's web site https://yorkallotments.org/ provides more details on all the above as well as published minutes, their quarterly newsletter and news items, Tenants Handbook and gardening advice.

62. Administrative achievements include:
    - updated Tenancy Agreement to make it more effective and relevant.
    - improved administration including enabling annual invoice payment to be made online.
    - hired a part time administrator, soon to be replaced by two part time employees.
    - developed a dedicated website.

63. Development actions include:
    - carried out a programme of site improvements.
    - initiated a programme of clearing derelict plots.
    - began a programme of tree management.
    - organised several training sessions for tenants on specific topics.

- re-established the annual best plot competition.

64. Financially YACIO have:
    - managed finances effectively running at a small surplus through most operating years.
    - avoided rent increases to the allotment holders for the first six years.
    - updated the concession policy.

65. Looking forwards YACIO, subject to the lease being agreed, will develop a longer-term strategic plan with tenants and other stakeholder to set priorities, provisional areas of focus are likely to include:
    - enhance security and reduce vandalism and anti-social behaviour
    - a programme of installing compost or similar non-mains toilet facilities at larger sites to make allotments more inclusive
    - create more accessible plots
    - a programme of installing communal tool stores that can be used by tenants instead of plot sheds.
    - create more communal areas on sites for social activities and community building
    - investment in better drainage and rainwater collection

66. In order to provide the YACIO with a longer-term security and given the success they have achieved, they have asked for new 35-year lease to be granted at peppercorn rental which is recommended to be entered into.

67. If the lease is not renewed the service would have return to in house management. This would require the appointment of an allotment officer and creation of administrative support to issue bills and tenancy agreements. When the service was transferred to YACIO income from rents did not cover the council's costs.

b) <u>Bustardthorpe Allotments</u>

68. Bustardthorpe allotments have been managed by Bustardthorpe Allotment Association (BAA) since they took on the self-management of the site some 23 years ago. (see location plan in Appendix). This was initially on a trial basis; at a time when the site was semi derelict and only a third occupied. BAA self-management arrangements predate the wider Council arrangement with YACIO by over a decade and the group wishes to retain their identity (this does not stop the two-organisations cooperating on matters such as waiting lists). Since then, BAA have operated under a series of leases, the most recent was granted in 2012 for a period of 25 years. BAA currently pay an annual rental of £835pa, albeit they have

been paying zero rent for the last few years as they have paid for re-piping of the water supply and hence the rent has been offset against such.

69. Until the end of 2024 oversight of the operation was provided by a board of trustees, with a management committee responsible for a day-to-day operation. In January 2025 the organisation became a registered charity (no: 1211930) and changed their name to Bustardthorpe Allotments Association CIO (BAACIO) with the site now managed by the charity trustees. The site has been fully occupied for several years and now has a waiting list

70. BAA have caried out numerous site improvements including fencing, tree maintenance, car parking and renewing the complete underground water supply across the whole site. They have also supported tenants through a new storage facility, replace the toilet, increased the size of the meeting / social space, development and management of therapeutic spaces such as the Russell Lupin Garden, Community Orchards and Nature Reserve benefitting not only the plot holders and their families but also residents and staff at Knavesmire School. BAACIO have also developed links with and actively supported the Collective Sharehouse. They arrange free provision of wood, manure and wood chip and the development of on-site cultivated plants for sale in shop. In 2025 BAACIO was successful in getting a grant from Micklegate Ward for an irrigation system for the polytunnels where these plants are grown.

71. BAACIOI have now asked for their current lease to be terminated, and for a new 35-year lease to be granted at peppercorn rental to bring them in line with recent Community Asset Transfers, given they are the only allotment management arrangement whom pay a rental.

Rowntree Park Assets

72. There are a number of Rowntree Park assets which are the subject of discussion in this section of the report (see location plan within the appendix). This covers York Canoe Club, Rowntree Park Lodge and a store/ garage on the eastern boundary of the park.

73. York Canoe Club (YCC) is a community adventure sports club drawing membership from York and the surrounding area and have used Rowntree Park as a base for their activities for the last 8 years. The club is focused on white water kayaking but supports all canoeing and kayaking disciplines. The club has regular membership of around 80 with a further 50 seasonal members. Further information can be found at https://www.yorkcanoeclub.co.uk/.

74. YCC provides a structured coaching pathway which develops paddlers from absolute beginners to competent white-water kayakers. This includes: the beginner's course, introduction to white water, coaching on trips on flat and white water and a development and mentoring structure to become club coaches and leaders. The club holds a wide range of high-quality equipment to underpin this programme which come with storage needs.

75. Currently YCC use both the tennis pavilion and part of the Lodge basement for equipment storage within the park. Both locations have limitations for equipment which can be both heavy to move and wet from use. Working with officer's, options to use part of the existing park maintenance depot have been developed and a 15-year lease is sought for this space at a peppercorn rental. A location plan is provided in the appendix and includes internal space of some 25m^2 in what is an unused mess room / store (parks staff have not been site based for several years) and some 35m2 of external space in the adjacent yard. In both areas the club wish to install racking and storage facilities which will be fully funded by the club and work carried out by its members.

76. The club has lacked a permanent home since inception and has been saving for an opportunity like this for over 20 years in the knowledge that any permanent base would need investment, internal and external racking for example. YCC have sufficient funds to cover such expenses as well as being able to draw on professional and technical expertise from within its membership.

Store/ Garage

77. The Rowntree Park Friends (Friends) whom the council work with in providing a voluntary service to maintain the park, wish to take on a 15-year lease for a park "store/ garage", this building is situated next to the Parks toilets near the Terry Avenue main entrance. Historically it was used as a store and is no longer needed by the council's public realm team. The appeal for the Friends is that although closer to the river it is considerably higher than the Lodge basement store currently in use. This means garden tools, wheelbarrows etc, which have suffered from flood damage most years, will be better protected. It is also closer to the areas the Friends care for including the Central Avenue planting beds.

78. A location plan is provided in the appendices. The building has an internal space of some 18m^2. The Friends plan to repaint the interior, install shelving and work benches; all at their cost.

1st & 2nd Floors of the Lodge

79. In March 2021 the Executive agreed to "agree in principle a 99-year lease of the upper floors of Rowntree Park Lodge, a former park keeper's residence, to the Friends of Rowntree Park and to delegate the final decision to grant that lease to the Executive Member for Finance and Performance subject to the agreement of a funded business case at an Executive Member Decision Session in the next 12 months, or at a date agreed by the Executive Member for Finance and Performance"

80. Following this offer the Friends set about seeking funding for the project and where successful in obtaining several small grants to support their aims of creating a community space and have progress as far as obtaining planning permission for the re-development of the upper floors ref 24/00583/FUL. Work continues seeking the larger grants required to deliver the project and in parallel both parties are working on the draft documentation.

81. In the interim the Friends wish to use a couple of the rooms on the upper floors of the Lodge as a store for their educational material, events and promotional literature, and archive. It is proposed this progresses under an annual licence arrangement whilst the long-term future of the property is resolved.

Lodge Garden

82. The original Executive decision in March 2021 to lease the upper floors of the Lodge to the Friends omitted the Lodge Garden from the approved space. The garden is primarily used by the Friends to support their horticultural activities by growing on plants for transplant into the park, overwintering plants which would be damaged if the park flooded, and for the storage of equipment and materials. In doing so their activities have been supported by Environment and Community Officers.

83. The planning application for the Lodge also includes potential outbuildings. It is therefore proposed to add the garden to the area leased to the Friends subject to the same conditions being met to proceed with the Lodge lease. A location plan is provided in the appendix.

Land at York Road, Strensall

84. York Road is an area of approximately 750 m^2 open space of set back from the main road into village. A location plan is provided within the appendix. Strensall Parish Council aspire to develop the area as a community garden and wish to formalise their involvement in the area with a long-term lease of 70 years at a peppercorn rental which would match the remainder of the term of another lease of land which Strensall Parish Council already hold.

85. The land is owned by the council by virtue of a transfer of the land from the residential developer, who developed the adjacent residential housing. The council's public realm team maintain this area. There is a covenant on the title to the property restricting the land for being used as public open space. This covenant will transfer to the Parish, controlling the use.

Lease of Land to Choose-2, Hull Road Park

86. Choose-2 are a not-for-profit social enterprise "*working with and supporting children, young people and adults with disabilities and additional needs in York and North Yorkshire",* see https://choose2.co.uk/about/ .

87. Since 2017 Choose 2 have run a café from a modular building in Hull Road Park. Originally the modular building was rented on a trial basis by the council from a local supplier with funds provided by Hull Road Ward Committee. At the end of the three-year trial Choose-2 were able to secure on going use direct from the building's supplier.

88. Choose 2 have temporary planning permission for the building until November 2025 and have now commenced the process of seeking a renewal of such.

89. To formalise the position, we propose to grant a lease of the footprint of the site where the modular building is situated. The lease will be for a term of 10 years at a peppercorn rental, reflecting the modular style of building and Choose 2 will be fully responsible for the building and its upkeep. This arrangement will be subject to Choose 2 securing planning permission. A location plan is provided within the appendix.

90. In October 2025, Executive agreed a £750k park fund that will be utilised to improve parks across the city. It is anticipated that s106 money will take the Parks Investment Programme budget to around £925k. The key ambitions of the programme are to improve play opportunities,

accessibility and inclusivity to the Council parks and open spaces. The value that park building play was also recognised in this programme, and when combined with the actions set out in this report, will ensure these community assets remain places that encourage and support healthy, sustainable lives and communities.

D – Carbon Reduction

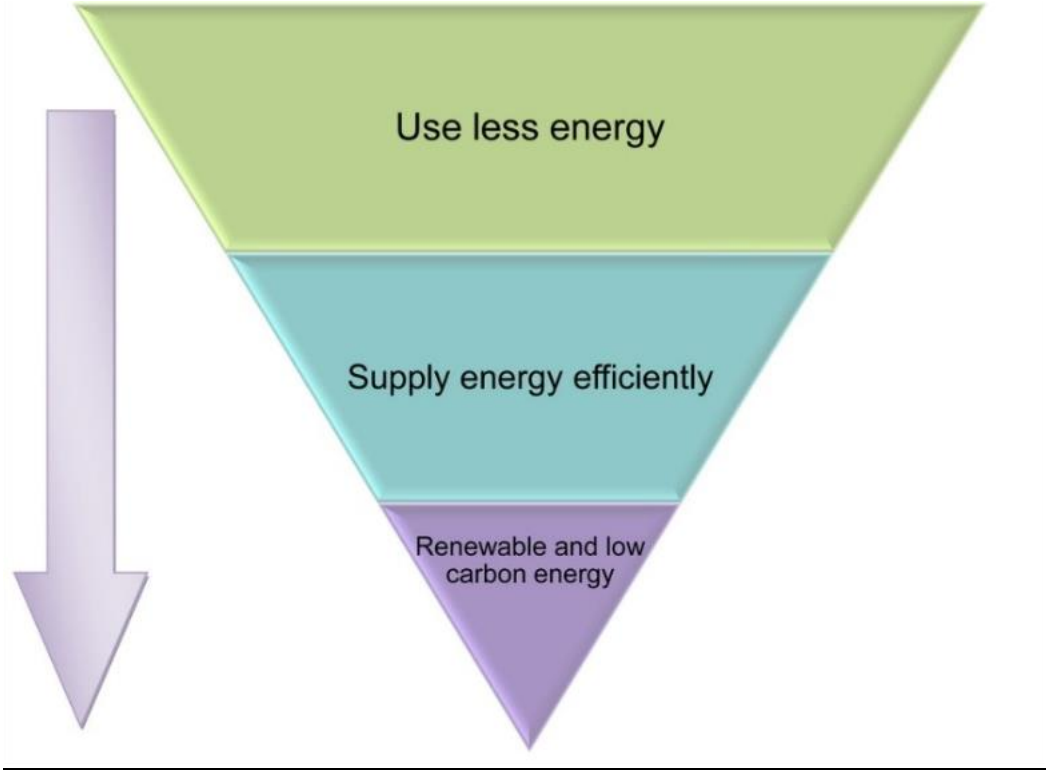
91. The council has set an ambition to be net zero carbon by 2030. This is set out in the York Climate Change Strategy Strategy approved by Full Council in December 2022The operational estate accounts for over half of our direct carbon emissions, primarily through the use a fossil fuels to heat buildings.

92. Principle 'h' of this Strategy makes a commitment to operate our estate sustainably, efficiently and dynamically to support the effective delivery of council services and achieve net zero carbon by 2030 on our estate.

93. We will do this by:
    - Ongoing monitoring and metering to better understand and manage our resource use
    - Changes to the building fabric to improve thermal efficiency and reduce energy usage
    - Replace fossil fuel heating with renewable alternatives where it is economical to do so
    - Install renewable energy generation to reduce our reliance on the grid
    - Switch to low carbon grid supplied energy where required
    - Offset emissions through delivery of local and high quality, nature-based solutions

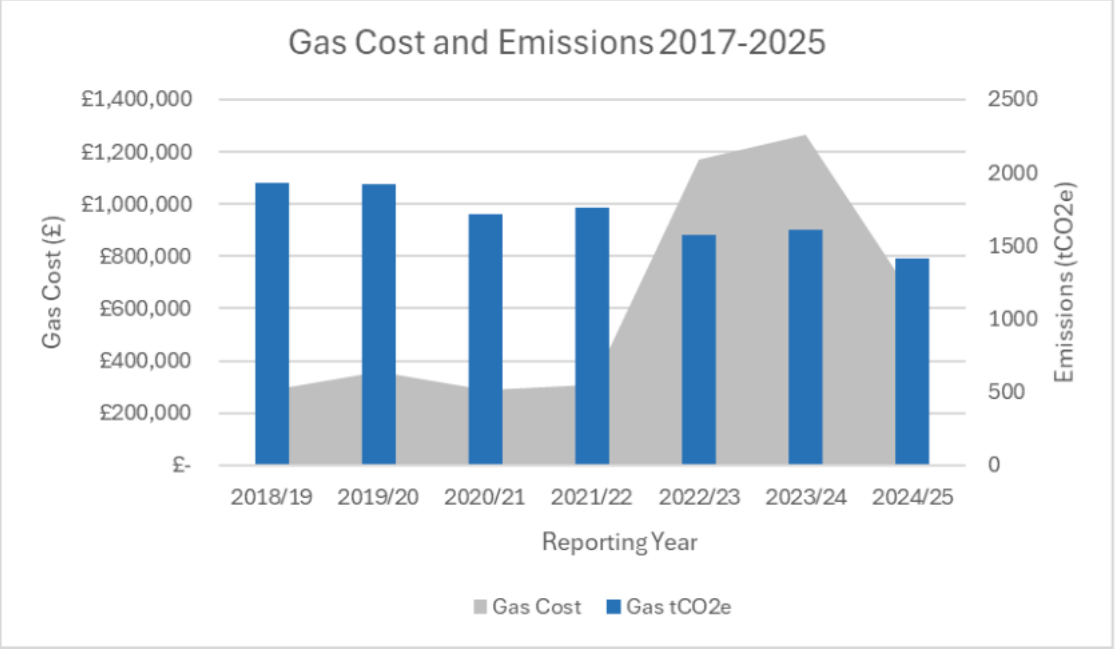
94. Our approach will follow the energy hierarchy of:

    - Be lean – reduce the amount of energy required through behaviour change and building design and fabric improvements
    - Be clean – use efficient appliances and low carbon energy sources where possible
    - Be green – generate renewable energy where we can and ensure that our energy supply is as low carbon as possible



Monitoring:

95. Energy usage across the corporate estate is reported annually as part of the council's Corporate Emissions Reporting. Emissions associated with gas consumption across our corporate estate have reduced by 26% since 2019.



Fabric improvements:

96. Improvements to building fabric and appliances contribute to reducing demand and efficient use of energy across our estate.

97. We have undertaken a comprehensive LED lighting improvement programme at West Offices and Hazel Court, with both council investment and funding from the York and North Yorkshire Combined Authority Net Zero Fund.

Replace fossil fuels:

98. With support from the Heat Network Delivery Unit at the Department of Energy Security and Net Zero, the council has carried out a heat network zoning map, with the potential to designate areas of the city for future heat network deployment. These networks could provide low carbon heat to council buildings, replacing existing fossil fuel systems.

Renewable energy generation:

99. The council have partnered with Solar for Schools (SfS), which is an organisation providing renewable energy and energy education to schools on their own school site. SfS design, develop, install, and take care of operations and maintenance for the lifecycle of the system (25 years) at no cost to the school or the council. In York there are currently 11 schools that have been provided solar arrays through SfS with a mix of council maintained, academies and private schools. In total, over 1.2MW of new rooftop solar has been installed through the partnership.

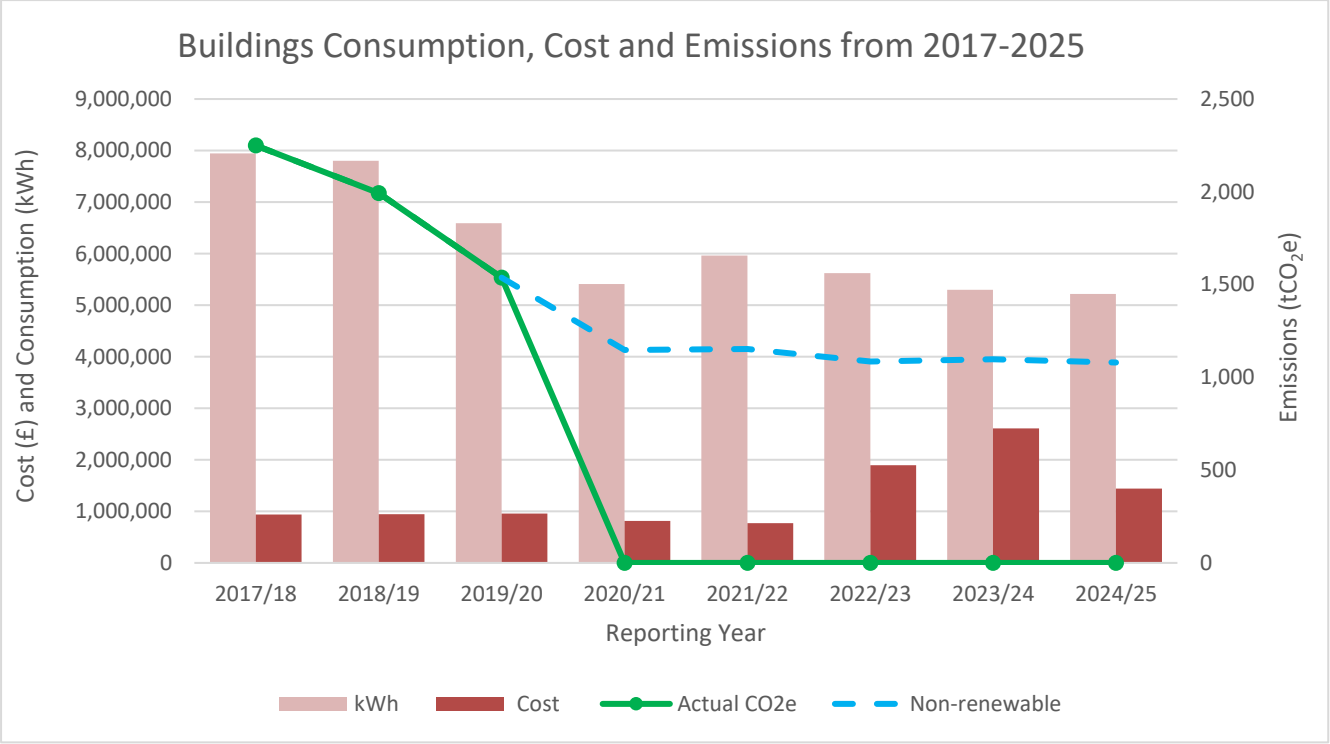
100. The council is investigating the potential to utilise the capped landfill site at Harewood Whin to generate renewable energy. An outline business case for up to 28MW of ground mounted solar has been approved, with the full business case scheduled for 2027 for consideration. If delivered, the renewable energy generated could supply council operations through a power purchase agreement.

101. The council is utilising grant funding awarded from the Mayoral Renewable Fund and Great British Energy to install rooftop solar at sites across our portfolio. This includes Yearsley Swimming Pool, Pine Trees, Elvington School, St Mary's School, Carr Infants School and the Knavesmire Pavillion.

Green electricity:

102. Since April 2020, the council have purchased 100% renewable electricity, reducing the council's emissions by 2,102 tCO_2e this year. This energy is certified by Renewable Energy Guarantees of Origin (REGO) certificates, which provide evidence that a specific amount of electricity has been generated from renewable sources.

103. Whilst electricity prices have risen nationally over the past three years due to international circumstances, the council's electricity consumption has been gradually decreasing, due to estate rationalisation and improvements to our buildings, see graph below.



Offset:

104. The council has used its assets to create a new woodland, which opened in 2024. The planting of nearly 200,000 trees at the site are expected to generate 18,500 carbon credits over the next 50 years. These credits can be used to offset emissions from the council's corporate activities.

105. Other opportunities to generate carbon credits and enhance biodiversity across our corporate estate are being explored through the national demonstrator Local Investment in Natural Capital project, funded by the Department for Environment, Food and Rural Affairs.

Future workflows

106. In September 2025, the City of York Council was awarded £216,000 for the provision of rooftop solar at specific locations across its estate. The sites selected that were deemed the most viable for delivery in the timescales:

- Yearsley Swimming Pool
- Joseph Rowntree School
- Acomb Explore Library

107. Collectively, these three projects are projected to generate over 408,000 kWh of renewable energy annually, saving approximately 85 tCO_2e and saving up to £100,000 from energy bills each year.

108. The council continue to identify decarbonisation priorities through the creation of Heat Decarbonisation Plans (HDP) for individual sites. Using funding from the Low Carbon Skills Fund (LCSF) and North-East and Yorkshire Public Estate Decarbonisation Programme (NEYPED). The council have produced heat decarbonisation plans across 37 corporate sites. These sites include 22 schools and 5 leisure facilities.

109. The purpose of a HDP is to provide an organisation with a pathway to reducing greenhouse gas emissions from building use to net-zero. This typically means reducing or eliminating the use of fossil fuels on site, which are typically associated with providing heating and hot water. The HDPs may also suggest improvements to use electricity more efficiently onsite for instance through LED lighting upgrades and Solar PV.

110. Working with the Climate Change team, work is underway to establish a project proposal to focus on the development of an estate-wide decarbonisation strategy and spend-to-save decarbonisation model. The proposed project would consider all assets within the Commercial, Operational and Community estates, including land, defining a strategy to prioritise assets and technologies to deliver the most decarbonisation impact.

111. The strategy will consider and define suitable methodologies to determine project viability, priority, and progression, considering applicability for several decarbonisation technologies to maximise individual sites energy savings that could be derived from capital investment. The project is proposed as an initial 12-month timeline, with £100k funding to determine the Estate Decarbonisation Strategy.

Consultation Analysis

112. The Coney Street regeneration has planning consent under reference 22/02525FULM. Spark CIC have obtained planning consent in October 2026 for 5 years the Spark facility on the site under reference 25/01151/FULM.

113. The disposals involving property at Rowntree Park; York Road Strensall and Hull Road Park involve a loss of open space and will have to be advertised in accordance with the advice contained within the legal implications section of this report. Any objections to the loss of open space will be reported to the Executive Member for Finance, Performance, Major Projects, Human Rights, Equality & Inclusion for further consideration.

114. The leases being offered have all be discussed with the applicants and their comments reflected in the report.

115. This paper was taken to Place Scrutiny meeting on 26th January 2026. Additional information regarding the financial confidential appendix has been added following the request of the Scrutiny Committee. Further, an additional paragraph (para 56) has been added in respect of leases to community groups. Lastly the reported deal within the Scrutiny paper to Deep Green at the Community Stadium has fallen through (as was relayed to the Scrutiny Panel) and hence details of this have been removed from this paper.

Organisational Impact and Implications

116. Financial

There are several key financial implications arising from the recommendations in this report. These are summarised as follows:

<u>Commercial Estate</u>

The recommended sale of 25 Coney Street will generate a capital receipt that is estimated in the confidential annex. General fund capital receipts will be used to minimise the need to borrow against future capital programme spend and thereby reducing the impact on the revenue budget from the cost of borrowing. This will therefore support the revenue budget and limit revenue savings.

For 17-21 Picadilly, the extension of the current lease will result in rental receipts that support the Council's revenue budget. The option to sell and

realise a capital receipt can be revisited at a future date when the market has refreshed.

Community Assets
The peppercorn rent proposals limit financial risk to CYC, in particular the two allotments leases. The operation of the allotments by an external provider results in an ongoing service to local residents without cost to the Council. As further opportunities arise over the life of this Asset Strategy, finance will review and consider the financial implications at each stage.

117. **Human Resources (HR)**

None

118. **Legal**

The various transactions and projects covered in this Asset Management Strategy will have various legal implications for the council which will need to be reviewed, considered and advised upon in detail by the legal team on a case-by-case basis as and when they are brought forward.

With regard to the loss of public open space proposed within this Asset Management Strategy, section 123 of the Local Government Act 1972 gives the council power to dispose (including by granting a lease) of land/property (including for less than open market value/best consideration) without needing specific consent from the Secretary of State for Housing, Communities and Local Government provided that the Council is satisfied that:

(i) the purpose of the disposal will facilitate the improvement of the economic, environmental or social well-being of the council's area and

(ii) the difference between the price/rent being obtained by the council and open market value/best consideration is less than £2 million

Even where a specific proposal to dispose of land for less than the best consideration falls within the terms of the general consent, the council should comply with usual and prudent commercial practices, including obtaining the view of a professionally qualified valuer as to the likely amount of the undervalue.

For the purposes of Section 123 of that Act 'open space' is usually land which falls into any of the following three categories:

(a) used by the general public for recreation
(b) land laid out as a park/pleasure ground

(c) disused burial ground

The disposals involving property at Rowntree Park, York Road Strensall and Hull Road Park involve a loss of open space and will be subject to this process.

119. **Procurement**

Whilst there are no direct procurement implications relating to the report itself, should any areas following the strategy require procurement, all works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Further advice regarding the procurement process and development of procurement strategies must be sought from the Commercial Procurement team.

120. **Health and Wellbeing**, **Environment and Climate**

The work undertaken and analysis of such is contained within the report.

121. Affordability

The use of Indices of Multiple Deprivation (IMD) as the primary driver for selecting projects should help towards providing improving life chances. Many community assets provide facilities, some free of charge such as libraries which gives access to facilities and services locally reducing other costs e.g., travel and digital support.

122. **Equalities and Human Rights**

No implications. See EIA in Appendix.

123. **Data Protection and Privacy**

As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a data protection impact assessment (DPIA).

124. **Communications**

The actions set out within this strategy help to demonstrate the council's focus on financial sustainability and climate, which are part of the core focus of the council's communications strategy (subject to

ratification). Communications work may be required to support new commercial opportunities or to engage with relevant communities around the future of some sites and agreed approaches.

125. **Economy**

The property portfolio plays both a key role in providing commercial accommodation to businesses in the local economy and provides opportunities to bring about regeneration within the city. Assets have been and will continue to be managed in attaining such

Risks and Mitigations

126. The report details a number of proposed transactions. There is a risk that these transactions may not ultimately come to fruition as negotiations to formalise them is a requirement. The council's in house legal and property advisors will undertake the necessary due diligence in furthering these negotiations, in consultation with the relevant Directors, with a view to successful conclusion of such.

Wards Impacted

All

Contact Details

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Tel: 552167

Chief Officer Responsible for the report:
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Director of Finance

Specialist Implications Officer(s)

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Assistant Director of Finance

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Shaun Gibbons
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Dave Meigh
Public Realm Operations Manager

Sam Blyth
Head of City Strategy and Corporate Programme

Andy Laslett
Strategic Services Manager

For further information please contact the authors of the report

Report Approved	X

Appendices

A – Location Plan 25/27 Coney Street
B – Location Plan 17-21 Piccadilly
C – List of Allotments
D – Location Plan Bustardthorpe Allotments
E – Location Plan Land at Rowntree Park
F – Location Plan Land at York Road, Strensall
G – Location Plan Land at Hull Road Park
H – Equalities Impact Assessment

Confidential Appendix
A – Financial Analysis & Market Valuation Report – 25/27 Coney Street

List of Abbreviations
None

Background Papers

Executive November 2025 – Neighbourhood Model, Implementation Phase

Executive Combined Member Decision session 4th November 2025 – Heritage Programme

Executive October 2025 Delivering More Affordable Housing in York – Update on the Housing Delivery Programme

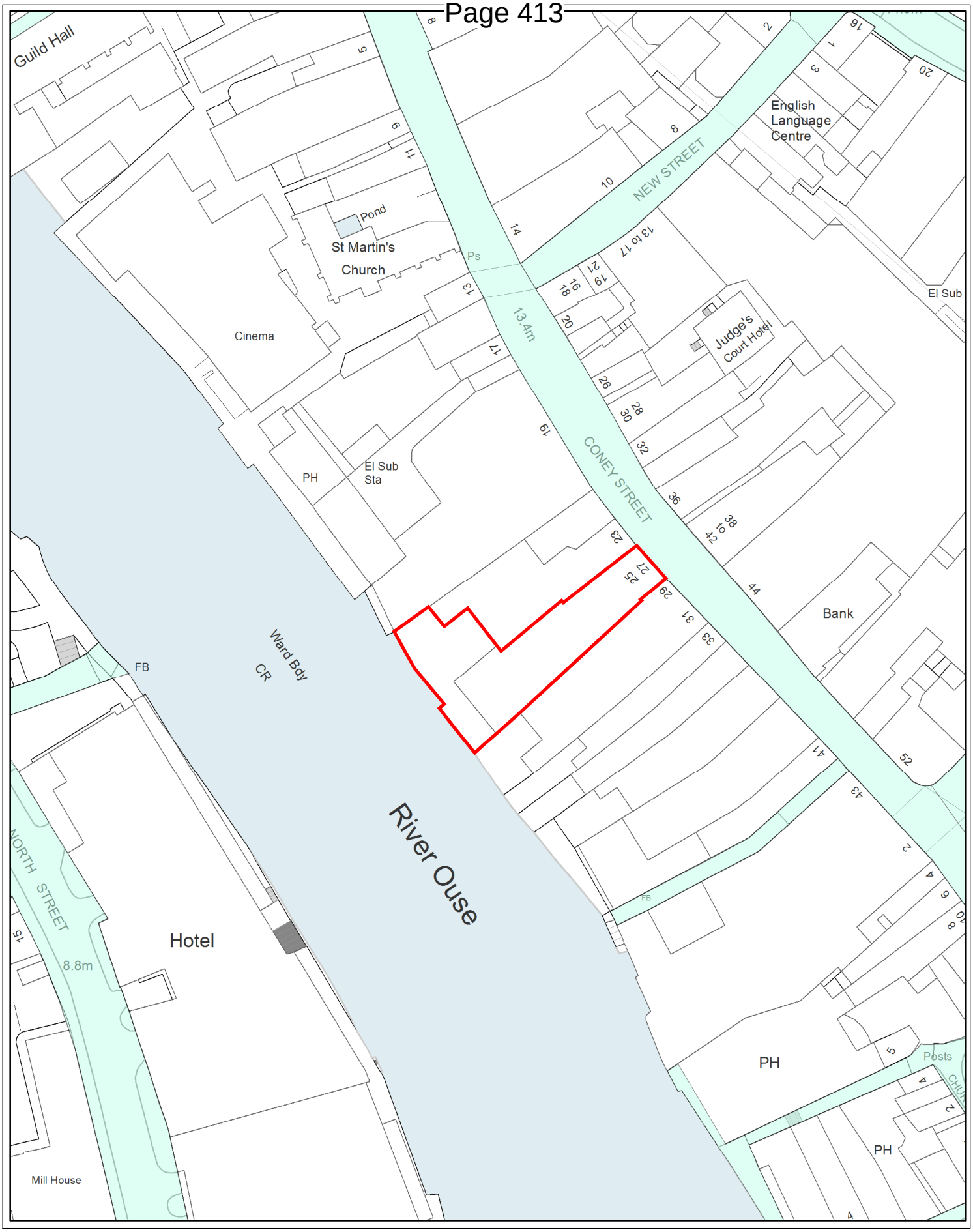
Executive 18 July 2024 Update on the Housing Delivery Programme and the Disposal of Surplus Sites

Executive 26 November 2020 – Update on the Asset Management Strategy

Executive 28 November 2019 – Establishing an investment budget for a strategic commercial property acquisition

Executive 19th October 2017 – Future Management of Allotments

Scrutiny Place Committee – January 2026 – Update on the Asset Management Strategy – 2026 to 2031



CITY OF YORK COUNCIL

Asset & Property Management

Unit 25-27 Coney Street,

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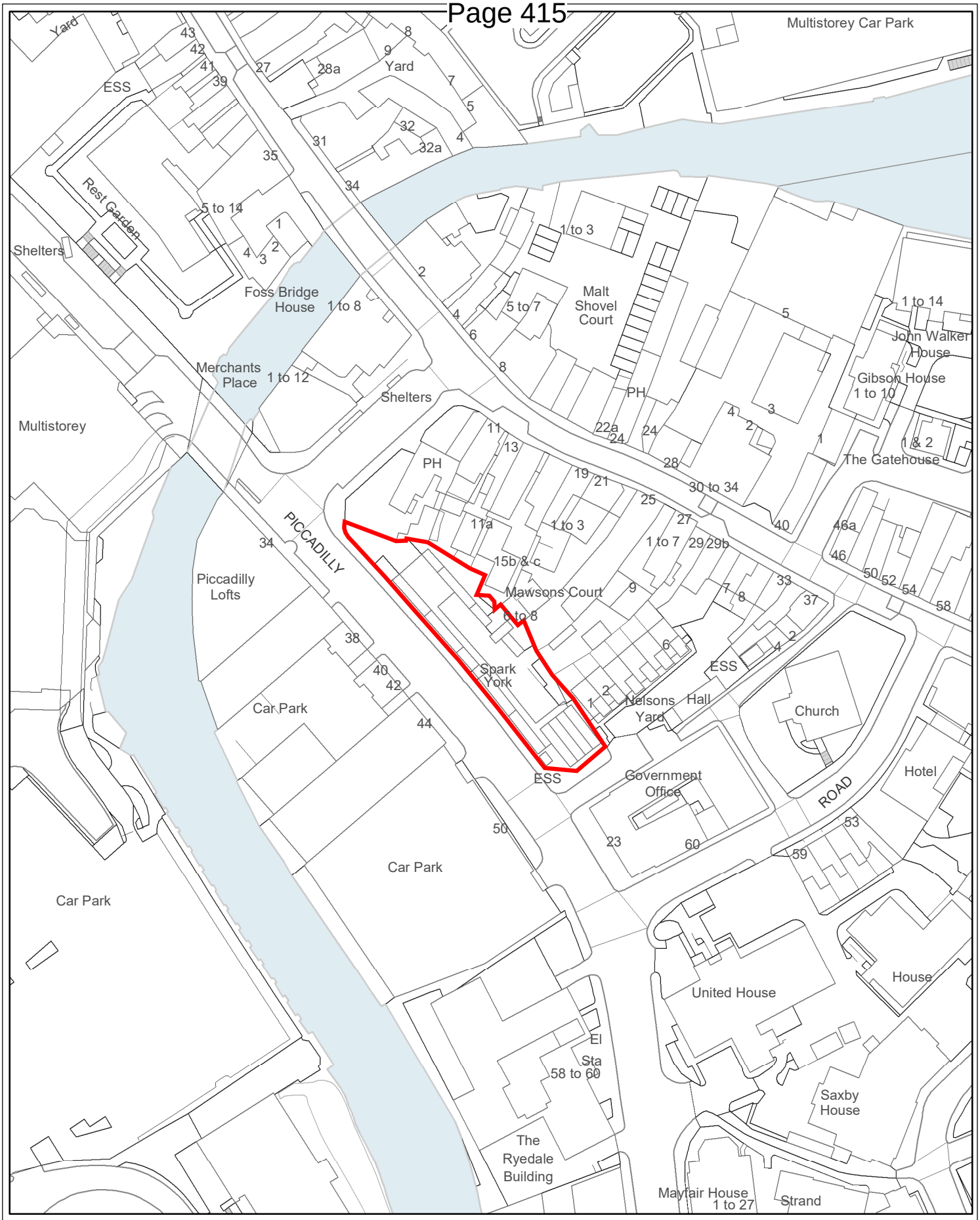
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Originating Group: Asset & Property Management

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CITY OF YORK COUNCIL

Asset & Property Management

17 - 21 Piccadilly, York.

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SCALE 1:1,250 DRAWN BY: KLM DATE: 03/02/2020

Originating Group: Asset & Property Management

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Allotment List

YACIO managed;

Bootham

Carr

Fulford Cross

Glen / Scrope

Green Lane

Hempland Lane

Hob Moor

Holgate

Hospital Fields

Howe Hill

Low Moor

New Lane, Strensall

Scarcroft

Wigginton Road

Wigginton Terrace

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CITY OF YORK COUNCIL

Bustardthorpe Allotments - Location Plan

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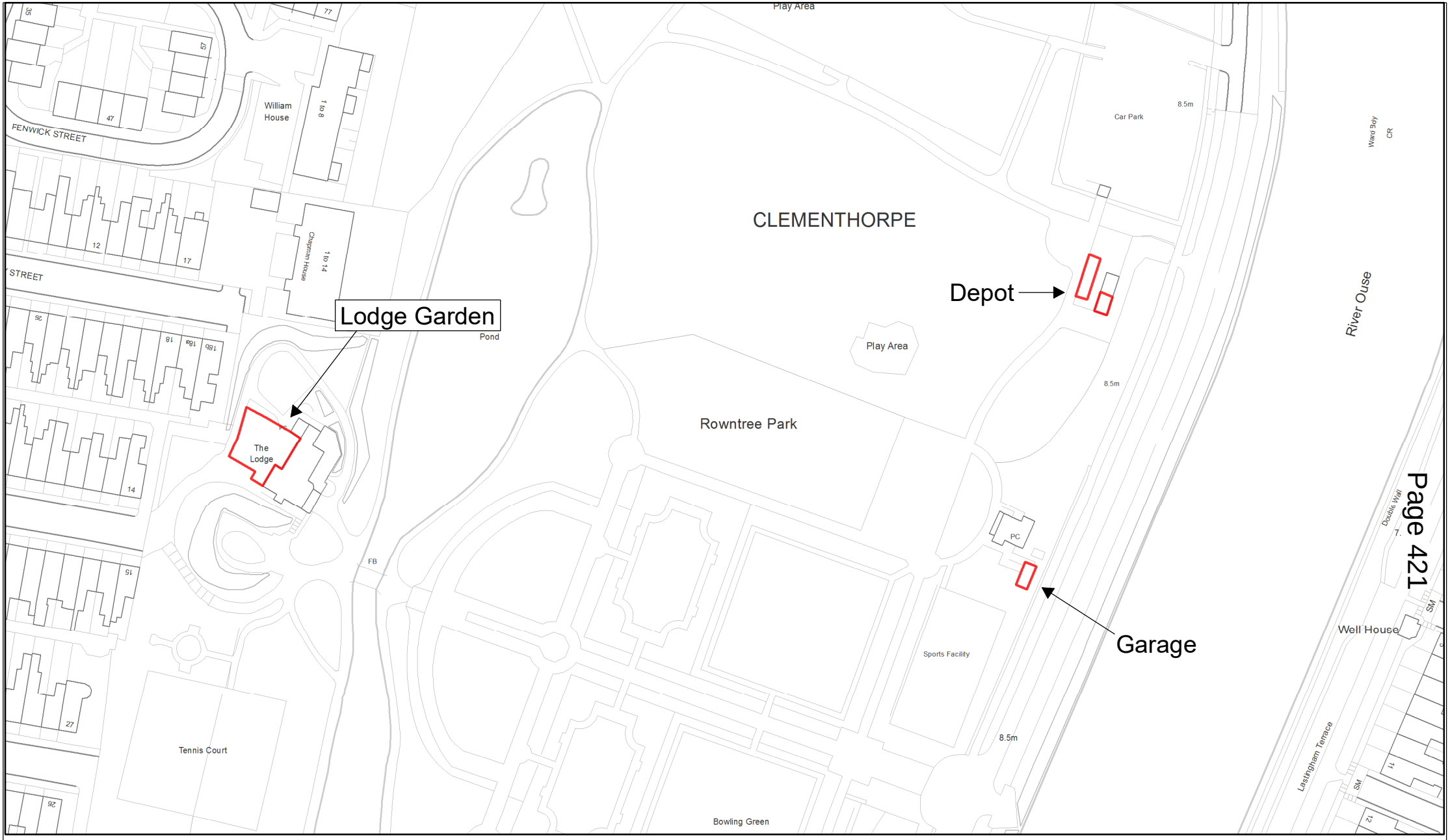
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CITY OF YORK COUNCIL

Land at Rowntree Park - Location Plan

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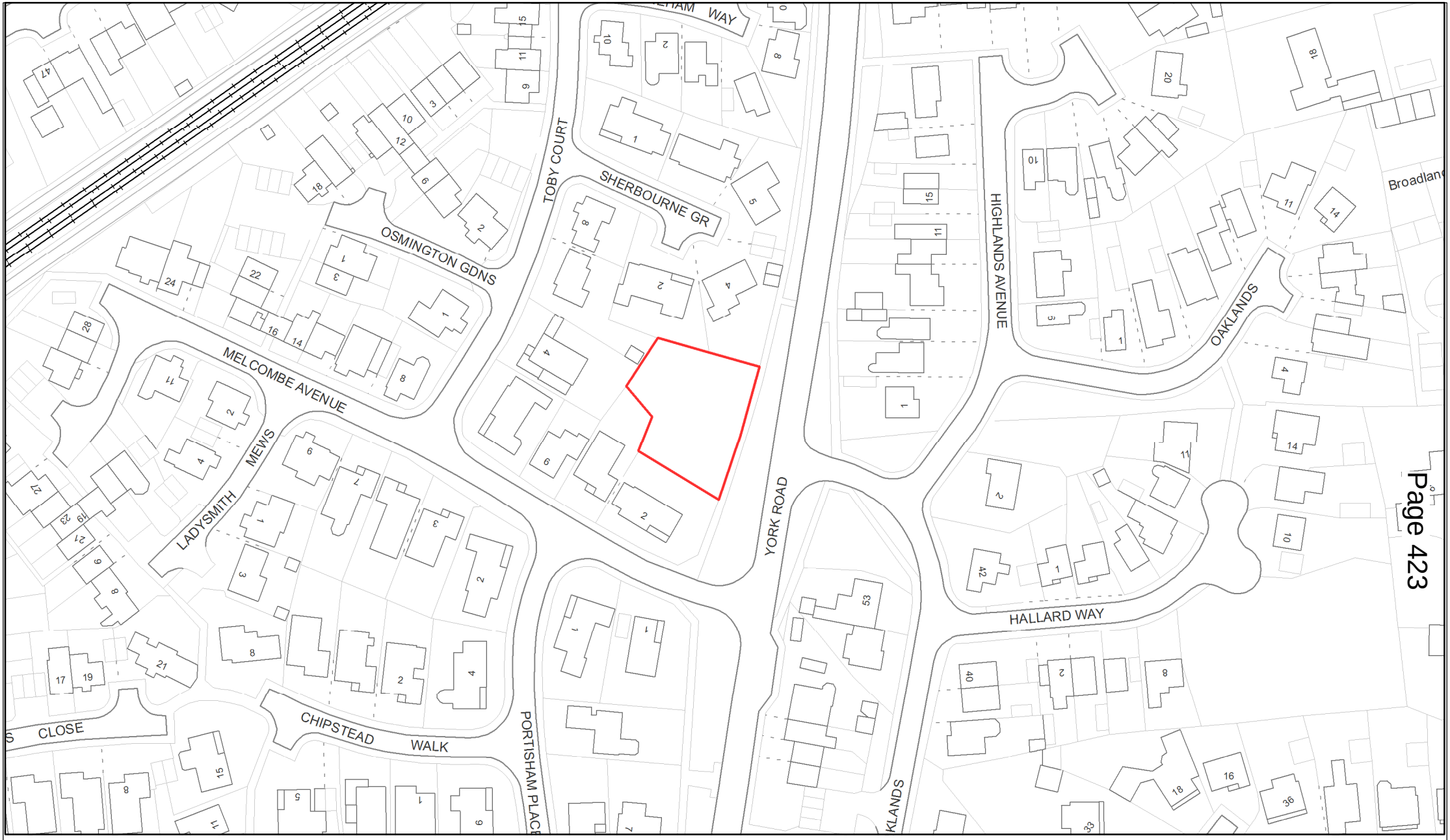
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CITY OF YORK COUNCIL

Land at York road, Strensall - Location Plan

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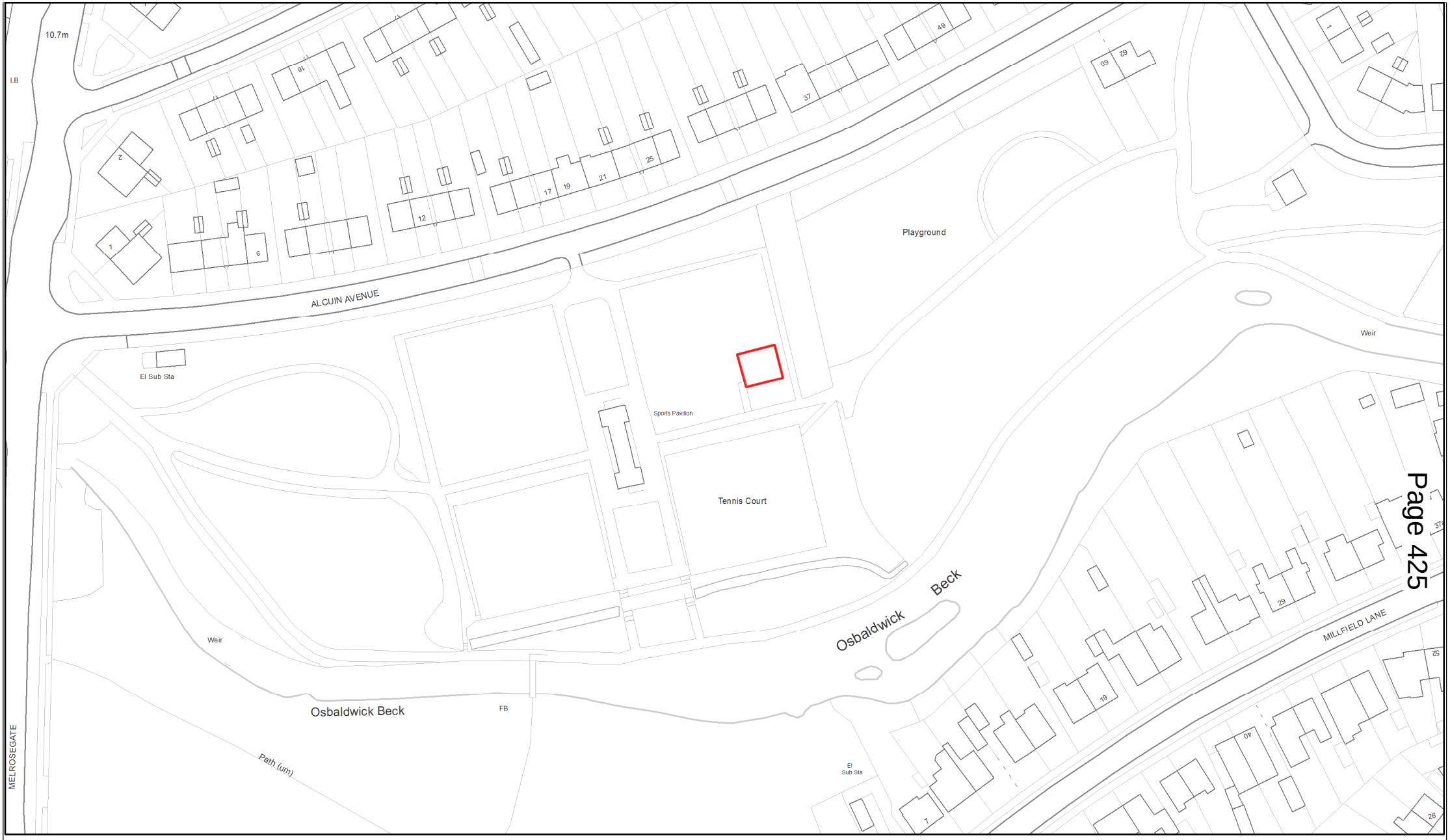
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CITY OF YORK COUNCIL

Land at Hull Road Park - Location Plan

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Property & Assets Management

Scale: 1:1,250 Date: 01 Dec 2025 Drawn by: LBB

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City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Finance
Service Area:	Property Services
Name of the proposal:	Update on the Asset Management Strategy - 2026 to 2031
Lead officer:	Nick Collins
Date assessment completed:	28 November 2025

Names of those who contributed to the assessment:

Name	Job title	Organisation	Area of expertise
Dave Meigh	Public Realm operations Manager	CYC	CYC Public Realm & Open Spaces

Step 1 – Aims and intended outcomes

	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	The report sets out progress against the delivery of the Asset Management Strategy for the Council for the period 2020-2025, as reported to Executive in November 2020. The report provides an update on the performance of the Council's commercial portfolio of property, which provides a vital source of income in financing Council services. The report provides updates on work flows and sets out the Strategy for a further 5 year period to 2031, to benefit both social outcomes and financial performance, arising from the Council's land and property assets.

1.2	**Are there any external considerations?** (Legislation/government directive/codes of practice etc.)
	A number of the proposals effect public open space within the meaning of Section.122/123 of the Local Government Act 1972.

1.2	
1.3	**Who are the stakeholders and what are their interests?**
	Commercial property tenants, users of Council operational property and residents from the surrounding wards and areas. This includes stakeholders of partner community organisations such as the Friends of Rowntree Park. Interest in each property varies by site and activity.

1.4	**What results/outcomes do we want to achieve and for whom?** This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan and other corporate strategies and plans .
A	The desired outcome is to ensure that our assets are utilised to benefit our residents through generating income and helping pay for services, through the provision of assets to deliver services and achieve council policies. The proposals accord with; *Health and wellbeing: a health generating city for children and adults* through the utilisation of the council assets to create a more sustainable environment that benefits from better use of community space whilst co-locating with partners to drive and improve efficiency in service provision *Economy: a fair, thriving, green economy for all* through regeneration opportunities and using our assets to drive economic opportunity *Housing: increasing the supply of affordable housing* – through using our assets to increase the supply of affordable housing in York *Sustainability: cutting carbon, enhancing the environment of our future* – via using our estate as an exemplar of creating efficient, sustainable services

Step 2 – Gathering the information and feedback

2.1	**What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?** Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.

Source of data/supporting evidence	**Reason for using**
Property Services staff	Long term knowledge of assets and relationship with occupational tenants
Public Realm staff	Long term knowledge of open space and public realm sites with relationship with community groups such as “Friends of Parks” groups
Strategic Services staff	Local connections.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.
Gaps in data or knowledge	**Action to deal with this**
To be identified against each of the recommended schemes	Scheme specific consultation where required such and use of advertising and consulting in accordance with Section.122/123 of the Local Government Act 1972.

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	**Key /Impacts**	**Positive (+) Negative (-) Neutral (0)**	**High (H) Medium (M) Low (L)**
Age	A purpose of this programme of work is • to help secure good outcomes for children and younger people in their formative years through improved play opportunities	+	L

	• to aid mobility and rest opportunities for all ages as part of footpath rebuilds, seating replacement and improvements The successful of the programme should directly deliver positive outcomes multiple generations.		
Disability	A purpose of this programme of work is specifically deliver • more accessible play opportunities • remove physical barriers to access and improve the green space path network • site based improvement establish through consultation and scheme development	+	L
Gender	The proposal does not exclude different genders. Investment in some games court activities may reinforce gender biases.	+ and -	L
Gender Reassignment	The proposal is not expected to impact on this characteristic.	0	
Marriage and civil partnership	The proposal is not expected to impact on this characteristic.	0	
Pregnancy and maternity	The proposal is not expected to impact on this characteristic.	0	
Race	The proposals aim to be inclusive for all children and adults regardless of race. This will be tested through consultation and input ahead of scheme delivery.	0	L
Religion	The proposal is not expected to impact on this characteristic.	0	

and belief			
Sexual orientation	The proposal is not expected to impact on this characteristic.	0	
Other Socio-economic groups including :	**Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?**		
Carer	Schemes recommended to progress should strengthen support for children and those people that care for them.	+	L
Low income groups	The use of Indices of Multiple Deprivation (IMD) as the primary driver for selecting projects should help towards providing improving life chances.	+	L
Veterans, Armed Forces Community	The proposal is not expected to impact on this characteristic	0	
Other			
Impact on human rights:			
List any human rights impacted.	• Equality and non-discrimination – "The enjoyment of the rights and freedoms set forth… shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status" HUMAN RIGHTS ACT, ARTICLE 14 • Decent standard of living - "...the present Covenant recognizes the right of everyone to an adequate standard	+	L

	of living for himself and his family." INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, ARTICLE 11 • Health and social care - "The general duty of a local authority… is to promote that individual's well-being" CARE ACT 2014		

High impact (The proposal or process is very equality relevant)	There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.
Medium impact (The proposal or process is somewhat equality relevant)	There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights
Low impact (The proposal or process might be equality relevant)	There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	**Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?**
The assessment has found that there should be an overall positive impact from the implementation of the proposals. A number of the proposals seeks to improve facilities available to community groups and would retain areas of open space, where effected by a proposal.	

Step 6 – Recommendations and conclusions of the assessment

6.1	**Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:**
- **No major change to the proposal** – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.	

- **Adjust the proposal –** the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.

- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty

- **Stop and remove the proposal –** if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	**Conclusions/justification**
No major change to the proposal	It is considered that there will be no major impacts and consultation will be undertaken where outlined in the report to ensure such.

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	**Action to be taken**	**Person responsible**	**Timescale**
N/a			

Step 8 - Monitor, review and improve

8. 1	**How will the impact of your proposal be monitored and improved upon going forward?** Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The effects of particular proposals will be monitored by Head of Property Services and all stakeholders to ensure compliance.

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

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