



Notice of meeting of

Executive

To:	Councillors Steve Galloway (Chair), Aspden, Sue Galloway, Jamieson-Ball, Reid, Runciman, Sunderland, Vassie and Waller
Date:	Tuesday, 6 November 2007
Time:	2.00 pm
Venue:	The Guildhall, York

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10:00 am on Monday 5 November, if an item is called in *before* a decision is taken, *or*

4:00 pm on Thursday 8 November, if an item is called in *after* a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

1. **Declarations of Interest**

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

2. Exclusion of Press and Public

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

Annexes 1, 2 and 4 to Agenda Item 7 (Selection of a Preferred Discus Bungalows Re-development Partner), on the grounds that they contain information relating to the financial or business affairs of any particular person. This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes (Pages 3 - 14)

To approve and sign the minutes of the meeting of the Executive held on 23 October 2007.

4. Public Participation

At this point in the meeting, members of the public who registered their wish to speak regarding an item on the agenda or an issue within the Executive's remit can do so. The deadline for registering is **5:00 pm on Monday 5 November 2007**.

5. Executive Forward Plan (Pages 15 - 18)

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

6. City of York Local Development Framework – Adoption of the Statement of Community Involvement (Pages 19 - 100)

This report presents information on the findings of the Inspector who examined York's Statement of Community Involvement (SCI) and asks the Executive to recommend the amended SCI to Full Council for formal adoption.

7. Selection of a Preferred Discus Bungalows Re-development Partner (Pages 101 - 136)

This report details the bids that have been received by organisations interested in being selected as the development partner for the Discus Re-development Project and seeks approval for a preferred development partner to purchase the sites and work

with the residents, the Project Board, the Council and the wider community to re-develop the three Discus sites at St Anne's Court / Horsman Avenue, Regent Street and Richmond / Faber Street.

8. Reference Report: National Service Planning Requirements for Environmental Health and Trading Standards Services (Pages 137 - 194)

This report asks Members to consider a recommendation, referred to the Executive by the Executive Member for Neighbourhood Services, to approve the Council's environmental health and trading standards service plans.

9. Urgent Business

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

Democracy Officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
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Contact details are set out above.

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

Scrutiny Committees

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

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

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City of York Council

Committee Minutes

MEETING	EXECUTIVE
DATE	23 OCTOBER 2007
PRESENT	COUNCILLORS STEVE GALLOWAY (CHAIR), ASPDEN, REID, RUNCIMAN, SUNDERLAND AND WALLER
APOLOGIES	COUNCILLORS SUE GALLOWAY, JAMIESON- BALL AND VASSIE

76. Declarations of Interest

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

Cllrs Reid and Sunderland each declared a personal and prejudicial interest in Agenda Item 12 (Monk Bar Garage – Future Use of Site), due to their membership of the Planning committee / Planning sub-committee likely to deal with any planning application submitted following the sale of this site. Both left the room during consideration of this item and took no part in the discussion or decision thereon.

77. Exclusion of Press and Public

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

- Annex 2 to Agenda Item 11 (Park & Ride Bus Contract)
- Annex 2 to Agenda Item 12 (Monk Bar Garage – Future Use of Site)

on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information), which 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).

78. Minutes

RESOLVED: That the minutes of the Executive meeting held on 9 October 2007 be approved and signed by the Chair as a correct record.

79. Public Participation / Other Speakers

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation scheme. In addition, three Council Members had requested to speak, with the permission of the Chair.

Pauline Buchanan spoke in relation to agenda item 10 (Community Management and Ownership of Council Property Assets – Minute 85 refers), on behalf of St. Clements Hall Preservation Trust. She welcomed the proposal to support the bid for funding for St Clements Hall, which was the culmination of years of work between the Trust and the Council, and commented on the architectural and community merits of the Hall.

Cllr Merrett also commented on Agenda Item 10, on behalf of the Micklegate Ward Councillors. He asked the Executive to support the recommendations in the report, noting the close co-operation that had taken place between the ward committee and the Trust on the St Clements Hall project and the need for a community facility in this deprived area, particularly for youth activities.

Cllr Scott commented on agenda item 6 (Review of the Leisure Facilities Strategy (Swimming) – Minute 81 refers). He re-iterated the concerns raised at the Shadow Executive meeting on this item regarding the future of swimming facilities in the North-East of the City and added that the Shadow Executive had since agreed that they wished to support Option B in the report (withdraw from the partnership with the University and build a new Council pool instead), recommending at this stage that the new pool be built on the St George's Field site, as this was a central location with good access. They had also recommended that a Member Working Group on swimming provision be established.

Cllr Taylor commented on agenda item 8 (Waste PFI Update – Minute 83 refers). He noted with approval the Executive's preference for Mechanical Biological Treatment of non-recyclable waste rather than incineration but expressed concern about the costs and other implications of being tied into a commercially driven agreement and urged the Executive not to agree the recommendation to sign the agreement.

80. Executive Forward Plan

Members received and noted the details of those items that were listed on the Executive Forward Plan for the next two meetings of the Executive.

81. Review of the Leisure Facilities Strategy (Swimming)

Members considered a report which set out the background to development of the Council's leisure facilities strategy, an update on schemes already approved, strategic issues and choices now facing the Council and options available for an updated facilities strategy. The report, prepared in response to a request from Group Leaders for a review of this area and a resolution passed at Council on 29 June regarding swimming, focused specifically upon swimming facilities.

An analysis of supply and demand for swimming facilities, carried out by the Council on behalf of Active York, had indicated a current un-met demand for an additional 12 x 25metre lanes of swimming space in the City. Demand was highest in the South and East of the City, where no casual access pools were available.

In respect of current schemes, repairs to Yearsley pool were now well advanced and on schedule for the planned re-opening on 29 October. Additional specifications had been suggested for the Oaklands / York High project, including an improved environment specification, the cost of which could be met partly from prudential borrowing. The overall cost was projected to exceed the currently allocated budget by about £220k, due to additional unexpected items. No allocation had yet been made to this project from the overall programme fees and contingency and Members were now requested to make this allocation (£240k). The University of York and the Council had now signed up to a Statement of Intent regarding the development of a competition standard pool and fitness facilities at Heslington.

The report detailed the pros and cons of the following strategic options for future swimming provision:

Option A – reconfirm the Council’s commitment to the partnership with the University;

Option B – withdraw from the partnership with the University and build a new Council pool instead;

Option C- reconfirm the Council’s commitment to the partnership with the University and also plan for an additional city centre pool to meet further identified needs;

Option D - reconfirm the Council’s commitment to the partnership with the University whilst also planning for the long term replacement of Yearsley Pool.

Option C was recommended, as it would meet current and future needs, including demand for a city centre pool, whilst being affordable within existing budgets, provided that a suitable commercial partner could be found to operate the city centre site. On the basis of work commissioned from Wm Saunders, Architects, Officers had looked at a number of potential sites for this pool and determined that there were no city centre sites that could be progressed in the short term. However, a firm policy decision was required at this stage to enable the progression of further work to identify a suitable site.

With regard to the advice of the Shadow Executive, the Chair commented that St George’s Field was not considered a suitable location for a pool, due to flooding issues and the need to replace parking provision. However, there would be no objection to entering into a continuing dialogue on the development of additional sports facilities in the future, perhaps via a Working Group of some kind.

RESOLVED: (i) That Option C be agreed: that is, to reconfirm the Council’s commitment to the partnership with the University and also to plan for an additional city centre pool to meet further identified needs, subject to detailed agreement on the terms of the Council’s contribution and in particular:

- the University adopting a project plan that will deliver the pool by 2011
- satisfactory arrangements being set out regarding location of and public access to the pool.

- (ii) That approval be given to revise the respective schemes within the capital programme to take account of:
- allocating the pools programme contingency budget as set out in paragraph 77 of the report
 - the additional prudential borrowing set out in paragraph 78
 - allocating the overall procurement budget as set out in paragraph 75.

REASON: So that a clear and agreed strategy can be taken forward with immediate progress to create excellent swimming facilities in York and options developed for a central location for a further pool.

82. Sustainable Street Lighting Policy

Members considered a report which sought their approval for a proposed Sustainable Street Lighting Strategy, with the aim of minimising the effects of street lighting in terms of the use of natural resources for the supply of equipment and services, the use of energy to power the lights and the light pollution produced.

The proposed Strategy, attached as Annex A to the report, set out in a series of policy statements how the Council would deliver a sustainable street lighting service. An Action Plan was included. The report outlined the background to preparation of the Strategy, including the potential effects of climate change, emerging technologies, such as the remote monitoring adopted in Milton Keynes, and possible measures to reduce energy costs, such as the partial switching off of street lighting adopted by Essex County Council.

The draft Strategy incorporated a number of street lighting trials and had been designed to allow a flexible approach, capable of change as new technologies and circumstances developed. It required regular reporting to Members, including updates on progress with the Action Plan.

Having considered the advice of the Shadow Executive, it was

RESOLVED: (i) That the sustainable street lighting strategy contained in Annex A to the report be approved.

REASON: To demonstrate the strategic importance of the service and to enable it to develop and improve within set parameters to deliver the most sustainable outcome.

- (ii) That Officers consult further with Ward Councillors and community groups on the options for modernising the street and public building lighting systems in use in the City and bring forward costed proposals for establishing an optimised system which both reduces the environmental impact (and running costs of the lighting) and improves public perceptions of safety standards.

REASON: In accordance with the Executive's intention to pursue a policy which ensures that appropriate and reliable lighting levels are maintained which also achieve environmental and economic objectives and do not compromise public safety, and to ensure that residents' views are taken into account.

83. Waste PFI Update

Members considered a report which noted the allocation of Private Finance Initiative (PFI) credits to support the joint procurement of residual waste treatment services, provided an update on the progress of this project and sought delegated authority for Officers to commit to an Inter-Authority agreement with North Yorkshire County Council (NYCC).

In June 2007, Members had approved progression of the project into the procurement phase, subject to approval of the OBC by the Treasury Project Review Group (PRG). That approval had been granted on 23 July and OJEU notice for the waste treatment contract had been issued on 1 September. In order to provide evidence to the bidders of the robustness and commitment of the partnership, an Inter-Authority agreement was now required. Details of the agreement were outlined in paragraph 8 of the report. The Executives of both Councils were being asked at their October meetings to delegate authority to their respective Chief Officers to sign the agreement.

Details of the bid evaluation process, using the high level evaluation criteria agreed by Members in June, were set out in paragraphs 10 to 14 of the report. It was noted that NYCC had issued an OJEU notice for an interim waste treatment contract. CYC were included in this OJEU but would only consider options that benefited the Council.

Having considered the advice of the Shadow Executive and the comments made under Public Participation, it was

RESOLVED: (i) That the award of £65m PFI credits towards the costs of this project be noted.

(ii) That the Executive's belief that Landfill Tax generated from York residents should be returned to recycling services in York, in line with the campaign by the Local Government Association, be re-affirmed.

(iii) That an Inter-Authority agreement under seal be entered into with North Yorkshire County Council on the basis of the issues set out in the report and that the Director of City Strategy and the Head of Civic, Legal and Democratic Services, in consultation with the appropriate Executive and Shadow Executive Members, be given delegated authority to agree the detail of the agreement in order to give effect to those terms.

(iv) That, from now on, the Director of City Strategy be authorised to utilise the proposed evaluation methodology, in consultation with the appropriate Executive and Shadow Executive Members.

REASON: To progress the Waste PFI project, which has previously been agreed as the best way for CYC and NYCC to proceed in order to provide waste disposal facilities for the future, through the procurement phase.

84. Competition Policy

Members considered a report which provided an update on progress towards developing a universal approach to competition at the Council and sought the Executive's comments on the scope and content of a draft Competition Policy.

The Council had adopted a new Corporate Procurement Strategy (CPS) in May 2007. It had been agreed at that time that a separate competition policy and strategy framework be developed detailing how the Council would determine 'make or buy' decisions in the first instance. Work was now ongoing to develop a draft Competition Strategy, to be brought to the Executive for discussion in the next few months. In advance of this, a draft Competition Policy had been prepared for consideration and comment.

Members were asked to give in-principle agreement at this stage to the overall scope and purpose of the Policy, as this was considered crucial to informing ongoing work to develop the Competition Strategy and Competition Handbook.

Having considered the advice of the Shadow Executive, it was

RESOLVED: (i) That the work now on-going to develop a Competition Strategy and accompanying Competition Handbook at the Council, further to the adoption of the Corporate Procurement Strategy in May 2007, be noted.

REASON: To remain informed on progress in developing robust competition and procurement arrangements at the Council.

(ii) That the draft policy set out in Annex A to the report be approved in principle, subject to any changes required and adoption by Full Council in due course.

REASON: To allow Officers to progress detailed work on the Competition Strategy in the context of an agreed policy framework for competition at the authority.

85. Community Management and Ownership of Council Property Assets

Members considered a report which summarised the contents of the Quirk Review of community management and ownership of public assets, detailed the work already carried out by the Council in this area and

options for future progress, and proposed a bid to the Community Asset Fund.

The three principle conclusions of the Review report were that:

- asset transfer should take place where it could realise social and community benefits;
- benefits of community ownership of assets could outweigh the risks;
- risks could be minimised and managed by a business focused approach.

The Government had set up a £30m Community Asset Fund to which suitable schemes could apply to bring an asset into a fit state for transfer.

In York, the Corporate Landlord had already worked with council services and local community groups in seeking to transfer management and responsibility of community assets to local community groups; for example, the Oaken Grove Community Centre in Haxby. A summary of properties occupied by community type groups which could make an application under this initiative was attached as Annex A. The report suggested criteria to ensure an objective approach to applications and set out the following options for dealing with the resulting transfers:

Option 1 – transfer by means of a long lease. This was the recommended option, as it would allow the occupier freedom to manage and operate the property within the parameters of the lease, whilst enabling the Council to retain strategic control.

Option 2 – transfer by means of a freehold disposal

Option 3 – do not follow the Review recommendations, but continue current practice.

Work with York CVS and community groups had identified only one project which met government criteria for the Community Asset Fund. This was the project to refurbish and convert a redundant church hall and accommodation at St Clement's Hall, Nunthorpe Road. A project team would take this bid forward, and Member approval was sought, to maximise its chances of success.

Having considered the advice of the Shadow Executive and the comments made under Public Participation, it was

RESOLVED: (i) That Option 1 be approved: that is, that in appropriate cases, where community groups wish to take on a greater responsibility for maintaining, improving and managing the publicly owned buildings that they may occupy, they be offered a lease, of up to 99 years depending on the needs of the community group, on a nil rent basis, and with full responsibility for repairs, management and payment of all other outgoings, including insurance, business rates and utility costs.

REASON: To show that the Council is responding to the Quirk review in a positive way, which maximises the benefits of transfer of assets to community groups whilst retaining the strategic control to ensure these benefits are delivered to the local community.

(ii) That the community groups be subject to a test of public acceptability for their management constitution.

REASON: To ensure that transfers are made only in appropriate circumstances.

(iii) That this revision to the Council's policy not apply to areas of public open space.

REASON: It is considered that such areas should remain within the Council's full control.

(iv) That the bid to the Community Assets Fund for the development of St Clements church hall be supported.

REASON: The St Clements church hall proposals have the best potential to meet the criteria for a successful application and would result in an example of Best Practice in how to deal with transfers to the community.

86. Park & Ride Bus Contract

Members considered a report which presented the result of the evaluation of tenders received for the provision of the Park & Ride bus service and asked them to decide on a number of issues in relation to the contract specifications.

Tender documentation had been issued on 24 July to the five suppliers on the short list. Tenders had been received from three suppliers – First York, Veolia and Go North East. These had been evaluated using the MEAT approach (Most Economically Advantageous Tender), with a 50:50 quality / cost split. Under this process, First York had emerged with the highest overall score, with an income to the Council that was within budget requirements.

In order to finalise the contract with First York, a number of service options relating to emissions, fares and enhanced specification required Member approval. Details were set out in paragraphs 18 to 42. The recommended options and enhancements were summarised in paragraph 43 as follows:

Item	Recommendation	Annual Cost
Standard Return Fare	£2.20	
Emission Standards	EEV Vehicles	£10k
Designer Outlet Supervision	All Year	£70k
City Centre Supervision	Trial for holiday period	£1.2k per month
Askham Bar Extended Opening	Not Recommended	nil
Boxing Day and New Years Day (Sunday	Not Recommended (undertake review of need in 2007)	nil

Service)		
Additional Peak Saturdays	Two Saturdays per year as required (seven included in core requirements)	No cost
Fulford Road Stops	No change to existing stopping regime recommended pending introduction of Fulford Road Corridor scheme	No cost
Sunday Operating Hours	Extended to 09:30 to 18:00	£12.25k

Having considered the advice of the Shadow Executive, it was

RESOLVED: (i) That the acceptance of First York, by the Director of City Strategy under delegated authority, as the preferred operator for the provision of the Park and Ride service with the intention, subject to the satisfactory conclusion of contractual terms negotiations, to enter into an agreement with the company to provide the service for five years, with an option to extend for a further three years, be noted and agreed.

REASON: To maintain a high quality Park and Ride service for the City.

(ii) That the proposed fare level and service options identified in paragraphs 23 and 42 of the report (and summarised in the table above) be approved.

REASON: To enhance the Park and Ride service in a cost effective and affordable way.

(iii) That further discussions be held with First York, aimed at providing more flexible ticketing arrangements for the whole of the First fleet which operates in York.

REASON: To ensure that the issue of integrated ticketing is progressed as quickly as possible.

87. Monk Bar Garage - Future use of site

Members considered a report which sought approval for the sale of Monk Bar Garage for residential development. A plan of the site was attached as Annex 1 to the report.

Monk Bar Garage was part of the commercial property portfolio. Vacant possession could be obtained from the tenant, who had received compensation to surrender the lease. The site was allocated for housing in the draft local plan. As the property was adjacent to the City Walls, Scheduled Ancient Monument Consent and a full archaeological investigation would be required prior to any development of the site.

The options available were:

Option A – sell Monk Bar Garage and the landscaped area (indicated on Annex 1) for residential development.

Option B – retain the property within the commercial property portfolio. This was not recommended, as there was a good business case for selling the property.

Having considered the advice of the Shadow Executive, it was

RESOLVED: (i) That Option A be approved and that the freehold of the Monk Bar Garage site be sold for the best consideration reasonably obtainable, on terms and conditions that are appropriate to achieve a successful sale.

REASON: To ensure that the development potential of the site is fully utilised and that the maximum capital receipt is obtained to support the capital programme.

(ii) That approval be given to vire £8,250 in lost rent from the provision in the general fund budget to the commercial property rental budget, pro rata, from the date of the sale.

REASON: To ensure that the integrity of the Property Services budget is maintained, and for good financial purposes.

88. Urgent Business - New Growth Points and Eco-towns - Leeds City Region Bid

Members considered a report which outlined the key elements of the New Growth Points (NGPs) and Eco-towns proposals set out in the recent Housing Green Paper, summarised proposals by the Leeds City Region (LCR) Leaders to submit a bid to government by the end of October and sought endorsement for York Northwest (YNW) to be included within the bid.

The Chair had agreed to consider this item under Urgent Business on the basis that the bids to government must be submitted by the end of October and a decision on this matter was therefore required before the Executive's next meeting on 6 November.

The Green Paper had announced the roll out of the NGP programme to include areas in the north for the first time. In terms of NGPs, York met the required criteria and was therefore eligible to bid. YNW would not qualify under the criteria for Eco-towns, although eco-town principles would be adopted in its development. YNW was, however, a key element of the LCR NGP bid, further details of which were set out in paragraph 7 of the report.

Members were asked to consider two options:

Option 1 – to support York's inclusion in the LCR bid;

Option 2 – to recommend that York not be included.

Option 1 was recommended, on the basis that it would provide access to the £300m Community Infrastructure Fund, ability to influence wider government investment priorities and better ability to meet market demand for housing. It was noted that there was little chance of the levels of housing growth for York set out in the RSS Proposed Changes being

reduced. The pragmatic approach was therefore to try to gain access to funding to support this growth.

Having considered the advice of the Shadow Executive, it was

RESOLVED: That Option 1, to support York's inclusion within the Leeds City Region bid, be approved.

REASON: In view of the context of growth within the Leeds City Region and the government's clear signals, through the Housing Green Paper, that additional housing must be accommodated.

S F Galloway, Chair

[The meeting started at 2.00 pm and finished at 3.15 pm].

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EXECUTIVE FORWARD PLAN

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 20 November 2007		
Title & Description	Author	Portfolio Holder
<p>Comprehensive Performance Assessment Inspection – Self Assessment</p> <p><i>The Executive is asked to consider and agree the content of CYC’s Corporate Self Assessment for the Comprehensive Performance Assessment. It will be used as a basis for CYC’s inspection of the Council by the Audit Commission in January 2008.</i></p>	Janna Eastment	Executive Leader
<p>Race Course Lease Review</p> <p><i>Members are asked to consider and approve the request from York Race Course to further extend the existing lease for another 50 years – bringing it back to a 99 year lease – and to approve a widening of the course. They wish to make further investment and improvements by building up conference facilities. This would have an impact on citizens of York and residents in Micklegate Ward.</i></p>	Philip Callow	Executive Member for Corporate Services
<p>Review & Strategy for the Commercial Property Portfolio</p> <p><i>Purpose of report: To provide Members with a detailed review of the current Commercial Portfolio.</i></p> <p><i>Members are asked to: Select appropriate options for the future management of the commercial property portfolio from 2008/09 onwards. Tenants of commercial properties may be affected by Members’ decisions.</i></p>	Philip Callow/ David Baren	Executive Member for Corporate Services
IT Development Plan 2008-09	Tracey Carter	Executive Member for Corporate Services

<p>Members are asked to agree the funding of IT projects for 2008/9 for the whole of CYC. Members will be asked to review the benefits and risks associated with each proposal and decide which ones to fund.</p>		
<p>Report of the Future York Group</p> <p><i>Purpose of report: To brief the Executive on consultation undertaken following receipt of the Future York Group and makes recommendations for the Council, working in partnership with others, to adopt in response to the report.</i></p> <p><i>Members are asked to: Agree actions set out.</i></p>	<p>Roger Ranson</p>	<p>Executive Leader</p>

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 4 December 2007		
Title & Description	Author	Portfolio Holder
<p>Minutes of Social Inclusion Working Group & Young People's Working Group</p> <p><i>Members are asked to note the minutes of the meetings of the Social Inclusion Working Group and the Young People's Working Group.</i></p>	<p>Fiona Young</p>	<p>Executive Leader</p>
<p>Review Report – Housing (affordable and social)</p> <p><i>Review report will look at the availability of affordable and social housing and the effectiveness of the 50% affordability planning rule.</i></p>	<p>Bill Woolley</p>	<p>Executive Leader</p>
<p>Administrative Accommodation Review: End of Stage Update Report</p> <p><i>To advise Members of completion of Stage 3 of the Administrative Accommodation Review (Finance, Timeframes, Risk & Performance of Work Streams) and identify objectives for Stage 4.</i></p>	<p>Maria Wood</p>	<p>Executive Member for Corporate Services</p>
<p>Lord Mayoralty 2008-09</p>	<p>Elizabeth Ellis</p>	<p>Executive Leader</p>

<p><i>Purpose of report: To consider which of the political groups should be invited to appoint the Lord Mayor for the municipal year 2007/08.</i></p> <p><i>Members are asked to: Invite the political group with the most points to nominate the Lord Mayor for the municipal year 2008/09.</i></p>		
<p>Energy & Water Management – Policy & Practice/ Sustainability in Design</p> <p><i>As a response to the climate change agenda, Members will be informed of best practice and will be asked to approve a draft policy which will generate an action plan to prioritise energy and water management issues and sustainability in design projects and work with external partners.</i></p>	Neil Hindhaugh	Executive Member for Corporate Services
<p>Reducing the Maintenance Backlog</p> <p><i>Members are asked to consider the finance and performance implications of requirements under CPA/CAA and determine where CYC is to position itself. They are also asked to approve options for inclusion in a strategy.</i></p>	Neil Hindhaugh	Executive Member for Corporate Services

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Executive**6 November 2007**

Report of the Director of City Strategy

City of York Local Development Framework – Adoption of the Statement of Community Involvement**Summary**

1. The purpose of this report is to inform Members of the findings of the Inspector who examined York's Statement of Community Involvement (SCI) (Report attached as Annex A) and to request that the Executive recommends to Full Council that they formally adopt the amended Statement of Community of Involvement (attached as Annex B).

Background

2. A key aim of the new planning system is to strengthen community and stakeholder involvement in the development of local communities. Under the provisions of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to prepare a Statement of Community Involvement (SCI), which should set out how the Council intends to involve the community in preparing the Local Development Framework and making decisions on planning applications.
3. The SCI is the first document to be produced as part of York's Local Development Framework (LDF). The standards set out in the SCI will inform the Council's approach to involving the community in the production of future LDF documents, such as the Core Strategy and Area Action Plans. The SCI also outlines the process for dealing with planning applications and indicates how and when people can get involved and give their views.
4. Each Development Plan Document (DPD) produced as part of the LDF, including the SCI, is required to go through 3 main stages of production:
 - **'Issues & Options' Stage** – at this point the Council highlights key issues and options for consultation to inform the content, scope and direction of the DPD.
 - **'Preferred Options' Stage** – consultation on the Council's intended approach.
 - **Submission Stage** - consultation on the final document submitted by the Council to the Secretary of State for examination. Any comments

received at this stage will be forwarded to the Inspector to consider as part of the examination. The purpose of the examination is for the Inspector to consider the soundness of the document.

5. In assessing whether the Statement of Community Involvement is sound the Inspector considers the document against nine Tests of Soundness as set out in Planning Policy Statement 12 (PPS12). The tests provide a framework for the Inspector to consider the soundness of the document and make sure that it has been prepared in line with the correct procedure and will achieve the outcomes intended.
6. The SCI has now been through all three stages of production outlined above. Following the submission of York's draft SCI to the Secretary of State, Wendy Burden BA DipTP MRTPI was appointed as the Inspector to carry out an independent examination of the SCI. The Inspector has examined York's SCI through written representations and judged it to be sound. Under the Planning and Compulsory Purchase Act 2004, the Inspector's Report is binding on the Council. The Inspector recommended a number of minor amendments to the SCI. These recommendations are set out in full in the Inspector's Report (Attached as Annex A to this report), but in summary the key points are:
 - In the Resources section refer to working closely with the Local Strategic Partnership and other groups linked to the Community Strategy;
 - Add further bodies to Annex 1, and include a statement that the list is not exhaustive;
 - Include further information on the process regarding consideration of representations which put forward alternative site allocations; and
 - Insert additional text to the planning applications section and Annex 4 stating that certain bodies such as Natural England will be allowed a longer period to comment on applications where this is prescribed by legislation.
7. The Inspector also recommended that changes put forward by ourselves in response to comments received during the submission consultation should be implemented. In summary these were as follows (full details included in Annex A):
 - Amend the contents page to include the title of each main section;
 - Make it clear that the green belt and settlement limit boundaries are draft, and will be determined through the LDF;
 - Make it clear that comments on planning applications should be made to Development Control and include a contact address for the Council;
 - Highlight that the public can approach their local member with concerns regarding an application; and

- Include additional bodies in the list in Annex 1 of the SCI.
8. The recommended changes have now been made to the SCI and the final document is attached at Annex B.

Consultation

9. In preparing the SCI the Council has undertaken three stages of consultation. Issues and Options consultation took place in June - August 2005 and consisted of a questionnaire which was distributed to the specific consultation bodies, an article in 'Your Ward' and two workshops with members of the Talkabout Panel and the Local Strategic Partnership. Following this initial gathering of views we prepared a draft SCI and published it for consultation at the preferred options stage between February and April 2006. As part of this consultation the document was available on the Council's website; a formal notice was published in the press; information on the consultation was sent out to over 400 contacts including specific consultees; and officers attended meetings of the Open Planning Forum, Environment Forum and Inclusive York Forum to speak about the SCI. In addition, leaflets and posters advertising the opportunity to comment were distributed to locations across the authority area, including GP surgeries, schools, major employers and places of worship.
10. The third and final stage of consultation took place in February - March this year. This stage was the formal consultation following the submission of the SCI to the Secretary of State for examination. All comments made at this final stage were forwarded to the Inspector to be considered as part of the examination into the soundness of the document.
11. As part of the formal submission consultation we received 67 representations from 29 consultees. Overall 31 representations were objecting to the SCI or part of the SCI, 8 representations supported the SCI and the remainder were general comments or acknowledgements. All representations were sent to the Inspector along with an officer's response to the comments made.

Next Steps

12. Once adopted the Council is required to comply with the SCI with regard to making decisions on planning applications and when preparing Development Plan Documents (DPDs) as part of York's Local Development Framework. If we fail to comply with the standards set out in the SCI in preparing DPDs then the Inspector could recommend that the DPD is withdrawn.

Options

13. The Inspector's Report is binding on the Council, therefore the Council has no opportunity to further amend the SCI, over and above the changes recommended by the Inspector. The SCI attached at Annex B includes the changes recommended by the Inspector. Members now have the option to either adopt the SCI as recommended by the Inspector or to request that Officers prepare a different SCI. It should be noted that the preparation of an

alternative SCI would take approximately three years given the stages of consultation necessary and would have considerable resource implications.

Analysis

14. As set out above, the SCI has been through extensive consultation with the public and key stakeholders and has been drawn up over a period of three years. The document has developed over the three key stages of consultation in response to comments from the public, other stakeholders and Members. It has been subject to independent examination and been judged to be sound. As the Inspector's report is binding on the Council, we cannot make any further changes to the SCI without starting the preparation process again from the beginning (i.e. returning to the Issues and Options stage). The SCI is the first document to be prepared as part of York's LDF and will provide a sound basis for carrying out consultation on all other LDF documents.

Corporate Priorities

15. The option outlined above accords with the following Corporate Strategic Priorities:
 - Improve our focus on the needs of customers and residents in designing and providing services.
 - Improve the way the Council and its partners work together to deliver better services for the people who live in York.

Implications

16. The following implications have been assessed:
 - **Financial** The cost of implementing the SCI will be met through current budgets provided for the LDF.
 - **Human Resources (HR)** As set out in section 12 of the SCI, the engagement and consultation set out in the SCI will be carried out by officers in City Development, Development Control and Community Planning.
 - **Equalities** The adoption of the SCI will have positive implications for the way in which we involve the community in the planning process. In particular the SCI identifies those groups which may not usually get involved in planning issues for a variety of reasons such as language and cultural differences, different beliefs and values, a lack of confidence in the planning system, or lack of time and ability to attend events. It sets out a commitment to involving members of these groups in future planning related consultations, identifying the starting point as working with the Inclusive York Forum. The SCI also sets out a commitment to meet the requirements of current equalities legislation with input from the Social

Inclusion Working Group, the Council's Equalities Officer and in line with guidance set out in the Council's Equality Strategy.

- **Legal** None
- **Crime and Disorder** None
- **Information Technology (IT)** None
- **Property** None
- **Other** None

Risk Management

17. In compliance with the Council's risk management strategy. There are no risks associated with the recommendations of this report.

Recommendations

18. That the Executive recommend that Full Council:
 - i) adopt the attached (Annex B) Statement of Community Involvement as part of York's Local Development Framework (LDF), so that the standards set out in the Statement can inform future community involvement in the LDF and in making decisions on planning applications.

Reason: To comply with section 18(1) of the Planning and Compulsory Purchase Act 2004, the Council must prepare a Statement of Community Involvement.

Contact Details

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Report Approved **Date** 12/10/07

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Wards Affected:

All

For further information please contact the author of the report

Background Papers

None

Annexes

Annex A: Inspector's Report: City of York Council Statement of Community Involvement, Wendy Burden BA, DipTP, MRTPI, 20 August 2007.

Annex B: City of York Council Statement of Community Involvement

**INSPECTOR'S REPORT
CITY OF YORK COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT**

Inspector: Wendy Burden BA DipTP MRTPI

Date: 20th August 2007

**City of York Council's Statement of Community Involvement
(February 2007)**

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the City of York Council's Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. Following Paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 67 representations were received, all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received and these have been taken into account in the preparation of this report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
- 2.2 This test is met.

Test 2

- 3.1 Although Paragraph 12.4 states that the Council will make every effort to link consultation on Local Development Documents (LDDs) with other community engagement strategies, the links between the Local Development Framework (LDF), the SCI and the Community Strategy are not as explicit as they should be. I therefore have the following recommendation to make.

(R1) Add the following to the end of Paragraph 12.4:

"By working closely with the Local Strategic Partnership, 'Without Walls' and any other groups flowing from the Community Strategy,

the Council will ensure that the Local Development Framework is closely integrated with the Community Strategy.”

- 3.2 I am, as a result of this amendment, satisfied that the SCI recognises the links between the strategies, the LDDs and the associated consultation exercises.
- 3.3 Subject to the recommendation above, this test is met.

Test 3

- 4.1 The Council has set out in Annex 1 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E with one exception that is noted below. It is stated at Paragraph 5.15 of the SCI that the Council holds a database of consultee details and that this will be updated as necessary. Details of how to be added to this database are also provided.
- 4.2 A number of representors request the inclusion of their organisation in the lists contained at Annex 1 of the SCI. As the Council has confirmed that these organisations are either listed in its database, or will be added to the database, I am content that they do not need to be listed specifically in the SCI.
- 4.3 The re-organisation of certain consultation bodies, such as the Strategic Rail Authority, should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.

(R2) Insert the following to Annex 1 immediately prior to the list of Specific Consultation Bodies:

“Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.”

Additionally add The Historic Buildings and Monuments Commission for England to the list of Specific Consultation Bodies.

Also amend the fourth bullet point of the Specific Consultation Bodies in Annex 1 to read:

“Parish Councils (both within and adjoining the area).”

Finally, as the organisation no longer exists, remove the reference to the Traveller Law Reform Coalition from the General Consultation Bodies list in Annex 1 and replace with Friends, Families and Travellers.

- 4.4 Subject to the recommendation above, this test is met.

Test 4

- 5.1 Section 7 and especially Figure 2 and Table 2 of the SCI show that the Council will involve and inform people from the early stages of LDD preparation and Table 1 sets out the range of methods the Council will employ to do this. The Council clarifies in Table 2 and Figure 2 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of Development Plan Document (DPD) production in accordance with Regulation 25.
- 5.2 However, the SCI makes no mention of a key stage in the DPD process that could occur if a document is concerned with allocations of land (under Regulation 32). In order that this stage in the DPD process is taken into account I have the following recommendations to make.
- (R3)** Amend Figure 2, Type 1, by the addition of a further text box beneath Stage 3 to read:
- “Should alternative representations be received where a document is concerned with allocations of land, these alternative representations will be advertised for a further six week period of consultation.”
- Also, so that the Regulation 32 process is clear the Council should add bullet point details of Regulation 32 and 33 to Annex 2.
- 5.3 As a result of these amendments, I am satisfied that providing these stages are followed, the consultation proposed will be undertaken in a timely and accessible manner.
- 5.4 Subject to the recommendation above, this test is met.

Test 5

- 6.1 Table 1 of the SCI sets out the methods that the Council proposes to use to involve the community and stakeholders. These cover a variety of recognised consultation techniques that will present information via a range of different media. The Council acknowledges the benefits and disadvantages of the different methods in Table 1 and indicates through Table 2 at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI acknowledges in Paragraphs 5.10 – 5.11 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes in Paragraph 5.10 and in Key Commitments 5 and 6 within Table 2 how it might do this. Paragraph 5.12 explains how the Council will make its information accessible to all members of society and sets out how it will meet

requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.

6.3 I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.

6.4 This test is met.

Test 6

7.1 Section 12 of the SCI explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.

7.2 This test is met.

Test 7

8.1 Key Commitment 2, within Table 2, explains how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also proposes to prepare reports at the end of the consultation periods explaining how views have been considered and documents changed in light of the community involvement. The SCI also states in this section of Table 2 where these will be made publicly available.

8.2 This test is met.

Test 8

9.1 Section 13 of the SCI provides information on monitoring and review and confirms the Council's intent to review the SCI on an annual basis. This section also makes reference to the role of the Annual Monitoring Report in this process.

9.2 I am satisfied that the Council has mechanisms for reviewing the SCI and has identified potential triggers for the review of the SCI.

9.3 This test is met.

Test 9

10.1 Sections 8 – 11 and especially Annex 4 of the SCI describes the Council's policy for consultation on planning applications. Annex 4 meets the minimum requirements and provides information on additional methods of consultation. This distinguishes between procedures appropriate to different types and scale of application and Paragraphs 10.7 – 10.8 include information on how the consultation results will inform decisions.

10.2 The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances and I recommend a change to acknowledge this.

(R4) Insert the following after the first sentence of footnote C in Annex 4:

“However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.”

Additionally, add the following text after the first sentence in Paragraph 10.5:

“The timescale allowed for making comments is 21 days. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.”

10.3 Subject to the recommendation above, this test is met.

Conclusions

11.1 The Council has set out in Appendix D of its Regulation 31 Statement a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments (given in Appendix B to this report) do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included.

(R5) Implement the changes proposed in Appendix B to this report.

11.2 In order that the SCI is suitable for adoption the Council should ensure that all references to previous stages of the document are removed, such as the text requesting comments on the submission document on Page 1. I recommend accordingly below:

(R6) Remove all references to previous stages of the document.

11.3 In the event of any doubt, please note that I am content for such matters as any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.

11.4 Subject to the implementation of the recommendations set out in this Report, the City of York Council’s SCI (February 2007) is sound.

Wendy Burden BA DipTP MRTPI

Wendy Burden

Inspector

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

INSPECTOR'S REPORT
CITY OF YORK COUNCIL
APPENDIX B – PROPOSED CHANGES

Appendix D: Summary of Representations Received and Council's Response

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
General			
Natural England (4/1274)	Comment	Highlight a range of community planning tools which should be linked to the SCI to make it more robust i.e. Quality of Life Assessment and Concept Statement.	As the LDF progresses, we will consider whether either of these planning tools could be used to assist in the production and/or implementation of the LDF. No recommended change to SCI.
The Highways Agency (6/1277)	Comment	<ol style="list-style-type: none"> 1) Recommend that timescales for preparation of documents are included within the SCI. 2) Agency would like to be consulted at the earliest possible stages in the preparation of the LDF and associated DPDs and SPDs. 	<ol style="list-style-type: none"> 1) The timescales are set out in the Local Development Scheme which will be reviewed on an annual basis. To include the timescales within the SCI may require the SCI to be frequently reviewed simply to reflect timescales rather than as a result of monitoring and review of involvement procedures. 2) The Highways Agency will be involved at all stages as a specific consultee. Where appropriate they will be involved in documents prior to issues and options as part of the development of the evidence base. No recommended change to SCI.
Huntington Parish Council (75/1301)	Comment	Parish and City Councillors on behalf of Huntington face three different systems to promote community involvement i.e. the LDF process, the Ward Committee process of creating Ward Plans and the promotion of a Parish Plan.	Recognise that there are a variety of ways in which the community can get involved in making decisions about issues which affect their local area, both directly connected to and outside the planning system. Paragraph 4.3 (i) of the SCI recognises the need to take into account the consultations carried out with other departments within the Council and other relevant documents that the Council produces. In addition, the Council has approved a number of Village Design Statements and the SCI (Table 1) recognises the production of these as a key strength in involving Parish Councils and encourages applicants to consider these in drawing up their proposals (paragraph 9.6). No recommended change to SCI.
Wigginton Parish Council (88/1302)	Comment	<ol style="list-style-type: none"> 1) The aim of the exercise is not clear. 2) the book is impressive but hard work and difficult to follow. 3) Needs to be a swing of emphasis from Ward to Parish Council level on planning issues. 	<ol style="list-style-type: none"> 1) The aim of the SCI is set out in Section 3 of the SCI. The aim of consultation at the Submission stage of the SCI is to provide the opportunity for consultees to make formal representations to the Planning Inspectorate on the soundness of the document. The letter sent out to consultees at the start of the consultation outlined this opportunity to make representations and explained the submission and examination process, as well as highlighting the earlier stages of consultation which the SCI had been through. 2) We consider that the SCI is divided into four clear parts. The first part introduces the SCI, setting out the aim and guiding principles, and then outlining who we want to involve and the key methods for involving these groups. Part two specifically outlines how we intend to involve the community in the preparation of the LDF and part three covers how the community will be involved in planning applications. The final part explains how the approaches set out in parts two and three will be resourced and monitored. However, in the interests of improving the clarity further it would be beneficial to include the title for each of these four parts on the contents page. Recommendation: Amend the Contents page to include the title of each of the four parts: Part One – Introduction Part Two – Consultation on the Local Development Framework Part Three – Consultation on Planning Applications

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
			<p>Part Four – Resources and Monitoring</p> <p>3) As set out in paragraph 10.1 (d) of the SCI, Parish Councils are consulted on all planning applications within their area, together with planning panels within the main urban area. Therefore, for planning applications, the emphasis for consultation is with the Parish Councils and Planning Panels. However, in addition, the SCI encourages applicants to carry out pre-application consultation on major or locally sensitive applications (paragraph 9.3) and suggested methods do include involving Ward Committees (Table 1).</p>
Learning Difficulties Forum (251/1338)	Comment	<p>Respondent does not think that any of their comments made in earlier consultation have been acted on. In summary the respondent previously raised the following issues:</p> <ol style="list-style-type: none"> 1) The reference to 'better decisions' is worth including on the summary sheet under benefits of community involvement. It has been included on the main statement. 2) The SCI should refer separately to people with learning difficulties rather than only referring to people with disabilities. 3) For people with learning difficulties to be fully involved, there should be a commitment to producing accessible documents (simple language, backed by images). 4) Suggests additional consultees: York People First and various Carers groups. 	<p>The Council considers that the issues raised by this respondent have been addressed in the summary of the SCI Regulation 26 consultation and where appropriate addressed in the submission version of the SCI.</p> <ol style="list-style-type: none"> 1) The summary sheet was produced at the Regulation 26 consultation stage to try and encourage groups, organisations and individuals who might not otherwise comment to get involved. The summary sheet is not part of the formal SCI and has therefore not been redrafted for the Submission consultation. The primary reason for not producing a summary sheet at this stage was because this consultation is part of the formal examination into the document, therefore we require comments to be made specifically on the content and wording of the statement. 2) Paragraph 5.11 of the SCI was amended at the submission stage to refer separately to people with learning difficulties. 3) Table 2 in the SCI includes a commitment to making information available through a variety of methods. This commitment includes making all information available on request in Braille, large print, audio format or Easy Read. Easy Read is used by people with learning difficulties. It is a form of communication which uses pictures to support the words. 4) Annex 1 of the SCI provides an overview of the types of groups we intend to involve in the LDF and major planning applications. However, it not intended to be a comprehensive list of every group we will involve, therefore the additional groups suggested by this respondent have been added to the LDF database and will therefore be contacted to inform them of future LDF consultations. <p>No recommended change to SCI.</p>
R Firm (460/1328)	Comment	<p>Respondent is not convinced that the draft adequately addresses all of the issues they raised previously. In summary the respondent previously raised the following issues:</p> <ol style="list-style-type: none"> 1) involving more people could simply spread the frustration and despair; 2) the SCI should set out what is meant by community involvement and what the purpose and expectation is of consultation; 3) lack of public confidence that comments will be listened to; 4) consultation must be implemented early enough so 	<p>The Council consider that all of these issues have been responded to in the summary of the SCI Regulation 26 consultation and where appropriate addressed in the submission version of the SCI. The Council's responses to these issues, taken from the summary of the Regulation 26 consultation, are provided below.</p> <ol style="list-style-type: none"> 1) The intentions outlined in the SCI endeavour to improve the process for all (paragraphs 3.1 and 3.2). 2) Para 4.1 of the SCI was reworded at the submission stage to fully explain what we consider to be the purpose of community involvement and consultation. The expectation of consultation is that it will deliver the benefits outlined in section 2 of the SCI. 3) The guiding principles (paragraph 4.3 (d)) were expanded at the submission stage to provide more explanation on how we will ensure that ideas and comments are

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
		<p>that opinions and evidence from consultees can be used to inform all stages of the decision making process;</p> <p>5) a consultation process that simply asks for opinions on a detailed scheme before implementation should be recognised as flawed, inadequate and inappropriate;</p> <p>6) make it as easy as possible for people to give their opinions;</p> <p>7) suggested methods – involve schools and make more use of the website as an effective way of gaining and sharing information;</p> <p>8) the process of LDDs should have an extra stage prior to Issues and Options called ‘seeking ideas’. Otherwise stage 2 is only a consultation on options already owned by the Council;</p> <p>9) the results of consultation should be used to inform the decision makers. All appropriate committee reports on issues likely to have significant impact on local communities should include details of what consultations have been taken place and if none, why not;</p> <p>10) provide a reasoned explanation where decisions are contrary to the views expressed by the majority of those consulted, in many cases people would be more interested in the consultation if the majority view prevailed;</p> <p>11) make it possible for anyone to gain information they want;</p> <p>12) much greater emphasis should be given to the concept of compromise and reaching a consensus;</p> <p>13) where CYC has a vested interest in an application, residents should be given a bigger role; and</p> <p>14) evaluate the success of major consultation processes and use this to inform and improve future exercises to ensure resources are spent wisely.</p>	<p>considered.</p> <p>4) Consider that this issue is covered in the SCI in paragraph 4.3 (a) ‘early and continuous communication and opportunities for public involvement’ and (e) ‘ensure involvement is meaningful and effective’.</p> <p>5) This is generally recognised and reflected in the approaches set out in the SCI to fully involve the community in preparing planning documents and in making decisions on applications. Key to this is early involvement and meaningful and effective engagement (SCI, paragraph 4.3 (a) and (e)).</p> <p>6) A key aim of the SCI is to encourage more people to get involved in the planning process (paragraph 3.2). Table 2 sets out the range of ways we intend to involve the community in the LDF process, including the range of ways they can make comments (Table 2, Key Commitment 7). Paragraph 10.5 sets out how people can comment on applications.</p> <p>7) The Council recognises that the website provides a valuable source of information. Table 1 was amended at the submission stage to include reference to the website being a simple way of sharing and gaining information. During previous consultations the Council distributed leaflets and information to a number of venues including schools. At the submission stage, Table 1 was amended to include reference to schools as an example of where we could distribute leaflets and brochures.</p> <p>8) A key aim of the new planning system is to involve communities and stakeholders from the earliest stage in the plan preparation process (‘frontloading’). Each DPD will go through an initial ‘issues and options’ stage, which will include a discussion of possible issues and options, and evidence gathering (pre-production). Stage 1 is therefore part of that trawl for ideas and a stage which will include full community involvement. This is covered under the guiding principles identified in section 4 and under Key Commitment 1 in Table 2.</p> <p>9) Consultations on the LDF and applications will be reported back to Members in the relevant committee reports. For the LDF this is a standard process, for applications this would be the case for applications which are considered by committee.</p> <p>10) The responses to the issues raised and reasons for a decision will be set out in the Officer’s report for both applications and the LDF. Public views, even if expressed by a majority of respondents still have to be considered alongside planning guidance and a balanced decision reached (paragraph 10.7).</p> <p>11) An additional Key Commitment was added to Table 2 at the submission stage to refer to information being made available to everyone.</p> <p>12) Agree that consensus and negotiation should be undertaken wherever possible, and this is carried out where tangible benefits are possible.</p> <p>13) An aim of the SCI is that the public should be involved fully in all applications, related to the size and implications of the proposal (paragraph 8.1).</p> <p>14) Section 13 of the SCI sets out our commitment to reviewing our consultation process to assess the impact of methods, a key part of this will be to include a question on comment forms asking where the respondent heard about the consultation and seeking views on the consultation process itself (paragraph</p>

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
			13.1). No recommended change to SCI.
York People First (480/1330)	Comment	Not able to read the consultation letter because it wasn't accessible. Making information accessible is what helps those with learning difficulties to be involved and included. Tell us more about the SCI so that we can pass information on to our members.	There is a statement in the SCI outlining that it can be made available in accessible formats if requested (for example in 'Easy Read' format for those with learning difficulties), however the letters which were sent to consultees were not made available in an accessible format because it was considered more appropriate to provide telephone and email contacts so that people could contact a planning officer directly if they wanted more information on the consultation. On receipt of comments from this respondent we contacted them by phone to discuss their comments in more detail. As part of the discussion, they outlined that they would like further information on the SCI process and they suggested that we sent an email in large print which explained the SCI process in simpler terms. In addition they requested information on how the Council as a whole is meeting the requirements of the Disability Equality Duty. We followed up this discussion with an email providing more information on the SCI as requested and the Council's Equalities Officer contacted them directly with regard to the Equality Duty. Once the SCI is adopted we intend to publish it in a range of accessible formats. No recommended change to SCI.
Timothy Kirkhope MEP (360/1323), Equal Opportunities Commission (381/1324)	Acknowledgement	Acknowledgement	N/A
Government Office of Yorkshire and the Humber (1/1270), Yorkshire and Humber Assembly (2/1271), Environment Agency (5/1275), Ryedale District Council (13/1278), English Heritage (242/1320), Disability Rights Commission (384/1325)	No Comments	No comments	N/A
Natural England (4/1272), Highways Agency (6/1276), Acaster Malbis Parish Council (60/1295), The Theatres Trust (324/1322), The Woodland Trust	Support	Support	N/A

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
(569/1334), Home Builders Federation (165/1317)			
Osballdwick Parish Council (43/1294)	Support	<p>Questions for clarification: –</p> <ol style="list-style-type: none"> 1) Wish to be fully involved in consultation process, please ensure included in all distribution of paperwork. 2) Can we be assured that more notice will be taken regarding planning applications after LDF has been completed? 3) Under new LDF arrangements can a member of the Planning Department attend a Parish Council meeting when there is a major development being proposed with which we may disagree? 4) When plans are amended can the amended plans be circulated? 5) What recourse do we have if we do not agree with a planning decision? 6) Are we entitled to contact Yorkshire Planning Aid direct if necessary? 	<ol style="list-style-type: none"> 1) Parish Councils are specific consultees and will therefore be contacted at all stages in the LDF consultation process (Table 2) and consulted on all applications within their area (paragraph 10.1 (d)). 2) The SCI sets out how the Council will involve the community in the LDF, including how they will be involved in planning applications. The SCI seeks to build on and improve existing practice. Parish Council comments are currently taken into account as a material consideration in determining planning applications, this will continue under the LDF. 3) Paragraph 10.3 of the SCI explains that where appropriate, planning officers will attend meetings such as Parish Council meetings to understand views being expressed or to provide factual information to help inform discussions at the meeting. However, for comments to be formally considered they must be submitted in writing by one of the methods set out in paragraph 10.5 of the SCI. 4) Paragraph 10.6 of the SCI explains that the Council will re-consult all respondents if amendments are significant or if they would directly affect a neighbour. 5) Under national planning legislation, only applicants currently have the right to appeal against decisions. However, there are other opportunities to challenge a decision for example, through judicial review or a complaint can be made to the Local Government Ombudsman on the grounds of maladministration. 6) Planning Aid is a service for members of the public and they can be contacted directly via the contact details set out in Annex 3 of the SCI. However, as set out in paragraph 12.5 of the SCI, the Council will also consider working with Planning Aid, where appropriate, to help communities participate in the LDF process and major planning applications. <p>No recommended change to SCI.</p>
Chapter 1: Introduction			
R Firm (460/1327)	Comment	Open Planning Forum is near to being wound up telling us there is a real problem feeling that City of York Council has little desire to listen.	<p>The Open Planning Forum is a community-led forum which arranges public meetings in order to discuss particular planning issues as they arise. The Council considers that it provides an important forum for discussing planning matters with members of the community and it is listed as a consultation body in Annex 1 of the SCI.</p> <p>The chair of the Open Planning Forum has informed the Council that it has been temporarily suspended. At the moment there is no intention that the Forum will finish completely and it is hoped that it will be possible to link it into another group. No final decision has been made as to the future of the group.</p> <p>No recommended change to SCI.</p>
Chapter 4: Guiding Principles in Consulting the Community (Para 4.3)			
P Crowe (580/1313)	Objection - Soundness Test 9	<ol style="list-style-type: none"> 1) Mechanisms for pre application discussions not satisfactory (see also objections 580/1306, 580/1307 & 580/1309 under Chapter 8). 2) The Council will decide to ask for comments at its discretion – community involvement will not occur if the 	<ol style="list-style-type: none"> 1) Whilst Government guidance (Companion Guide to PPS12) states that authorities cannot prescribe that developers carry out pre-application consultation, the SCI (paragraph 9.1) seeks to strongly encourage pre-application consultation by outlining the benefits it can bring for applicants. The SCI (paragraph 9.3 & 9.4) provides guidance on the types of application which the Council considers require

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
		<p>Council decide it is not appropriate.</p> <p>3) Why would it not be possible to engage with all departments within the Council? Which departments would resist this and why?</p>	<p>pre-application consultations and what is expected from applicants.</p> <p>2) This objection refers to one of the SCI's guiding principles which are set out in paragraph 4.3. A guiding principle of the SCI (paragraph 4.3 (e)) is to ensure that involvement is meaningful and effective and the SCI outlines that one way of ensuring this is to only ask for comments when there is an opportunity to shape or amend the content of a document or proposal. There may be circumstances where parts of a document or proposal are determined by other factors such as government legislation, the intention is that any consultation methods should make this clear and should focus on what can be shaped or amended.</p> <p>3) This objection refers to paragraph 4.3 (i) of the SCI, which refers to co-ordinating with all departments within the Council. The phrase 'where possible' in this paragraph is intended to recognise that it may not always be practicable or appropriate to link up with the consultations and strategies of other departments, for reasons such as differing timescales for production and the topics covered, rather than in principle not engaging with certain departments.</p> <p>No recommend change to SCI.</p>
Chapter 5: Who will be involved? (Para 5.3)			
Landmatch Ltd (534/1332)	Comment	Third sentence of 5.3 should be amended with addition of <i>"whose precise boundaries will be scrutinised and assessed through the emerging LDF process."</i>	<p>Agree that it would be appropriate to provide more information to clarify the position on the green belt.</p> <p>Recommendation: Add the following wording to the end of the third sentence in paragraph 5.3: 'whose precise boundaries will be determined through the Local Development Framework.'</p>
Chapter 5: Who will be involved? (Map 1)			
Landmatch Ltd (534/1333)	Comment	Map includes the term "defined settlement limit", but this has not yet been subjected to public scrutiny. Key to map 1 should be amended to read – <i>"Draft Green Belt" (subject to LDF amendments)</i> <i>"Existing defined Settlement Limits" (subject to LDF amendments)</i>	<p>Agree that it would be appropriate to explain that the settlement limit and green belt boundaries will be formally determined through the LDF.</p> <p>Recommendation: Amend the key to Map 1 to read: 'Draft Greenbelt (precise boundaries to be determined through the LDF) Draft Defined Settlement Limit (precise boundaries to be determined through the LDF)'</p>
Chapter 6: Methods of Community Involvement (Para 6.2)			
P Crowe (580/1314)	Objection Soundness Test 9	The local press average circulation is around 35,000 there are 80,000 households. The free sheet "Star" has a weekly circulation of 54,000 but does not take notices. Table 1 over estimates the impact of press releases and public notices.	<p>The publication of public notices in a local newspaper to publicise consultation on the LDF is a statutory requirement of the Town and Country Planning (Local Development) Regulations 2004. In terms of planning applications public notices are published as required by the Town and Country Planning (General Development Procedure) Order 1995 and Planning (Listed Building and Conservation Areas) Regulations 1990. Press releases are sent out to 30 media contacts including all local press, television and radio (Table 1 and Table 2). However whether items are covered by the press is not within the Council's control. The SCI recognises that no one method of publicity will reach everyone and therefore a number of methods are proposed for each consultation (paragraph 6.2).</p> <p>No recommended change to SCI.</p>
3Ps: People Promoting Participation	Objection Soundness Test 5	Do not regard the methods suggested for community involvement as being the only ones suitable for hard to reach groups, or necessarily the best ones. More creative	<p>Many of the key principles of Participatory Appraisal, which are making use of local knowledge and encouraging local people to get involved in carrying out consultation, are recognised in the SCI. Paragraph 2.1 (e) acknowledges that local knowledge is a</p>

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
(527/1331)		ways of engaging with people need to be examined such as Participatory Appraisal and using INVOLVE which is a government backed organisation that can help find more creative ways of engaging with communities.	key benefit of community involvement and this is seen as a key strength in some of the methods outlined in Table1. The SCI (Table 1) recognises that involving Parish Councils, Ward Committees and other community groups presents opportunities for communities to carry out consultation themselves through work on Village Design Statements and Parish Plans. The SCI (paragraph 5.10) recognises that there are a variety of reasons why hard to reach groups are unlikely to get involved in the planning process. A range of possible methods have been identified in the SCI (Table 1) and potential obstacles to involvement, such as those identified in paragraph 5.10, will be considered in order to determine the optimum consultation approach in each case. Whilst we consider that the methods listed in Table 1 would result in comprehensive consultation, we recognise that it is likely that in carrying out consultation on the LDF, we will develop further approaches for engaging with certain groups, perhaps making use of resources such as Participatory Appraisal and INVOLVE. As methods and approaches develop they can be incorporated into reviews of the SCI. No recommended change to SCI.
Chapter 6: Methods of Community Involvement (Table 1)			
Huntington Parish Council (75/1297)	Comment	Must be obligatory that Parish Councils are consulted by City Development and that the outcome of consultation is reported back.	Parish Councils are a specific consultee in terms of the LDF and in terms of applications which fall within their boundary. The SCI sets out the Council's commitment to providing feedback on LDF consultations (paragraph 7.6 (2)). With regard to planning applications the Council contacts everyone who has commented on an application to inform them of a decision (paragraph 11.1). No recommended change to SCI.
R Firm (460/1326)	Comment	All information available via the Web should be in formats that can be addressed directly via any browser. Default should be HTML with an alternative of formats such as Word but only having tested such formats with OpenOffice. Large documents in PDF are impractical to download by non-broadband users.	Information on the LDF and on planning applications will be made available on the Council's website as set out in Table1, Table 2 and paragraph 10.4. Wherever possible the Council creates web pages (HTML) rather than providing links to other files such as Word and PDFs, however it is not always possible to create accessible web pages (HTML) for large documents. Whilst we recognise that large PDFs are sometimes difficult to download, in most cases PDFs remain the quickest and easiest way to get large documents onto the website. Therefore although at the moment HTML is not the default, as part of future consultations on the LDF, we will investigate whether it is possible to make individual documents available on the Council's website in a range of formats to make them more widely accessible. Open Office usually manages to open even the most up to date version of Word documents and we check documents using Open Office before we put them on the website. No recommended change to SCI.
Chapter 7: Consultation on the LDF (Para 7.5 & 7.7)			
P Crowe (580/1315 & 580/1316)	Objection Soundness Test 4	York is a small City. DPD and SPD issues may appear to be local but in fact can have a Citywide impact. Consultation should be Citywide.	Recognise that some impacts of Area Action Plans or individual site development briefs may be citywide, but that they are likely to have a more significant impact on certain areas therefore consultation needs to reflect this. As stated in paragraph 7.5 of the SCI, consultation on some documents may be focused on a particular area, however, in every case there will be a number of forms of citywide advertisement (as set out in Table 2) for example: circulation of documents to all Parish Councils/Planning Panels; press releases; formal notices; and the Council's website.

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
			No recommended change to SCI.
Chapter 7: Consultation on the LDF (Table 2)			
Huntington Parish Council (75/1300)	Comment	The use of email can rule out some Parish Councillors in the consultation process. Danger that plans cannot be read/understood unless care is taken about electronic circulation.	As set out in paragraph 10.1 (d) of the SCI, all Parish Councils are currently consulted on applications by letter, and receive paper plans. However, in line with the Government agenda on e-planning (DCLG), the Council is seeking to move towards more electronic communication (paragraph 10.2 (c)) as it has overall benefits for the consultation process, by allowing for speedier distribution of consultations and making information readily available to a wider audience. The SCI (Table 1) recognises that there are weaknesses in using email and the website as a consultation method and therefore information (e.g. plans, reports, responses) is available for inspection by other means, for example paper copies can be viewed at Planning reception, and where Parish Councils do not have email access, paper correspondence will continue to be used. No recommended change to SCI.
Chapter 8: Consulting on Planning Applications – Involving the Community (General)			
Wheatlands Community Woodland/B Otley (200/1336 & 200/1337)	Objection Soundness Tests 6 & 7	The current planning process relies too heavily on Section 106 conditions which the Council do not have the resources to monitor. A developer bond method should be used instead of conditions. The Council needs a natural environment champion. The Council do not have a clear Green Infrastructure Strategy or Living Landscape Design Codes. These could act as a check list to train ecologists and development control officers and to advise applicants. The LDF is relying on the 1996 Biodiversity Action Plan and the 1996 Landscape Appraisal which are out of date. These should be updated and include geodiversity and the importance of soils.	The comments made by this respondent are not relevant to the SCI and will be taken into account as part of other DPD development and as part of the evidence base being developed to support the LDF. No recommended change to SCI.
Chapter 8: Consulting on Planning Applications – Involving the Community (Para 8.3, 9.1 & 9.4)			
P Crowe (580/1306, 580/1307 & 580/1309)	Objection Soundness Test 4	1) It is not sufficient for the Council to rely on applicants to ensure that pre-application community involvement takes place. The fact that an applicant has not carried out recommended discussions does not appear to be a 'material consideration' and therefore cannot be taken into account at the Committee stage. Applicants will therefore not be minded to carry out the process. 2) The Council should take the initiative and institute community consultation itself.	1) Section 7.7 of <i>Creating Local Development Frameworks: A Companion Guide to PPS12</i> states that authorities cannot prescribe that developers carry out pre-application consultation or refuse to accept valid applications because they disagree with the way in which an applicant has consulted the community. The approach advocated by the <i>Companion Guide to PPS12</i> is to encourage developers to carry out consultation before formal applications are made to avoid unnecessary objections at a later stage. The SCI therefore seeks to strongly encourage applicants to carry out pre-application consultation by outlining the benefits (SCI, paragraph 9.1). 2) Paragraph 9.4 of the SCI encourages applicants to approach a planning officer to discuss how the community should be involved as part of pre-application discussions, and the Council will assist by providing information to support any pre-application consultation (paragraph 9.5). However, it is necessary for Council officers and Councillors to remain impartial, so as to not prejudice the later stages of considering the application.

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
			No recommended change to SCI.
Chapter 9: Community Involvement before a Planning Application is Submitted (General)			
Home Builders Federation (165/1319)	Objection Soundness Test 4	The expectation that applications for major developments and other developments of community significance will undertake pre-submission community involvement is too onerous. This should be more flexible. It is important that the applicant has the flexibility to choose what sort of consultation exercise to undertake that is best suited to reflect the scale and nature of the proposal.	As set out in paragraph 9.2 of the SCI, pre-application consultation is beneficial to the applicant, saving time and resources which might otherwise be required to revise schemes at an advanced stage of the application. The SCI seeks to strongly encourage pre-application consultation on major and locally sensitive applications and provides guidance on what is expected from applicants in paragraph 9.4. However, it is also recognised that there is a need for flexibility and paragraph 9.4 states that the approach should be geared to the nature and scale of the application concerned. No recommended change to SCI.
Chapter 9: Community Involvement before a Planning Application is Submitted (Para 9.8)			
York Environment Forum (52/1279) & A Sinclair (197/1284) & Conservation Areas Advisory Panel (441/1289)	Objection	There should be a reference to the need for consultation to be capable of validation. Insert second sentence in paragraph: <i>"If Planning Committee is not persuaded of the transparency and validity of the developer's consultation with the local community, his report may carry less weight in Planning Committee's discussion of the application"</i>	<i>Creating Local Development Frameworks: A Companion Guide to PPS12</i> advises that authorities cannot refuse to accept valid applications because they disagree with the way in which an applicant has consulted the community. Instead the Companion Guide emphasises that failure by the applicant to consult could lead to objections being made which could be material to the determination of the application. Therefore the way in which the applicant has carried out pre-application consultation is not a material consideration, however the SCI encourages applicants to achieve certain standards in their community involvement. Paragraph 9.4 states that applicants should ensure that consultation material is presented factually and without bias, and that consultees should be informed how their comments will be dealt with. No recommended change to SCI.
Chapter 10: Community Involvement when a Planning Application is Submitted (Para 10.1)			
Huntington Parish Council (75/1298)	Comment	<ol style="list-style-type: none"> 1) Must maintain statutory obligation to seek Parish Council's view on all planning applications. 2) Respond to concerns expressed by the Parish Council regarding a planning application. 3) Lack of consistency at Officer level. 4) Keep the Parish Council regularly informed about policy changes affecting applications, such as changes affecting LDF. 	<ol style="list-style-type: none"> 1) As set out in paragraph 10.1 (d) Parish Councils will be consulted on all planning applications within their area. 2) All comments received on an application, including those from Parish Councils, are responded to in the Planning Officer's report (paragraph 10.7). 3) The Council seek consistency in dealing with all planning applications, working within policy and practice guidelines, with Part Three of the SCI clarifying consultation procedures. 4) Where community involvement is undertaken regarding LDF policy changes, Parish Councils are a specific consultee, as highlighted in Annex 1 of the SCI and will therefore be included in the consultations. No recommended change to SCI.
Wigginton Parish Council (88/1303)	Comment	<ol style="list-style-type: none"> 1) Submission of applications for consideration is always in a rush, more time is needed. 2) Plans that have been revised should show what has actually changed. 3) Current method of notification to neighbours is wanting. Everyone in the immediate area should be informed by letter. 4) All information including objections and results should be on the Website. 	<ol style="list-style-type: none"> 1) As set out in Annex 4 of the SCI, an initial 21 day period is given to all consultees to respond. In practice, where a consultee has difficulty in doing so, officers make every effort to extend that period. Late objections are normally accepted even if this means that they can only be reported verbally to the Planning Committees. 2) Where consultations take place on revised plans (paragraph 10.6 of the SCI), the accompanying letter specifies the nature of the revision as a guide to people considering the plans. Plans are clearly stamped revised. 3) As set out in Annex 4 of the SCI letters of notification are sent on most

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
			<p>applications to all adjoining properties as defined in Footnote B of Annex 4. As paragraph 10.2 states, the Council will use a combination of ways to inform and involve the community; of which neighbour notification letters are a part. The Council believes that the approach outlined in the SCI will ensure comprehensive consultations which meet and exceed basic statutory requirements, within the overall timescales set by Government for dealing with applications.</p> <p>4) As set out in paragraph 10.4 of the SCI, application files are available on the Council's website. The file will include objections received and the decision.</p> <p>No recommended change to SCI.</p>
P Crowe (580/1305)	Objection Soundness Test 9	<p>1) In 10.1e what are "near neighbours"? There are instances when people in the neighbourhood have not been adequately informed. Appears to be a policy in place to limit consultation on cost grounds. This is unacceptable.</p> <p>2) Reports to Committee on applications must include objective and full reporting of public representations.</p>	<p>1) Neighbours are defined in Footnote B of Annex 4 of the SCI as the occupants of properties which have a boundary that touches the boundary of the application site. As paragraph 10.2 states, the Council will use a combination of ways to inform and involve the community; of which neighbour notification letters are a part. The Council is committed to the level and range of consultations set out in the SCI and believe that these will ensure comprehensive consultations which meet and exceed basic statutory requirements, within the overall timescales set by Government for dealing with applications.</p> <p>2) Officers seek to summarise representations in a comprehensive and objective way in committee reports. In order to keep the committee documents manageable it is not possible to annex all representations in full. However, as set out in paragraph 10.4, they are available to view in Planning reception on request and are available on the Council's website.</p> <p>No recommended change to SCI.</p>
Chapter 10: Community Involvement when a Planning Application is Submitted (Para 10.5)			
York Environment Forum (52/1280) & A Sinclair (197/1285) & Conservation Areas Advisory Panel (441/1290)	Objection	Amend paragraph to read " <i>Anyone can make a comment or objection on a planning application to the Development Control Section. Comments can be made by letter,.....etc.</i> " It would be helpful to include the address of the City Strategy Department in Annex 3.	<p>Agree that it would be beneficial to advise that comments on planning applications should be made to Development Control.</p> <p>Recommendation: Amend the first sentence of paragraph 10.5 to read: 'Anyone can make a comment or objection on a planning application to the Development Control section. Comments can be made by letter, email, fax or online.'</p> <p>Recommendation: Include Council contact address in Annex 3.</p>
Chapter 10: Community Involvement when a Planning Application is Submitted (Para 10.7)			
York Environment Forum (52/1281) & A Sinclair (197/1286) & Conservation Areas Advisory Panel (441/1291)	Objection	Paragraph does not explain how a member of the public can ensure that an application is taken to a Planning Committee rather than being delegated. Amend delegated authority bullet point to read: " <i>Members are able to request in writing that such applications are considered at committee, if there is a legitimate planning reason to do so. Objectors may therefore ask their Councillor to consider requesting a referral to Planning Committee if it is considered appropriate.</i> "	<p>As outlined in paragraph 10.8 of the SCI, the Council operates a scheme that sets out which applications are determined by committees and which are determined by officers through delegated authority. Members are able to request that applications are considered at committee, rather than being delegated, if there is a legitimate planning reason to do so and it is open to anyone to approach their local Member to discuss any concerns they have about a particular application.</p> <p>Recommendation: Add final sentence to the first bullet point under paragraph 10.8 to read: 'Objectors can approach their local Member with concerns regarding an application.'</p>
Chapter 10: Community Involvement when a Planning Application is Submitted (Para 10.9)			
Copmanthorpe Parish Council (65/1296)	Objection	If a decision is to be made at Committee the Planning Officer's Report is available to the public who have the opportunity to speak at Committee. If it is delegated the	The Council's delegation scheme (set out in Annex 5 of the SCI) defines the types of application that can be dealt with by delegated decision. It enables more efficient decision making for those applications which do not conflict with national and local

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
		report is only available after the decision. The opportunity to address the reasoning of the report is lost and contrary to the concept of community involvement.	policy or raise controversial or sensitive local issues; helping national targets for decision making to be met and a providing a speedier response for applicants such as householders. It would be difficult to maintain the current contribution that the delegated scheme makes to providing overall, an efficient and responsive Development Control service, if delegated reports were to be made available in a similar way to planning committee reports. The scheme includes safeguards, such as Councillor requests for referral to planning committees, and officers can be approached at any time regarding the progress of an application. No recommended change to SCI.
Chapter 11: After a Decision has been Made (Para 11.1)			
Wigginton Parish Council (88/1304)	Comment	Needs to be feedback from York City Council on Planning applications that have been objected to at Parish Council but passed by the City Council. This would enable Parish Councils to gain a greater understanding of the wider issues.	As set out in paragraph 11.1 of the SCI, the Council contacts everyone who has commented on an application to inform them of a decision, this letter will include the reasons for refusal, or conditions and reasons, if the application is approved. Officer's reports include an assessment of the application taking account of any comments received and provide reasons for their recommendation or decision. These documents are made available on the Council's website as part of the application file or the file can be viewed at Planning reception on request. If more detailed information is required on the reasons for a decision then case officers can be contacted directly for an informal discussion. No recommended change to SCI.
York Environment Forum (52/1282) & A Sinclair (197/1287) & Conservation Areas Advisory Panel (441/1292)	Objection	Should be a commitment to provide an explanation of why comments may not have been acted upon. Paragraph should be amended to include a reference to Officers' responses to objections normally included with their report to Planning Committee. These could also be included with the notification letter to objectors.	It would not be feasible for the Council to provide detailed responses to individual representations, as part of informing respondents about decisions. As paragraph 10.7 of the SCI explains, comments are drawn together as part of the overall analysis of the application in the officer's report, and these reports are publicly available, either on the Council's website or in Planning reception, if an objector wishes to find out more information on how comments have been considered. No recommended change to SCI.
Chapter 12: Resources (General)			
P Crowe (580/1310 & 580/1311 & 580/1312)	Objection Soundness Test 6	Workload resulting from consultation procedures proposed will be heavy. Do not believe that resources are in place. Council appears to rely on Yorkshire Planning Aid for much of its support. Do not believe that Yorkshire Planning Aid is set up to provide this service in the way envisaged.	The resources needed to fulfil the procedures of the SCI will be provided, as set out in paragraphs 12.1 to 12.5 of the SCI. Planning Aid is mentioned to highlight it as a resource which is available to the public. No recommended change to SCI.
Chapter 12: Resources (Para 12.2)			
Huntington Parish Council (75/1299)	Comment	Must be adequate resources, particularly staff, to be able to assess and deliver. Prefer to have identified staff to deal with a particular area of the City of York to avoid re-familiarisation with local needs.	The resources needed to fulfil the procedures of the SCI will be provided, as set out in paragraphs 12.1 to 12.5 of the SCI. The Development Control section are arranged into two teams who deal with different areas of the City of York. Individual Officers within these teams will only deal with applications relating to their team's area and will therefore become familiar with a particular area of the City. Although familiarity is important and hence there are area teams, consistency in applying planning policy and guidance across the City must also be considered. A small area for each officer would raise such issues and could prove difficult in balancing workloads. No recommended change to SCI.
Chapter 12: Resources (Para 12.3)			

Respondent (Ref)	Comments /Objections/ Supports	Summary of Comment	CYC Response and Recommendation
York Environment Forum (52/1283) & A Sinclair (197/1288) & Conservation Areas Advisory Panel (441/1293)	Objection	The Community Planning Officer posts referred to are not both full-time. Also the development control budget has been cut so that consultation on planning applications will be curtailed. The paragraph should include a statement guaranteeing that adequate resources in terms of the Department's budget and Officers' time will be available to carry out the consultation promised in the SCI.	The resources needed to fulfil the procedures of the SCI will be provided, as set out in paragraphs 12.1 to 12.5 of the SCI. No recommended change to SCI.
Annex 1			
Natural England (4/1273)	Comment	Test of Soundness 3 – would welcome inclusion of the Local Biodiversity Action Planning Group and the Local Access Forum in Annex 1.	The Local Access Forum is not currently operating and York does not yet have a Local Biodiversity Action Planning Group in place. Therefore, it would not be appropriate to include these as contacts in the SCI at this stage. However, should any new groups be identified in the future then they will be added to the LDF database (as outlined in paragraph 5.15 of the SCI) and where appropriate will be added to Annex 1 as part of any future revisions of the SCI. No recommended change to SCI
Learning Difficulties Forum (251/1321)	Comment	Seems perverse not to include the Partnership Boards that the Council has set up and supports in the list of organisations to be consulted. The absence of attempts to reach carers is also puzzling.	The Council's partnership boards which form part of the Without Walls Local Strategic Partnership are included in Annex 1 of the SCI and are on the LDF database. Annex 1 of the SCI provides an overview of the types of groups we intend to involve in the LDF and major planning applications. However, it not intended to be a comprehensive list of every group we will involve, therefore the specific carers groups referred to in the response have been added to the LDF database, to ensure that they are consulted on future LDF consultations, rather than being included in Annex 1. No recommended change to SCI
Yorkshire Forward (479/1329)	Comment	Yorkshire Forward should be specifically listed in Annex 1. In addition the York and North Yorkshire Partnership Unit could be included as a body "representing the interests of the business community and employees within the area".	Recommendation: Amend Annex 1 to refer specifically to 'Yorkshire Forward'. Recommendation: Amend Annex 1 to refer to the York and North Yorkshire Partnership Unit as a body representing the interests of the business community and employees within the area.
The Woodland Trust (569/1335)	Comment	Request that the Woodland Trust be added to the list of bodies under Environmental Interest Groups.	Recommendation: Amend Annex 1 to refer to the Woodland Trust under the list of environmental interest groups.
Home Builders Federation (165/1318)	Support	House Builders Federation is now trading as Home Builders Federation.	Recommendation: Amend Annex 1 to refer to the 'Home Builders Federation'.

CITY OF YORK COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT



City of York

LDF

Local
Development
Framework

Statement of Community Involvement

Adopted November 2007



Please contact us if you would like this information in an accessible format (for example large print or by email) or another language

(01904) 551466

citydevelopment@york.gov.uk

This information can be provided in your own language.

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)

☎ (01904) 551550

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Part One: Introduction

Statement of Community Involvement



Community voting on issues to inform a site development brief

Part One: Introduction

1. Introduction

1.1 The Statement of Community Involvement (SCI) sets out the Council's proposals for how the community will be involved in the production of planning documents and through consultation on planning applications, as required under the provisions of the *Planning and Compulsory Purchase Act (2004)*. The Act introduced a new planning system, with a key objective of encouraging more meaningful community involvement in the planning process.

1.2 The Statement of Community Involvement is broken down into four parts.

Part One outlines the benefits of community involvement and sets out the aims and principles that will guide the Council when seeking to engage with the community and stakeholders. **Part One** also outlines who we intend to involve and identifies possible methods of involvement.

Part Two specifically sets out how we will seek to involve the community in the production of planning documents (the Local Development Framework).

Part Three discusses community involvement in making decisions on planning applications.

Part Four outlines how we intend to resource the involvement set out in the SCI and also how we will monitor and review the success of this involvement.

1.3 Producing the SCI is a legal requirement, and once finalised, it is legally binding. If the Council fails to carry out its intentions as set down in the SCI when preparing a planning document, the Government could make the Council withdraw that document.

1.4 The Council has, in the past, widely consulted with members of the public and statutory bodies in the planning process, but the *Planning and Compulsory Purchase Act (2004)* sets out new standards and encourages a more comprehensive and inclusive approach to community involvement. The SCI provides the opportunity to set out the Council's overall approach to consultation and provides a basis for how the approach could be developed in the future.

2. Benefits of Community Involvement

2.1 Comprehensive involvement of the community in the planning process benefits all parties. Some of these benefits include:

- a. greater ownership by the local community;
- b. improved and faster decision making, as issues can be resolved at an early stage;
- c. development of individuals, groups and community spirit;
- d. building trust within the community as people are involved and therefore better informed;
- e. gives local people a voice and makes use of local knowledge; and
- f. limits misunderstanding.

2.2 The City of York Council is committed to ensuring that the views of the community are incorporated as far as possible into the policy framework that guides development in York and into development proposals that come forward. Community involvement will ensure that the plan is sound and creates opportunities for the whole planning process to be more inclusive. Issues can be identified and debated at the earliest

opportunity with the aim of resolving any conflicts that may arise, through a partnership approach between the Council and other parties. Where conflicting views cannot be resolved, the opportunity is provided for them to be clearly set out and considered by all groups involved.

3. The Aim of the Statement of Community Involvement

3.1 The aim of the SCI is to improve community involvement in plan preparation and planning applications by setting out how all sections of the community can be involved in all stages, but especially in the early stages when ideas and proposals are being developed.

3.2 The Council wants to improve the way they involve the wider public in plan making and in reaching decisions on planning applications. The Council wants to encourage more people to be involved and make it as easy as possible for them to do so.

4. Guiding Principles in Consulting the Community

4.1 The purpose of consultation is to enable the Council to fully consider the needs and aspirations of communities and stakeholders when developing documents and making decisions on development proposals. Consultation findings provide a basis for making difficult choices and build a commitment to delivering on proposals.

4.2 Overall, the Council believe that achieving effective community involvement is an important part of delivering sustainable development. This reflects one of the key

principles of the UK Government Sustainable Development Strategy, 'Securing the Future', which seeks to promote good governance. The Strategy seeks to promote good governance through actively promoting effective participation in decision making.

4.3 The Council is committed to providing a high quality and responsive planning service that meets the needs of the community. The principles guiding consultation with the community take account of those set out in the Code of Practice on Consultation in 'The York Compact'¹. The York Compact provides the agreed framework for the relationship between local public bodies and voluntary and community organisations in the City of York. The Council will use the following nine principles to guide public involvement in planning matters.

- a. **Ensure early and continuous communication and opportunities for public involvement:**
Community involvement needs to feature at all stages in the preparation of planning documents and effective community involvement should provide opportunities for information, participation, consultation and feedback. With regard to planning applications, approaches should consider involvement both at the pre-application stage and once an application is submitted.
- b. **Keep the process simple, transparent and accessible to all:**
The SCI clearly sets out the process by which everyone can get involved in the preparation of planning documents and in making decisions on applications. This will ensure that everyone has equal opportunity to understand how they can get involved. At each major consultation the process for preparing the planning document or making a decision on the application will be explained.

1. www.yorkcvs.org.uk/compactnews.htm

c. **Seek to provide information in an interesting, clear and accessible way:**

Information should be presented in a way that is clear and easy to understand to facilitate involvement and encourage participation. This includes making information available in accessible formats where required, including Braille, large print, audio format or 'Easy Read'.

d. **Ensure ideas and comments are considered:**

All comments will be registered, and at every stage of preparing planning documents officers will prepare a report setting out how they intend to respond to issues raised. These reports will be considered by Members of the Council in their decision-making. With planning applications, the officer draws together the issues and comments made on a planning application into a written report and makes a recommendation whether to approve or refuse the application. The final decision is then made by a Senior Planning Officer or by Committee Members. For more information please see paragraphs 10.7 to 10.9.

e. **Ensure involvement is meaningful and effective:**

We will seek to ensure that involvement is meaningful and effective by pro-actively involving the community at all stages; only asking for comments when there is an opportunity to shape or amend the content of a document or proposal; allowing enough time for involvement; and explaining the reasons for decisions.

f. **Share information and provide feedback to individuals, groups and the wider community:**

For the community to consider that involvement is worthwhile, it is essential that the results of consultation and

information on the decisions made are fed back to them. It is also essential that general information on planning documents and applications is widely available. The Council will ensure that information relating to the planning process, including feedback on consultations is available through a variety of methods. This will involve contacting respondents to make them aware of where the information can be viewed.

g. **Allow for continuous development and improvement:**

It is important that the SCI allows for some flexibility in the methods used. Practices will be monitored and reviewed to allow for approaches to be amended to reflect changes in circumstances or to address the strengths and weaknesses of certain methods as they emerge.

h. **Co-ordinate consultation effectively and inclusively:**

To carry out effective consultation it is critical to consider who is being consulted and the approaches used should be tailored to the needs of these groups. Factors such as the accessibility of venues, timings and working hours, care needs and language will be carefully considered in determining the optimum consultation approach in each case.

i. **Co-ordinate with other departments to reduce risks of consultation fatigue:**

It is crucial that planning consultations take into account the consultations carried out by other departments within the Council and other relevant documents that the Council produces. These include documents such as transport, economic and housing strategies, and in particular the Community Strategy, as there are possibilities to work together on consultations and also to share

information. Where possible, we will seek to engage with officers from different departments within the Council to encourage cross-cutting and sharing of information.

5. Who Will Be Involved?

Community Profile

5.1 When considering which groups and individuals to involve it is important to consider the specific characteristics of the population of York and the surrounding area.

5.2 York is situated within the Yorkshire and Humber region. The Emerging Yorkshire and Humber Regional Spatial Strategy identifies 7 sub areas that reflect existing relationships between places. York is identified as part of the Leeds City Region and also as part of a wider 'York sub area' which covers the City of York and its wider hinterland or 'area of influence'. This includes up to Malton, some of the East Ridings, West to the A1 and south to Selby.

5.3 York is a commercial city renowned for its heritage. It covers an area of approximately 272 square kilometres made up of the historic city centre and the surrounding urban area along with a number of villages and semi-rural settlements. Of this, approximately 220 square kilometres is in the draft Green Belt (see Map 1). The precise boundary of the Green Belt will be determined through the Local Development Framework (LDF). Those living in rural areas, including villages and smaller settlements make up approximately 6% of the population, whilst the remaining 94% live in the city centre and surrounding urban areas.

5.4 The population of York in 2005 was 186,800 persons; of this 48.3% were male and 51.7% female. Children aged less than 5

years made up 4.8% of the population. In mid-2005 6.2% of the resident population of York were aged 75 and over. The population of York is increasing, growing by 9.5% between 1991 and 2001, and is projected to increase by 9.2% between 2003 and 2011. 17% of people in York are disabled (have a limiting long term illness or medical condition).

5.5 The unemployment rate for York in 2003 was 1.6%. At the time of the 2001 Census, of all the people unemployed in York 18.36% were aged over 50 years, 6.73% had never worked and 24% were long-term unemployed. York is ranked as 219th out of a total of 354 local authorities as being amongst the least socially deprived areas.

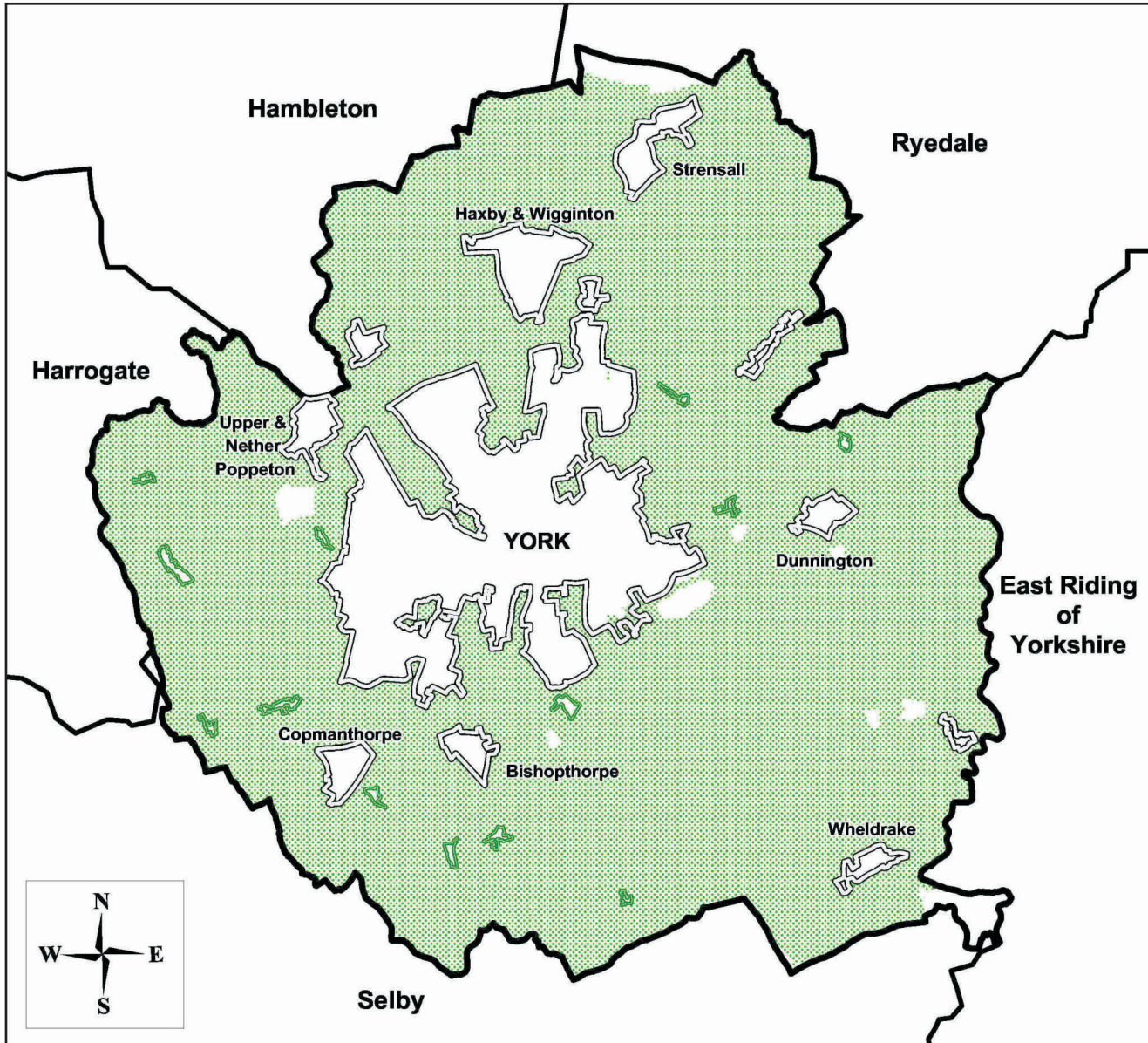
5.6 York experiences a positive net flow of daily trips to work; this means that overall more people commute into York for work than commute out. Data from the 2001 Census shows that 22,445 people travel into the City of York authority area to work, compared to 17,199 travelling out. The majority of these journeys into York originate from locations in the East Riding of Yorkshire, Leeds, Hambleton, Ryedale and Selby.

5.7 York is located in one of the fastest growing economic areas in the UK². It continues to be the home of traditional industries such as rail and engineering, food and building industries. However, a strong finance and management services sector has developed in York, including headquarters, the professional sector and call centres. Furthermore, the Science City York initiative is supporting the development of the bioscience, digital and creative clusters that have emerged in the City. Tourism also forms a major element of the City's economy.





5.8 York has an increasingly diverse population. The 2003 Annual Population Survey shows that 6.1% of the population are

2.york-england.com (Inward Investment Board)

Map 1: The City of York Unitary Authority Area



Key:

-  City of York Local Authority Boundary
-  Draft Greenbelt (precise boundaries to be determined through the LDF)
-  Draft defined Settlement Limit (precise boundaries to be determined through the LDF)
-  Draft defined Settlement Limit washed over by Draft Greenbelt

from black and minority ethnic groups. The largest minority ethnic groups being Travellers, people of South Asian origin, Chinese people, and people of Turkish origin. Since the last census (2001) there have been new groups of people coming to live and work in York, particularly people of Kurdish origin and people from Eastern Europe, and overseas students attending the universities in York. This trend is set to continue over the next few years. The census also tells us that whilst most people (74%) are Christian there are also significant minority faith groups in York representing all of the major world faith groups.

5.9 Consultation needs to reflect those groups identified in the community profile. The Council want to ensure that a wide range of social, economic, community, voluntary, business and hard to reach groups are consulted as well as the general public and individuals.

Hard to Reach Groups

5.10 Consulting hard to reach groups is an important part of the new planning process. There are many reasons why different parts of the community may not get involved in planning such as language and cultural differences, different beliefs and values, a lack of confidence in the planning system, or lack of time and ability to attend events. A starting point for trying to reach these hard to reach groups is through the *Inclusive York Forum*. The role of this group is to review progress towards achieving the Inclusive City aims set out in the Community Strategy and to champion issues of inclusiveness whilst promoting the active engagement of communities of interest. Membership of the group has been established to include the representatives of the different communities of interest within York.

5.11 The Council recognises that overall the general public could be considered as

hard to reach for many of the reasons outlined above, however, within this the following particular groups have been identified. Many of these have been identified through the community profile above and to reflect the types of groups which are members of the *Inclusive York Forum*.

1. People from Black Minority Ethnic groups
2. Faith groups
3. Gypsies and Travellers
4. People with learning difficulties
5. Disabled people
6. Lesbian, Gay, Bisexual and Transgender (LGBT) groups
7. Young people
8. Older people
9. Homeless people
10. Carers (including young carers)
11. People living in areas of deprivation or on a low income
12. People living in remote rural areas

5.12 As part of the *Race Relations Amendment Act 2000*, the *Disability Discrimination Act 2005* and the *Gender Equality Duty*, the Council is required to assess emerging policies and strategies which have potential equality implications. In preparing planning documents (as part of the Local Development Framework), we will seek to meet the requirements of the above Acts, with input from the *Social Inclusion Working Group*, the Council's Equalities Officer and in line with guidance set out in the Council's Equality Strategy (*Pride in Our Communities*).

Key Groups to Involve:

5.13 In the context of York's community profile and the identification of certain hard to reach groups, if involvement is to be effective it is considered that the overall target groups for involvement are:

Specific Consultation Bodies including:

- Central, regional and local government
- Statutory bodies

General Consultation Bodies including:

- Voluntary bodies
- Racial, ethnic or national bodies
- Religious groups
- Disability groups
- Business groups

Other Locally Identified Groups including:

- General public (including hard to reach groups)
- Local interest groups
- Developers/landowners/agents

5.14 A more detailed list of the groups to be involved is set out in Annex 1, under the headings: specific consultation bodies; general consultation bodies; and other locally identified groups.

5.15 The Council has compiled a database to include the individuals and organisations who have registered an interest in the York Local Development Framework process. However, this is not a fixed list and further contacts will be added as they are identified, whilst others may no longer wish to be involved and will be removed from the database on request. **To request to be included on the database so that we can contact you at key stages as we prepare**

planning documents or to delete or amend your details please contact City Development (contact details provided in Annex 3).

6. Methods of Community Involvement

6.1 The new planning system places greater emphasis on involving people from the start of the process ('front-loading'), and consensus building with local communities on the content of the plans that will shape the future of the City. Traditionally, community involvement in the planning process would involve inviting comments on proposed policies and applications in a written document (with relevant maps) at specific stages during the process. The new planning system encourages greater community involvement throughout the process. In order to widen the involvement of the community, especially in consulting with hard to reach groups, a range of consultation methods will be used.

6.2 Table 1 identifies the range of consultation methods which may be used. It also highlights the strengths and weaknesses of the various methods that the Council will take into account when deciding how to consult on documents and planning applications. To encourage maximum input the methods of consultation used in each case will be tailored to the consultees and the type of document or development being consulted on. Factors such as the accessibility of venues, timings and working hours, care needs and language must be carefully considered in determining the optimum consultation approach in each case. The Council recognises that in most cases an effective consultation involves employing a wide range of often overlapping measures to reach as many people as possible.

Table 1 Proposed Methods of Community Involvement

Method	Main Considerations	Strengths	Weaknesses
Documents available for inspection at Local Planning Authority (LPA) offices	Minimum requirement - Specify how and when people should respond.	Can give detailed information and provide for detailed responses.	Low response rates; can exclude people with poor language skills; reading and responding to documents can be time consuming; requires confidence and ability to get to the Council's offices.
Letters to specific consultation bodies and other national consultees	Minimum requirement – Specify how and when people should respond.	Letters can be written to get specific feedback on particular matters.	Consultees may not have enough time to answer specific points.
E-mail, web site	Will include all relevant documents in pdf and word format.	Cheap to distribute; easily updated and amended; has particular appeal to young people; is a simple way of sharing and gaining information.	Limited access; information needs to be carefully designed for the internet; low response rate; requires IT skills.
Local Media	TV, radio, press releases and advertisements can explain documents and processes in simple language. The Council can publish press releases, and seek to include articles in 'Your Ward' and 'Your City' and Parish Newsletters.	Can reach a wide audience, but also be tailored to specific audiences; good way of raising awareness.	Lack of feedback; may be treated as junk mail and not read; TV and radio items can be missed; details can be inaccurate and can exclude people with low literacy skills.
Leaflets/Brochures	Can publicise the proposed document or planning application, explain the process in simple language and invite comment.	Can be sent to all addresses in the York area or targeted to local schools / colleges, local shops, local supermarkets, workplaces and businesses; can simplify complex topics.	May be treated as junk mail and not read; can exclude people with poor literacy skills; reading and responding can be time consuming.
Newsletters/Magazines	Can publicise the proposed document or planning application, explain the process in simple language and invite comment, e.g. through staff association newsletters.	Can reach a wide range of individuals and groups with an interest in the York area; can be written for a specific audience; and can simplify complex topics.	Low response rate; can exclude people with poor language skills; reading and responding to articles can be time consuming.

Table 1 Proposed Methods of Community Involvement

Method	Main Considerations	Strengths	Weaknesses
Public Exhibitions	Useful method for showing proposals visually in areas where changes are proposed. Exhibitions could be held in various venues including the Council's mobile exhibition unit. There is also the opportunity to tie exhibitions into other events taking place in the city such as festivals and fetes.	Gives residents some flexibility in deciding when to visit; can encourage feedback and comment; can reach more rural areas; a good alternative for those with poor literacy skills; allows for a better quality of consultation to a number of people.	People attending may not be representative of the wider community; responses will be skewed towards the information presented; exhibitions cannot cover all areas; requires confidence and ability to get to the exhibition.
Formal written consultation/ community surveys	Good introduction to main issues; responses can help identify key interests and groups; consultation around key issues.	A good method of getting reliable statistical data; can be targeted to a specific audience; easy to understand and analyse.	Low response rates; will exclude people with poor language skills; responding to lengthy documents can be time consuming; issues could be over-simplified.
One-to-One meetings with selected stakeholders	Identifies key issues and key groups.	Useful method of getting a targeted response; face to face meetings allow for instant feedback; a good alternative for those with poor literacy skills.	Time consuming and slow.
Public Meetings	Useful when area specific proposals are made.	Good method of informing the public and getting their views; a useful means of creating interest in local issues; provide a good opportunity for taking 'straw polls' on key issues.	Those attending may not be representative of the wider community; large meetings can inhibit the expression of all views; meetings can be hijacked by single issue groups or the most vocal; the Council may appear defensive when presenting proposals.
Focus Groups (selected groups of participants with particular characteristics)	Useful for area based discussions or for specific topics.	Focus groups allow the Council to find out what is important to certain groups; group can create ideas on issues or help identify solutions to problems; focus groups can help to involve marginalised groups if the process is externally managed.	Works best with a trained facilitator, so is expensive; group discussions may inhibit some members from taking part; the group may not be a true representation of the community.

Table 1 Proposed Methods of Community Involvement

Method	Main Considerations	Strengths	Weaknesses
Area Forums (would be set up where appropriate to discuss a particular issue, site or application where these impact on a particular area)	Tailor made groups for local issues, area based policies or planning applications.	Allows the Council to use data collected by members of the group and to pool data from various sources; helps to get the views of minority groups.	Danger that the group can be hijacked by those whose views are not fully representative of the group as a whole.
Planning Aid	Will target hard to reach groups and increase their ability to take part.	An independent broker, able to mediate between conflicting interests; able to engage those who would usually be excluded and those with limited financial means; planning aid services are free of charge to the public.	May be time consuming; can only serve deprived groups and individuals.
Workshops/ 'Planning for real' activities (uses simple models as a focus for people to put forward and prioritise ideas on how their area can be improved)	Puts forward and prioritises ideas.	Hands on; visual; allows for different ages and levels of ability.	Time consuming; external facilitator brings about the best results.
Parish Councils	Engaging more fully with these groups than as required as statutory consultee.	A good way of informing local people and gaining their views; to explore particular issues in more depth; making use of local knowledge and creates opportunities for capacity building where these groups can begin to carry out consultation themselves, for example through work on Village Design Statements and Parish Plans.	Views expressed by the group may not be representative of the community as a whole.

Method	Main Considerations	Strengths	Weaknesses
Ward Committees, Planning Panels and other Community Groups, Organisations and Forums	Engaging with these groups in a range of ways means that local groups can become involved in the planning process.	A good way of informing local people and gaining their views; to explore particular issues in more depth; making use of local knowledge and creates opportunities for capacity building where these groups can begin to carry out consultation themselves, for example through work on Village Design Statements and Parish Plans.	Views expressed by the group may not be representative of the community as a whole.

Part Two: Consultation on the Local Development Framework

Statement of Community Involvement

Workshop event with York Professional Initiative, discussing the future vision for York

Part Two: Consultation on the Local Development Framework

7. Consultation on the Local Development Framework (LDF)

7.1 The Local Development Framework (LDF) will guide and manage development in York over the next two decades. The Local Development Framework will consist of a number of documents that will each cover a specific topic or area. These documents can be prepared and adopted independently of each other, allowing for the continual updating of planning policy. The timescale and programme for preparing the LDF in York is set out in the Local Development Scheme which is available on the Council's website (www.york.gov.uk).

7.2 The Local Development Framework will be made up of three main types of document (As illustrated in Figure 1 overleaf):

Type 1: Development Plan Documents (DPDs)

The following Development Plan Documents (DPDs) will form the City of York Local Development Framework:

- Core Strategy + Strategic Policies (DPD);
- Development Control (DPD);
- Key Allocations & Proposals Map (DPD); and
- Area Action Plans (DPD).

Type 2: Supplementary Planning Documents (SPDs)

Type 3: Procedural Documents

7.3 Type 1 and Type 2 documents are subject to Sustainability Appraisal (incorporating Strategic Environmental Assessment). The purpose of Sustainability Appraisal is to appraise the social,

environmental and economic effects of the strategies and policies in a document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development. The Council will involve the community in the production of the Sustainability Appraisal work that will be carried out as part of the LDF process.

7.4 Figure 2 shows the main stages of community involvement on LDF documents. The preparation of Development Plan Documents and Supplementary Planning Documents will include a number of stages with opportunities to comment at each stage.

Figure 1: York’s Local Development Framework

**Type 1
Development Plan Documents (DPDs)**

These are subject to independent examination and have the full weight of development plan status when the Council are considering planning applications. They will be informed by extensive community involvement and Sustainability Appraisal.

Required DPDs:

Core Strategy - The vision, objectives and strategy for the future development of York, and strategic policies to deliver them.

Site Specific Allocations - Site allocations for housing, employment and other development.

Proposals Map - The proposal map illustrates on a base map all the policies contained in DPDs.

Optional DPDs:

Area Action Plans - Used to provide a planning framework for areas of change and areas of conservation.

Other DPDs:

Development Control DPD - This will contain detailed policies guiding particular forms of development.

**Type 2
Supplementary Planning Documents (SPD)**

These will not have development plan status, but will be used to expand policy or provide further detail to policies in the Development Plan Documents, for example these could include development briefs for particular sites or design guides. However, like DPDs, they will be informed by extensive community involvement and sustainability appraisal, but they will not be subject to independent examination.

York’s LDF

**Type 3
Procedural Documents**

These documents will be publicly available but only the Statement of Community Involvement is subject to community involvement and independent examination.

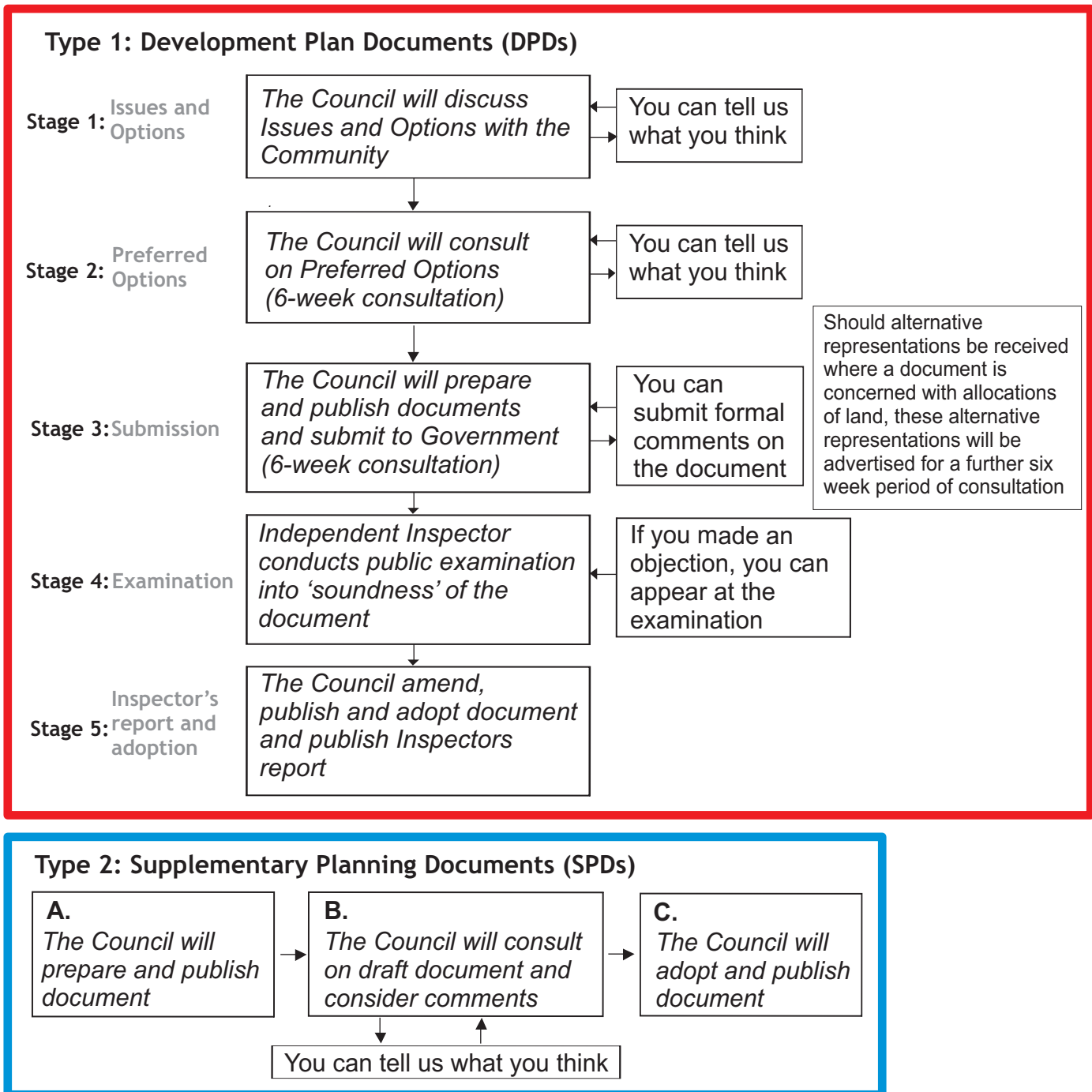
Local Development Scheme (LDS) - A three year project plan.

Statement of Community Involvement (SCI) - Sets out how the community will be consulted on the LDF.

Annual Monitoring Report - A document produced each year which shows progress on all the separate parts of the Local Development Framework (LDF).

All Development Plan Documents and Supplementary Planning Documents are subject to a Sustainability Appraisal (incorporating a Strategic Environmental Assessment (SEA)) and the procedures set out in the SCI.

Figure 2: Process for Preparing Local Development Framework Documents



7.5 The Council wants to involve the community throughout the LDF plan making process, and will try to do this in various ways. The methods used will depend on the stage of preparation of each document and the likely level and type of interest. Some topics will be of localised concern and some issues will affect only certain places so consultation needs to reflect this. For example, consultation regarding Area Action

Plans (DPDs) and Development Briefs (SPDs) will have a localised focus.

7.6 Drawing on the guiding principles for involvement set out in Part One, the Council will make 10 key commitments for seeking to achieve effective community involvement in the preparation of the Local Development Framework. These are set out overleaf.

Key Commitments:

Page 70

1. involve the community from the earliest stages of plan preparation by asking for your views on planning issues and options;
2. produce reports which provide feedback on consultations and respond to issues raised;
3. tell you when new draft or revised planning documents are published, where you can see them, and when you can respond;
4. promptly publish and make available all new revised planning documents;
5. offer help to, and develop the knowledge of people and groups with little previous experience of the planning system;
6. make information available through a variety of methods;
7. give you formal notice of the opportunity to make representations on a planning document;
8. attempt to create agreement between opposing views;
9. give you notice of an examination in public; and
10. give you notice of the Council's intention to adopt a planning document.

7.7 Table 2 provides more information on these commitments, setting out what we will do to involve the community and stakeholders at key stages, the reasons for doing it, and the methods we will use. The minimum requirements for carrying out consultation on Local Development Framework Documents, as set out in the Regulations, are summarised in Annex 2.

Table 2: How and why community involvement will be sought in the preparation of the Local Development Framework

Key Commitments	Relevant Document Stage (Fig 2)	How we will do it	Why we will do it
1. Involve you from the earliest stages of plan preparation by asking for your views on planning issues and options.	Type 1 (DPD): Stage 1	<ul style="list-style-type: none"> • Hold workshops/public events in local venues where you can meet planners face to face. • Arrange meetings with community groups and organisations. • Arrange events for groups who would not otherwise get involved. • Questionnaires and letters. • City wide publications such as 'Your City' and 'Your Ward'. • Issue a press release. 	<ul style="list-style-type: none"> • To find out what people want. • To share and gather information. • To identify local issues. • To involve hard to reach groups. • To help define preferred options. • To increase awareness of planning issues across the York area. • To provide the scope for face to face discussion with a planning officer. • To achieve local ownership. • To develop consensus. • To strengthen the evidence base.
2. Produce reports which provide feedback on consultations and respond to issues raised.	Type 1 (DPD): Stages 2 and 3 Type 2 (SPD): Stage C	<ul style="list-style-type: none"> • Notify by post or e-mail all those who made comments. • Send copies of reports to Specific Consultation Bodies. • Publish report on the Council's website. • Provide copies at all local libraries and at the Council's Planning and Guildhall receptions. • Copies will be made available free to non-profit making organisations. Copies for residents and others will be available at no more than cost price. 	<ul style="list-style-type: none"> • To provide feedback to those who have commented and those who have an interest. • To ensure the information is widely available, and that the community understand the background and reason for decision at an early stage. • To comply with Regulations.

Key Commitments	Relevant Document Stage (Fig 2)	How we will do it Page 71	Why we will do it
3. Tell you when new draft or revised planning documents are published, where you can see them, and when you can respond.	Type 1 (DPD): Stages 2 and 3 Type 2 (SPD): Stage B	<ul style="list-style-type: none"> • City wide publications such as 'Your City' and 'Your Ward'. • Letter/email to consultees and all those on the database. • Notices in libraries and at the Council's Planning and Guildhall receptions. • A notice on the Council's website at the start of the consultation period saying where new documents can be seen. • Issue a press release. 	<ul style="list-style-type: none"> • To keep everybody informed and up-to-date about the plans being prepared. • To improve awareness of new documents amongst those most affected.
4. Promptly publish and make available all new revised planning documents.	Type 1 (DPD): Stages 2,3 and 5 Type 2 (SPD): Stages B and C	<ul style="list-style-type: none"> • Put all new published and revised planning documents on the Council's website. • Copies will be made available free to non-profit making organisations. Copies for residents and others will be available at no more than cost price. • Make paper copies of LDF documents and any background documents available to view at libraries and the Council's Planning and Guildhall receptions. • Issue a press release. 	<ul style="list-style-type: none"> • To enable anyone to see for themselves what the Council is proposing.
5. Offer help to, and develop the knowledge of people and groups with little previous experience of the planning system.	Type 1 (DPD): All Stages Type 2 (SPD): All Stages	<ul style="list-style-type: none"> • Work with City of York Local Strategic Partnership (LSP) to reach as many groups as possible who would like support to develop their knowledge of the planning system. • Promote the use of Yorkshire Planning Aid by hard to reach groups. • Through planning officers attending meetings with hard to reach groups. • With locally specific documents such as Area Action Plans and Development Briefs ensure that people and groups understand the detail of proposals. 	<ul style="list-style-type: none"> • To help local communities to become involved in the process. • To increase participation amongst hard to reach groups.

Key Commitments	Relevant Document Stage (Fig 2)	How we will do it	Why we will do it
<p>6. Make information available through a variety of methods.</p>	<p>Type 1 (DPD): All Stages</p> <p>Type 2 (SPD): All Stages</p>	<ul style="list-style-type: none"> • Wherever possible, information will be made available in both paper and electronic formats. • The Council will seek to maximise use of the City of York Council's website and ensure it provides up to date information. • Copies of all documents will be made available at local libraries and at the Council's Planning and Guildhall receptions. • All information will be available on request in Braille, large print, audio format or Easy Read. • Press releases and where appropriate, articles in the Council's newsletter, 'Your City', will provide updates on progress with the LDF. • Where requested we will provide information in community languages, these include British Sign Language, Urdu, Turkish, Cantonese and Bengali. 	<ul style="list-style-type: none"> • To ensure that information is widely available. • To increase participation amongst hard to reach groups.
<p>7. Give you formal notice of the opportunity to make representations on a planning document.</p>	<p>Type 1 (DPD): Stages 2 and 3</p> <p>Type 2 (SPD): Stage B</p>	<ul style="list-style-type: none"> • Publish at least one public notice in a local newspaper and on the Council website, stating where you can view the documents, along with when, how and to whom you should send any formal representations. • Issue a press release. • Provide forms for comments with all planning documents sent out, and at local libraries and at the Council's Planning and Guildhall receptions. • Make forms for formal comments available on the Council's website. • Send Specific Consultation Bodies a copy of the relevant documents and the form for representations. • Send General Consultation Bodies a copy of the notice announcing the publication of a new document stating where it can be seen. • Accept comments from respondents either: <ul style="list-style-type: none"> - in writing or on a response form; - via electronic means (e-mail); - where people are unable to use the above means, by dictating responses to a Council officer. 	<ul style="list-style-type: none"> • To meet the requirements of the Planning Regulations. • To give you the opportunity to state whether you support or object to specific policies and proposals.

Key Commitments	Relevant Document Stage (Fig 2)	How we will do it	Why we will do it
8. Attempt to create agreement between opposing views.	Type 1 (DPD): Stages 2 and 3 Type 2 (SPD): Stage B	<ul style="list-style-type: none"> • Hold meetings as needed with individuals and groups to explore particular issues in more depth. • Assist with the exchange of information. • Prepare a report which summarises the comments made and how we intend to respond. • With regard to Area Action Plans and SPD Development Briefs, given the detail included within these documents care must be taken to ensure issues arising are fully understood in terms of how they will affect development on the ground. 	<ul style="list-style-type: none"> • To promote dialogue between the local and business community. • To find common ground, and to reduce disagreement. • To develop consensus as far as possible.
9. Give you notice of an examination in public.	Type 1 (DPD): Stage 4	<ul style="list-style-type: none"> • Publish at least one notice in a local paper circulating in the area. • Press release. • Post notices in libraries and the Council's Planning and Guildhall receptions. • Notify directly those who have outstanding objections. 	<ul style="list-style-type: none"> • In order that everyone who has the right to be heard at the Public Examination is made aware of the arrangement. • In order that all interested parties are made aware of when and where it will take place.
10. Give you notice of the Council's intention to adopt a planning document.	Type 1 (DPD): Stage 5 Type 2 (SPD): Stage C	<ul style="list-style-type: none"> • Publish and make available copies of the document at the Libraries and at the Council's Planning and Guildhall receptions during normal opening hours. • Make copies available on the Council's website. • Send copies to the Specific Consultation Bodies who have requested a copy. • Place an advert in the local press giving details of the document and stating where it can be seen. • Issue a press release. 	<ul style="list-style-type: none"> • To ensure that all those with an interest in the document know about the Council's intentions and are aware of their right of appeal to the High Court.

Part Three: Consultation on Planning Applications

All visitors please report to this desk

Statement of Community Involvement

Planning applications and plans can be viewed at the Planning reception desk

Part Three: Consultation on Planning Applications

8. Involving the Community

8.1 The Council is committed to ensuring that the views of the community upon planning applications are taken fully into account. We deal with a wide range of applications; from house extensions to large-scale schemes such as new housing, shops or offices. Your views are important, whether as a neighbour or as a member of the wider community. They help the Council to make fair, well balanced decisions, often where difficult choices have to be made.

8.2 The Council wishes to make the process of dealing with a planning application, and the reasons for deciding whether to approve or refuse it, open and accessible to everyone. Our aim is to achieve good, well-designed schemes that contribute to the needs of the local community and, in turn, to the City overall.

8.3 The Council is committed to facilitating community involvement at all stages of the planning application process, that is prior to an application being submitted; once an application is submitted to the Council; and after a decision has been made. Although National legislation² sets out the minimum the Council is required to do to consult the community on applications once they are submitted, the Council believe that, particularly for major or locally sensitive sites, wider community involvement is needed before an application is drawn up and submitted to the Council (the 'pre-application' stage). Guided by the principles set out in paragraph 4.3, this part of the SCI goes through each stage of dealing with a planning application, setting out what is expected from applicants at the pre-application stage and how the Council will

consult and involve the community once an application is submitted.

8.4 National and local planning policies are evolving all the time to keep planning up-to-date and responsive to people's needs. The Government also sets time targets within which local councils should reach a decision upon different types of planning applications. To meet these challenges, our staff resources have to be used as effectively and wisely as possible by making consultations appropriate to the type of application concerned.

9. Community Involvement before a Planning Application is Submitted

9.1 The Council will strongly encourage applicants who are preparing a planning application on a major or locally sensitive site (see paragraph 9.3 below) to involve the community, as early as possible, before the application is submitted. Taking time for discussions at the start helps everyone involved to understand the issues and concerns about the scheme. The applicant is able to explain the thinking behind proposals to local people; who in turn can make their views known, bringing out the things they value, or the problems they have with the proposals.

9.2 As set out in paragraph 2.1 of the SCI, this early involvement benefits all parties. Costly revisions to proposals at an advanced stage, or unforeseen last minute problems, can be avoided. A good quality scheme can be shaped from the outset and decisions made with all the necessary information to hand, meaning that time and resources are saved in the long run.

2. The Town and Country Planning (General Development Procedure) Order 1995, and the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

What are "Major or Locally Sensitive" Applications?

9.3 For guidance purposes, the Council considers that the following types of applications require pre-application community involvement. The onus will be upon the applicant to carry this out:

- applications requiring an Environmental Impact Assessment;
- major applications, as defined in the Town and Country Planning (General Development Procedure) Order 1995. This includes residential development of 10 units plus, or on a site of 0.5 hectare or greater and other developments of over 1000sqm or on a site of 1 hectare or more; or
- applications which are likely to attract significant community interest.

What is Expected from the Applicant?

9.4 Applicants are strongly encouraged, in the first instance to discuss how the community should be involved with a Planning Officer (contact details provided in Annex 3), as part of pre-application discussions. During these discussions, confidentiality upon private matters, such as financial or personal information, will be respected. Some or all of the following approaches are needed to make community involvement helpful and effective, geared to the nature and scale of the application concerned.

Publicity:

Notify local residents by letter or leaflet; place an advert in the local newspaper; and/or use local notice boards. Always say how people can find out more.

A public event:

Arrange an event such as an exhibition or "open house" at a time and place to attract as many people as possible; for example actually on the site or at a nearby meeting hall. Attend the event and have well presented display material.

Making contacts:

Contact Parish Councils; local community or amenity groups; and/or City Councillors for the Ward concerned.

Applicants should ensure that:

- adequate time is allowed for people to comment, at least 21 days from the date of the latest publicity or events;
- material is presented factually and without bias; and
- people know how their comments will be dealt with, and what the next stages are.

9.5 Other ideas for involving the community are also given in Table 1 (See page 11). The Council will assist, where possible, with lists of contacts, venues, and factual information on planning policies. However, Council officers and elected Councillors have to remain impartial, so as not to prejudice the later stages of considering the application.

9.6 Also at this stage, applicants should take into account national, regional and local planning policies, the Community

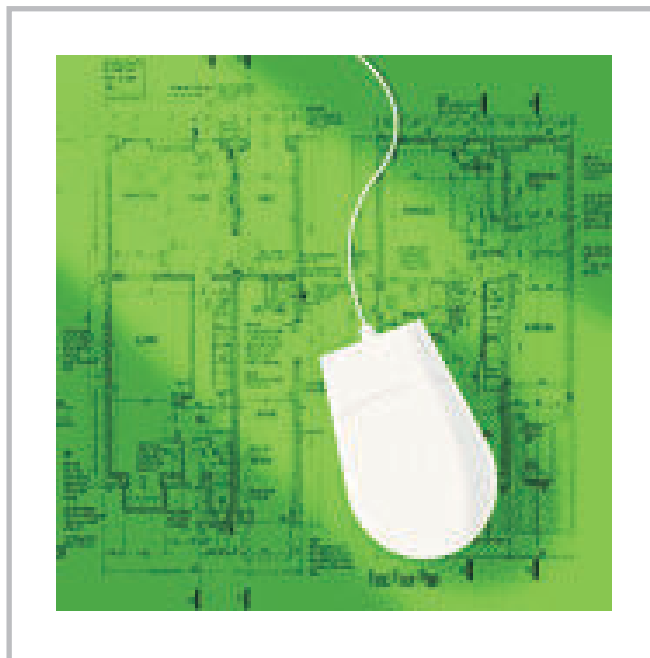
Strategy and documents produced by the community, such as Village Design Statements and Parish Plans. Planning officers will advise on these and the policy context for the site.

Small Scale Applications

9.7 Even for smaller applications, not included in the list above, pre-application consultations with near neighbours or local people may be beneficial. For house extensions, we encourage discussions with immediate neighbours.

Submitting the Application

9.8 When submitting the application, a report setting out the community involvement undertaken and its outcome should be included. Any amendments made to the scheme as a result should be outlined. The Council cannot refuse to accept a planning application because the applicant has not undertaken pre-application community involvement. However, the Planning committee will be made aware of the degree, or otherwise, of community involvement, as part of the Planning Officer's report. Most planning applications now have to be accompanied by a Design and Access Statement and preparing a meaningful statement will often necessitate community involvement to fully assess the design and access context. Overall, pre-application involvement needs to be regarded increasingly by applicants as an integral part of preparing an application.



10. Community Involvement when a Planning Application is Submitted

10.1 Once an application is received, the Council will use a combination of ways to inform and involve the community, appropriate for the application concerned. These are intended to gather together a wide range of views; from the individuals, amenity groups and specialists involved. In Annex 4 we set out exactly how the Council publicises planning applications. Information on each method is provided below:

- a. Weekly Lists: a list of all applications received each week is available on the Council's website at www.york.gov.uk/planning/weekly.html.
- b. Copies of all applications and plans can be inspected at our Reception, 9 St Leonard's Place, York. Reception staff and a duty planning officer will

- be available to deal with your queries.
- c. Website: all applications are available to view on the Council's website at www.york.gov.uk/planning/searchapp.html. The Council has begun to use electronic communication to consult on planning applications with certain bodies, such as Parish Councils and other regular consultees. We will encourage further use of electronic consultation with other consultees.
- d. Parish Councils or Neighbourhood Planning Panels are consulted by letter on every application in their area.
- e. Neighbours: In the majority of cases we write to near neighbours about the application and how to comment. There are only a few exceptions where letters are not sent out, for example, internal alterations to a listed building.
- f. Site Notices: These are displayed for some applications at or near the application site, for 21 days. The notice will give the Council's address and the date by which comments should be made. Notices are used, for example, where an application would affect a landscape setting; where neighbours are difficult to identify; where significant commercial activity is proposed in a residential area; for proposals in a Conservation Area or where the proposal will affect trees that have a Tree Preservation Order.
- g. Newspaper advertisements: For some applications advertisements will be placed in the main local newspaper, under 'Public Notices'. Examples of applications advertised in this way are: applications in Conservation Areas and major developments. The advert will advise when and where to comment.
- h. Specific Consultation Bodies (see Annex 1) and Amenity and Advisory Groups are consulted where appropriate.
- i. Specialist advice is sought from colleagues in other departments of the Council: for example regarding effects upon traffic movement, pollution, noise, safety, trees, and natural habitats.
- 10.2 The Council will also encourage members of the community to take up other opportunities to become involved; for example by attending local Parish Council and Ward Committee meetings; approaching a Ward Councillor; or local residents' groups. An important part of successful overall involvement is building up the community's own capacity to contribute to the debate about local issues and concerns.
- 10.3 Where appropriate for applications on major or locally sensitive sites, and subject to resources being available, planning officers will provide support to community meetings at which the application is being discussed or displayed. This could involve attending the meeting to understand the views being expressed or providing factual information to help inform discussions at the meeting. Examples are meetings of Parish Councils, local residents groups and Ward Committees.
- Access to Information**
- 10.4 Planning application files will be open for inspection by anyone and therefore letters received about the application cannot be kept confidential. Additional information is often submitted as part of applications or during the application process, for example relating to

archaeological surveys or environmental impact assessments. All of this information is available to view as part of the application file. Application files are available to view on the Council's website or with prior notice, can be viewed at our Reception at 9 St Leonard's Place.

Making Comments or Objections

10.5 Anyone can make a comment or objection on a planning application to the Development Control section. Comments can be made by letter, email, fax or online. The timescale allowed for making comments is 21 days. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. The Council will send an acknowledgement of the comment using the same format in which the comment or objection was received. Each application is dealt with by a Planning Officer, who will carefully consider your comments. The application can be discussed informally with the Officer at any stage.

Amendments to Schemes

10.6 Amendments to the scheme may be sought through negotiation with the applicant. The Council will consult all respondents again, and other consultees as appropriate, if the amendments are significant or would directly affect a neighbour. Most amendments are made to seek an improved design or to overcome the concerns of respondents. Therefore, bearing in mind the need to deal with applications efficiently, a shorter timescale for responses on amendments is required; normally 10 or 14 days, at the discretion of the Planning Officer. Where the applicant puts forward significant amendments after the application has been determined, a new

planning application will be required.

Reporting and Decision Making

10.7 The Planning Officer draws together all the issues and public comments made on the planning application into a written report. This summarises the relevant national and local planning policies, supplementary guidance (such as Village Design Statements) specialist advice and the range of comment from neighbours and the wider community. The report will recommend whether the application should be approved or refused.

10.8 The final decision is then made through one of the following:

- through the authority granted by the Council to Senior Planning Officers, called '**Delegated Authority**'. This enables planning applications, which fit with overall planning policies, to be dealt with more quickly. In fact most applications fall within this category, and include residential or commercial development up to a certain size; house extensions; advertisements; and changes of use. However, within three days of the close of consultation, Members are able to request in writing that such applications are considered at committee, if there is a legitimate planning reason to do so. Objectors can approach their local Member with concerns regarding an application;
- by one of the **Area Planning Sub-Committees**, which deal with respective parts of the City; or
- by the **main Planning Committee**, which usually deals with large scale planning applications.

Details on how we determine which applications are dealt with by Committees, and which by Officers, is set out in Annex 5.

10.9 If the decision is to be made by the Committee or Sub-Committee, copies of the Officer's report will be made available to the public five clear working days before the meeting and put on the Council's website. Where approval is recommended, the Officer's report will include a list of planning conditions and sometimes draft section 106 or 278 Agreements. You may comment upon these when the report is published. In complex cases, we will endeavour to bring forward the publication date. However it is preferable for comments upon conditions and on Agreements to be made by registering to speak at the meeting. This will ensure that Members are aware of your comments. If a decision is made through delegated authority the Officer's report is available on request, after the decision has been taken.

Being Involved at the Planning Committee

10.10 If you have commented on an application being considered by the Area or Main Planning Committee, the Council will advise you about the time and place of the meeting. The dates of the meeting are also available on the Council's website (www.york.gov.uk), and are displayed on the Notice Board outside the Guildhall. Anyone is welcome to attend a meeting if they want to observe. Those wishing to speak at a Planning Committee meeting need to register with the Council's Democratic Services (contact details provided in Annex 3). During the course of a Committee meeting, there will often be several people who register to speak. It is important that each speaker has an equal opportunity to convey their concerns to the committee members, about the particular application involved. Therefore, it is necessary to limit the number of speakers upon any one application. Currently, requests to speak have to be registered on a 'first-come-first-

served' basis. However a representative from the Parish Council will always be allowed to speak. Currently each speaker is limited to 3 minutes. Further information on speaking at Council meetings is set out in the Council's Constitution and in the Council's 'Have Your Say' leaflet which are available from Democratic Services. The leaflet is also available on the Council's website. In addition, if problems arise, the Chair of the meeting always has the discretion to ensure that speakers are heard fairly.

10.11 The application is then debated and a decision usually made at the meeting. Sometimes a decision is deferred to a future meeting, for example to allow further consideration of controversial issues. Whilst taking into account all comments made about an application, at the meeting, Committee Members have to consider the applications before them objectively, based upon planning grounds.

11. After a Decision has been Made

11.1 In all cases, the Council will contact everyone who has commented on the application to advise them of the decision, either by letter or email. Applications that are approved usually have conditions attached, for example about the exact bricks to be used or measures to contain noise. Details will be provided in the letter or e-mail.

Appealing Against a Decision

11.2 If planning permission is refused by the Council, the applicant can appeal against the decision. Appeals are determined by a government body, called the Planning Inspectorate who will take all

public representations into consideration together with the applicant's and the Council's case. Only an applicant can appeal against a Council's decision. Other people are not allowed to appeal against a decision although they can make comments once an appeal is made.

11.3 When an appeal is received, the Council will write to the Parish Council or Neighbourhood Planning Panel and to anyone who commented on the application. In this letter we explain how to make comments to the Planning Inspectorate.

Enforcement

11.4 Government legislation gives the Council power to take action against unauthorised development. This happens when someone carries out work without the planning permission that is needed. Also if the development is not built in accordance with approved plans, it is unauthorised.

11.5 Anyone can make a complaint to the Council, if they believe a development is unauthorised. The Council will treat such complaints in confidence and the files will not be available for public inspection. The complaint will be dealt with by a Planning Enforcement Officer and the Council will keep those who have complained informed about progress on the case.

Part Four: Resources and Monitoring



Members of the Talkabout panel at a workshop to inform the Local Development Framework

Part Four: Resources and Monitoring

12. Resources

12.1 It is acknowledged that a high level of skill and experience will be needed to achieve effective engagement. Planning policy officers and development control officers supported by appropriate budgets to fund engagement activities are in place to consult with the community in the production of the Local Development Framework (LDF) and when determining planning applications. It is anticipated that the main additional costs associated with the involvement outlined in the SCI will be staff time, printing and publicity.

12.2 The City Council's City Development section will be responsible for leading, coordinating and producing the key elements of the LDF. The section comprises four inter-related teams each led by a Principal Officer and covering Forward Planning, Research and Information, Development Projects and York Northwest, with the Principal Officer - Forward Planning undertaking the role of LDF project manager. Primarily although not exclusively, Forward Planning will lead on the production of the DPDs; and Development Projects and York Northwest will lead on the production of Area Action Plans with each of these teams managing the associated consultation. The wider team will, however, be involved at key stages of LDF consultation including supporting consultation exercises and dealing with responses.

12.3 The Council's Development Control section will be responsible for engagement and consultation as part of the process of determining planning applications. In addition the Council's Design, Conservation and Sustainable Development Team currently includes two Community Planning Officers who will provide assistance during key

consultation exercises for both the LDF and planning applications. Annex 3 sets out the contact details for each of the departments referred to above.

12.4 Every effort will be made to link consultation on Local Development Documents with other community engagement activities relating to the preparation of the Community Strategy and other relevant corporate strategies, in order to avoid duplication and thus reducing 'consultation fatigue'. By working closely with the Local Strategic Partnership, 'Without Walls' and any other groups flowing from the Community Strategy, the Council will ensure that the Local Development Framework is closely integrated with the Community Strategy.

12.5 The Council will, where appropriate, consider working with Planning Aid to help communities to participate in the LDF process and major planning applications. Yorkshire Planning Aid provides a free, independent and professional planning advice service to individuals and groups from within the Yorkshire and Humber region who cannot afford professional fees. The service is targeted at disadvantaged communities, and at groups which represent or work with people who need support and guidance in order to get involved with the planning system, for example young people, people with disabilities, or people from ethnic minority communities. Contact details are provided in Annex 3.

13. Monitoring and Review

13.1 A process of monitoring and review of the SCI will be undertaken annually through the production of the Annual Monitoring Report (AMR) which assesses the progress of the LDF and its constituent documents. In

terms of the LDF, the Key Commitments set out in Part Two (on page 19) will be used as the basis for monitoring and reviewing the effectiveness of the SCI. Where appropriate, when carrying out consultation or involving the community, we will also ask for people to submit comments on how they heard about the consultation and what they thought about the methods used. In terms of planning applications, the Council will seek to monitor the Development Control Service at regular intervals, in relation to the procedures set out in the SCI, to review the involvement of the community in the decision making process, and quality outcomes in terms of the standard of development being achieved.

13.2 Monitoring enables us to learn from the consultation process and improve and amend our arrangements for future consultation as necessary. Where the procedures prove to be unsuccessful or where revised procedures are needed to meet new circumstances, a formal review of the SCI and re-submission to the Secretary of State will be undertaken.

13.3 Revisions to the SCI may be required to reflect changes in legislation, Government advice and other guidance, and as a result of our own experience of carrying out consultation.

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Annex 1

Key Groups to Involve

The City of York Council will consider the need to consult, where appropriate, the following agencies and organisations in the preparation of the Local Development Framework and in making decisions on planning applications. The list below has been compiled from Annex E of Planning Policy Statement 12 (PPS12) and suggested consultees identified through the initial consultation process. Where possible, local branches of organisations will be contacted. Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur.

Specific Consultation Bodies include:

- The Regional Planning Body
- Government Office for Yorkshire and the Humber
- North Yorkshire County Council and neighbouring authorities
- Parish Councils (both within and adjoining the area)
- Natural England (formerly Countryside Agency and English Nature)
- Environment Agency
- Highways Agency
- English Heritage
- Network Rail
- Yorkshire Forward
- Owners/controllers of telecommunications apparatus
- Strategic Health Authority
- Those organisations that provide electricity, gas and water and deal with sewerage.
- The Historic Buildings and Monuments Commission for England

The Council will also consult with the various government departments as appropriate, in particular the Department for Environment, Food and Rural Affairs, the Ministry of Defence, the Home Office and the Department for Transport.

General Consultation Bodies include:

Voluntary bodies whose work benefits any part of the City:

- York Council for Voluntary Service

Bodies representing the interests of different racial, ethnic or national groups in the area:

- York Racial Equality Network
- Commission for Racial Equality
- Equal Opportunities Commission

Bodies representing the interests of different religious groups in the area:

- Churches Together in York
- York Mosque
- Church Commissioners
- Diocesan Board of Finance

Bodies which represent the interests of disabled persons in the area:

- Disabled Persons' Transport Advisory Committee
- Disability Rights Commission
- Equal Opportunities Commission

Bodies representing the interests of the business community and employees in the area:

- York and District Trade Union Council
- York and North Yorkshire Chamber of Commerce
- Business Link
- Local Confederation of British Industry (CBI)
- Local Branches of the Institute of Directors
- Clifton Moor Business Association
- York Business Pride (City Centre Partnership)
- York Science Park
- York England
- British Chemical Distributors and Traders Association
- Science City York Board
- National Farmers Union (NFU)
- First Stop Tourism Partnership
- York and North Yorkshire Partnership Unit

Other locally identified groups include:

Local Strategic Partnership Boards:

- Inclusive York Forum
- York @ Large
- Safer York Partnership
- Lifelong Learning Partnership
- Economic Development Board
- York Environment Forum
- Healthy City Board

Bodies representing the interests of different age groups in the area:

- Older People's Assembly
- Youth Forum
- Age Concern
- Help the Aged

Bodies with a particular interest in the planning process, including those with a specific remit to protect the historic and architectural heritage of the City:

- York Open Planning Forum
- Ward Planning Panels
- York Civic Trust
- Commission for Architecture and the Built Environment (CABE)
- Conservation Areas Advisory Panel (CAAP)
- Police Architectural Liaison Officers/Crime Prevention Design
- Royal Institute of Chartered Surveyors – Yorkshire and Humber Region
- York Guild of Building
- The National Trust

Education Providers:

- York College
- Askham Bryan College
- College of Law
- Learning and Skills Council
- School Governors
- University of York
- York St John University
- Pre-school Learning Alliance
- Private Schools

Public Sector:

- Community Rangers
- Fire and Rescue Services
- North Yorkshire Police
- Health and Safety Executive
- Housing Corporation
- Selby and York Primary Care Trust
- York Hospitals NHS Trust
- English Partnerships
- Health and Social Care Partnership
- Armed Forces Personnel

Environmental Interest Groups:

- British Geological Survey
- Centre for Ecology and Hydrology
- Campaign to Protect Rural England (CPRE)
- Friends of the Earth
- Royal Society for the Protection of Birds (RSPB)
- Wildlife Trusts
- Forestry Commission
- National Environment Panel
- York Natural Environment Panel (YNEP)
- York Natural Environment Trust (YNET)
- British Waterways, navigation authorities
- Greenpeace
- Local greenspace “Friends Groups”
- Woodland Trust

Community/Amenity/Interest Groups:

- Area Action Groups
- Campaign for Real Ale
- Civic Societies
- Community Groups
- Minster Rail Campaign
- Neighbourhood Watch Groups
- Patients Forum
- Residents and Community Associations
- The Theatres Trust
- Village Trusts
- York Tomorrow

Transport:

- Civil Aviation Authority
- Freight Transport Association
- Local Transport Authorities
- Local Transport Operators
- Passenger Transport Authorities
- Passenger Transport Executives
- Rail Companies and the Rail Freight Group
- Road Haulage Association
- Sustrans
- Transport 2000
- Cyclists' Touring Club
- York Cycle Campaign

Property / Housing:

- Estate Agents
- Regional Housing Boards
- Registered Social Landlords
- The Home Builders Federation
- Crown Estate Office
- Royal Mail Property Holdings
- Planning consultants/agents
- Developers/house builders
- Landowners
- Shelter

Sports and Leisure:

- National Playing Fields Association
- Regional Sports Boards
- Sport England
- York Sports Council

Utility Companies/ Resources:

- National Grid Company
- Internal Drainage Boards
- Coal Authority

Gypsies and Travellers:

- Friends, Families and Travellers
- Gypsy Council
- York Travellers Trust

Media:

- York Television and Radio
- Local Press

Annex 2

Extract from The Town and Country Planning (Local Development) Regulations 2004

Summary of the requirements for consulting on Development Plan Documents as set out in the Regulations:

Regulation 25: Pre-submission consultation

Before a local planning authority comply with regulation 26 they must consult:

- Each of the specific consultation bodies to the extent that the local authority think that the proposed subject matter of the DPD affects the body. For example; regional bodies, government agencies and utility providers.
- Other general consultation bodies which the local planning authority consider appropriate.

Regulation 26: Pre-submission public participation

Before a local planning authority prepare and submit a Development Plan Document to the Secretary of State they must:

- Make the pre-submission documents available for inspection during office hours:
 - At their principal office
 - At other places within their area as the authority consider appropriate
- Publish the document on their website.
- Send copies to those bodies consulted under regulation 25.
- Locally advertise that the documents are available for inspection and the places and times at which they can be inspected.

Regulation 27: Representations on proposals for a Development Plan Document

- Any person may make representations about a local planning authority's proposals for a DPD.
- Any representations must be made within a period of 6 weeks.

Regulation 28: Submission of documents and information to the Secretary of State

As soon as possible after submitting the DPD to the Secretary of State the local authority must:

- Make the pre-submission documents available for inspection during office hours:
 - At their principal office
 - At other places within their area as the authority consider appropriate
- Publish the documents on their website.
- Send copies of the documents to those bodies consulted under regulation 25.
- Locally advertise that the document are available for inspection and the places and times at which they can be inspected.

Regulation 29: Representations on development Plan Documents

- Any person may make representations about a local planning authority's proposals for a DPD.
- Any representations must be made within a period of 6 weeks

Regulation 32: Handling of representations: site allocation representations

As soon as possible after the Submission consultation the local planning authority must:

- Make a site allocation representation available for inspection during office hours:
 - at their principal office
 - at other places within their area as the authority consider appropriate
- where practicable publish the representation on their website
- send information on the representation to those bodies consulted under regulation 25
- locally advertise that the representation is available for inspection and the places and times at which they can be inspected.

Regulation 33: Representations on a site allocation representation

- Any person may make representations on a site allocation representation
- Any representations must be made within a period of 6 weeks

As soon as possible after receiving a representation on a site allocation representation the local planning authority must send to the Secretary of State:

- Copies of all the representations made or a statement that no representations have been made

Summary of the requirements for consulting on Supplementary Planning Documents as set out in the Regulations:

Regulation 17: Public Participation

Before a local planning authority adopt an SPD they must:

- Make the SPD documents available for inspection during office hours:
 - At their principal office
 - At other places within their area as the authority consider appropriate
- Prepare a statement setting out:
 - the names of any persons whom the authority consulted in connection with the preparation of the SPD
 - how those persons were consulted
 - a summary of the main issues raised in those consultations
 - how those issues have been addressed in the SPD
- Publish the documents on their website
- Send copies of the documents to:
 - Each of the specific consultation bodies to the extent that the local authority thinks that the proposed subject matter of the SPD affects the body. For example; regional bodies, government agencies and utility providers.
 - Other general consultation bodies which the local planning authority consider appropriate.
- Locally advertise that the documents are available for inspection and the places and times at which they can be inspected.

Regulation 18: Representations on supplementary planning documents

- Any person may make representations about an SPD.
- The authority should invite representations on SPD over a period of between 4 and 6 weeks.

Regulation 19: Adoption of supplementary planning documents

As soon as possible after the local planning authority adopt the SPD they must:

- Make the SPD documents available for inspection during office hours:
 - At their principal office
 - At other places within their area as the authority consider appropriate
- Publish the documents on their website.
- Send the adoption statement to any person who has asked to be notified of the adoption of the SPD.

Annex 3

Key Contacts

City of York Council

9 St. Leonards Place

York

Y01 7ET

Team	Telephone Contact	Email Contact
City Development	01904 551466	citydevelopment@york.gov.uk
Development Control	East: 01904 551353/1322 West & Central: 01904 551339/1327	planning.enquiries@york.gov.uk
Design, Conservation and Sustainable Development	01904 551694 01904 551346 01904 551305/1329 01904 551662	community.planning@york.gov.uk archaeology@york.gov.uk historic.environment@york.gov.uk natural.environment@york.gov.uk
Planning Enforcement	01904 613161	planning.enquiries@york.gov.uk
Democratic Services	01904 551088	democratic.services@york.gov.uk

Other

Yorkshire Planning Aid

Telephone Advice Line: 0870 850 9808 (9am-4pm Tuesday, Wednesday and Friday)

The Green Sand Foundry

99 Water Lane

Leeds

LS11 SQN

(0113) 237 8486



This table includes the main types of applications received by the Council

Type of Application	Publicity	Weekly List of applications received	Details on Website	View Application At the Council's Planning office	Parish Council/ Planning Panel Notification	Neighbour Notification Letter <i>B</i>	Site Notice By Council <i>H</i>	Site Notice By Applicant <i>H</i>	Press Notice	Days for Written Comment <i>C</i>	Opportunity to speak if Planning Committee Decision <i>D</i>
• Application to display adverts		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Application for Conservation Area Consent		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Application for Certificate of Existing Lawful Use		✓	✓	✓	✓	✓				21	✓
• Application for Certificate of Proposed Lawful Use		✓	✓	✓	✓	✓				21	✓
• Prior notification of Agricultural Development		✓	✓	✓	✓			✓		21	✓
• Prior notification of Demolition of dwelling or adjacent building		✓	✓	✓	✓			✓		21	✓
• Prior notification of Telecommunications Development		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>			21	✓
• Full Planning Application (Householder)		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Full Planning Application (Other cases)		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Full Planning Application (Major Scheme) <i>A</i>		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Outline planning application		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Outline planning application (major scheme) <i>A</i>		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓

Statement of Community Involvement

Type of Application	Publicity	Weekly List of applications received	Details on Website	View Application At the Council's Planning office	Parish Council/ Planning Panel Notification	Neighbour Notification Letter <i>B</i>	Site Notice By Council <i>H</i>	Site Notice By Applicant <i>H</i>	Press Notice	Days for Written Comment <i>C</i>	Opportunity to speak if Planning Committee Decision <i>D</i>
• Application for approval of Reserved Matters		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Application for approval of Reserved Matters (Major Scheme) <i>A</i>		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Hazardous Substances Consent		✓	✓	✓	✓	✓ <i>E</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Application for Listed Building Consent		✓	✓	✓	✓	✓ <i>E F</i>	✓ <i>E</i>		✓ <i>E</i>	21	✓
• Hedgerow Removal Notice <i>G</i>		✓	✓	✓	✓	✓				21	✓
• Application for Tree Preservation Order Consent		✓	✓	✓	✓	✓ <i>E</i>		✓ <i>E</i>	✓ <i>E</i>	21	✓

A. "Major" Applications are larger schemes, as defined by the Town and Country Planning (General Development Procedure) Order 1995. They include (i) residential development of 10 units or more, or on a site 0.5 hectare or more (ii) commercial and other developments with a gross floor area of 1,000 sq m or more, or on a site of 1 hectare or more.

B. By "neighbour" we mean the occupants of property which has a boundary that is contiguous with, or touches the boundary of, the application site. Where neighbours cannot readily be identified, a site notice would be displayed, where appropriate.

C. We ask that these prescribed timescales are observed wherever possible. If you have difficulty in doing so, please contact the Case Officer. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. The timescale relates to initial consultations upon applications. Responses to follow-up consultations, for example, due to significant amendments to the scheme, may be sought in a shorter timescale, normally 14 days.

D. Please see Annex 5 and the Council's protocol for speaking at Committee in the "Have Your Say" leaflet.

E. Only where required by Orders and Regulations, including the Town and Country Planning (General Development Procedure) Order 1995 and the Planning (Listed Building and Conservation Areas) Regulations 1990.

F. Letters may not be sent where publicity is carried out through an accompanying planning application.

G. CYC has to follow criteria under the Hedgerow Regulations 1997

H. In some cases, the Council issues the Notice, but it is displayed by the applicant.

Annex 5 Decision Making on Planning Applications

In accordance with Government legislation, the Council operates a scheme which determines how decisions are made on different types of application. The scheme defines which applications are dealt with by Committees and which by Officers. The current scheme was approved by the Council in 2006, and includes the following main types of applications, for Full¹ and Outline² applications respectively

Residential Development

Decision	by Planning Committee	50+ dwellings (full) or sites over 1.0 hectare (outline)
	by Sub-Committee	10-50 dwellings (full) or sites of 0.1 to 1.0 hectare (outline)
	by Delegated Authority to Officers	1-9 dwellings (full) or sites up to 0.1 hectare (outline)

Commercial and other Development (eg industrial, warehouses, offices, shops)

Decision	by Planning Committee	Floorspace over 3,000 sqm (full) or sites over 1.5 hectares (outline)
	by Sub-Committee	Floorspace 1,000-3,000 sqm (full) or sites 1.0-1.5 hectares (outline)
	by Delegated Authority to Officers	Floorspace up to 1,000 sqm (full) or sites up to 1.0 hectare (outline)

1.Full Applications: With these applications the full details of the proposals are included for consideration.

2.Outline Applications: These are submitted to establish whether development is acceptable in principle and detailed plans are not usually submitted at this stage. Any outstanding details, such as access, design and landscaping, are then set out in a 'reserved matters' application.

Annex 6 Glossary of Terms

Annual Monitoring Report (AMR): part of the *Local Development Framework*, the annual monitoring report will assess the implementation of the Local Development Scheme and the extent to which policies in *Local Development Documents* are being successfully implemented.

Area Action Plan: used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of *Development Plan Documents*.

Community Strategy: A document prepared by York's Local Strategic Partnership (Without Walls). The Strategy aims to promote and improve the economic, social and environmental well being of the Community. The Local Development Framework should be a key component in the delivery of the Community Strategy.

Core Strategy: sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. The Core Strategy will have the status of a *Development Plan Document*.

Design and Access Statement: A design and access statement is a short report accompanying and supporting a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. Details of when a Design and Access Statement is required are set out in DCLG Circular 01/2006: 'Guidance on Changes to the Development Control System'.

Development Plan: The development plan is the statutory plan used to determine planning applications for the use or development of land. The existing Local Plan and the County Council Structure Plan together form the development plan. These will be replaced under the new system by a Regional Spatial Strategy prepared by the Yorkshire and Humber Assembly and *Development Plan Documents* prepared by the City of York Council.

Development Plan Documents (DPDs): spatial planning documents that are subject to independent examination and together with the relevant Regional Spatial Strategy, will form the *development plan* for a local authority area for the purpose of the Act. They can include a *Core Strategy*, Site Specific Allocations of land, and *Area Action Plans* (where needed). Other *Development Plan Documents*, including generic *Development Control Policies*, can be produced. Individual *Development Plan Documents* or part of a document can be reviewed independently from other *Development Plan Documents*. Each authority must set out the programme for preparing its *Development Plan Documents* in the *Local Development Scheme*.

Development Control Policies: these will be a range of criteria based policies which are required to ensure that all development within the areas meets the vision and objectives set out in the *Core Strategy*. They may be included in any *Development Plan Document* or may form a standalone document, such as a Development Control DPD.

Inspector's Report: A document written by an independent Inspector from the Planning Inspectorate which assesses the soundness of the documents which form part of the *Local Development Framework*.

Local Development Document (LDDs): the collective term in the Planning and Compulsory Purchase Act for *Development Plan Documents, Supplementary Planning Documents* and the *Statement of Community Involvement*.

Local Development Framework (LDFs): the name for the portfolio of *Local Development Documents*. It consists of *Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme* and *Annual Monitoring Reports*. Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include local development orders and simplified planning zones.

Local Development Scheme (LDS): sets out the programme for preparing *Local Development Documents*. All authorities must submit a Scheme to the Secretary of State for approval within six months of the commencement of the Act.

Monitoring and Review: Periodic assessment of progress towards targets, aims and objectives. It may involve the alteration of policies, plans and strategies to meet the changed circumstances.

Planning Policy Statements (PPS): A statement setting out Government policy on planning issues and procedures.

Planning Aid: Planning Aid provides free, independent professional help, advice and support on planning issues to people and communities who cannot afford to hire a planning consultant. Planning Aid complements the work of Local Authorities but is wholly independent of them.

Proposals Map: the adopted proposals map illustrates on a base map, (reproduced from, or based upon a map to a registered scale) all the policies contained in the *Development Plan Documents*, together with any saved policies. It must be revised each time a new *Development Plan Document* is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted proposals map accompany submitted *Development Plan Documents* in the form of a submission proposals map.

Regional Spatial Strategy (RSS): sets out the region's policies in relation to the development and use of land and forms part of the development plan for local planning authorities. Planning Policy Statement 11 'Regional Spatial Strategies' provides detailed guidance on the function and preparation of Regional Spatial Strategies.

Section 106 Agreement (S106): Section 106 of the Town and Country Planning Act 1990 allows a Local Planning Authority (LPA) to enter into a legally binding agreement, or planning obligation, with a land developer over a related issue. The obligation is sometimes termed as a 'Section 106 agreement'.

Section 278 Agreement: A legal agreement between the applicant and the Council (as Highway Authority) for works carried out in the public highway outside the applicant's control, which the Highway authority deem to be necessary for development to proceed.

Social Inclusion Working Group: will provide a robust oversight of the equalities work in the Council and give an effective voice to the community forums that feed into it. It will advise the Council's Executive on all matters relating to equalities issues, promote awareness of equalities issues and ensure improved access and facilities for all service users.

Statement of Community Involvement (SCI): sets out the standards which authorities will achieve with regard to involving local communities in the preparation of *local development documents* and development control decisions. The *Statement of Community Involvement* is not a *development plan document* but is subject to an independent examination.

Strategic Environmental Assessment (SEA): A report which assesses the potential environmental impacts of a proposal or *Development Plan Document*.

Supplementary Planning Documents (SPDs): provide supplementary information in respect of the policies in the *Development Plan Documents*. They do not form part of the *Development Plan* and are not subject to independent examination.

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City Development
City of York Council
9 St Leonards Place
York
YO1 7ET
Tel (01904) 551466
Email: citydevelopment@york.gov.uk





Meeting of the Executive

6th November 2007

Report of the Director of Housing and Adult Social Services

Selection of a Preferred Discus Bungalows Re-development Partner

Summary

1. The report details the tenders that have been received from organisations interested in being selected as the preferred development partner for the Discus Re-development Project. The Executive is asked, based on the evaluation information, to approve the Project Board recommendation for a preferred development partner to purchase the sites and work with the residents, the Project Board, the Council and the wider community to re-develop the three Discus sites at St Anne's Court/ Horsman Avenue, Regent Street and Richmond / Faber Street.

Background

2. At the meeting of the Executive Member for Housing and Advisory Panel in March 2006, a report on the 'Future of the Discus Bungalows' detailed a number of options for the future. At this meeting the following recommendations were approved:
 - A development option to provide a minimum of 100 homes for older people
 - The appointment of a Project Manager (PO3-6) on an initial 2-year contract to lead the re-development for the Council.
 - The selection of a development partner, the criteria for which is to be decided by a representative panel.
 - Not to let any further properties on the sites; that residents are given priority transfer status from the implementation of the new allocation policy and are eligible for home loss and disturbance payments from that date; that void properties are monitored on a regular basis
3. Following this recommendation, a Project Manager was employed on a 2-year contract in July 2006.
4. The Discus Project Board was established to oversee the selection of a development partner, agree the selection criteria and the future development of the sites. The Board first met in November 2006 and is made up of one

councillor from the Heworth Ward, one councillor from the Fishergate ward, the Executive Member for Housing, three members of the Residents Development Committee, and three senior managers from Housing Services. The purpose and Terms of Reference of the Board will be re-considered once a development partner is selected.

5. In October 2006, an Officer Project Team was also established with representatives from across the Council to draft the key housing objectives for the re-development, agree the planning statement, the extra care facility, offer an Occupational Therapy Assessment to all existing residents and agree the process for relocating tenants. The work carried out by this team has contributed to the documentation setting out expected outcomes of the project, which formed part of the sales particulars to market the three sites.
6. The existing Discus residents have completed housing transfer forms and no properties have been let since July 2006. All current residents are a priority for re-housing. There are currently 39 properties empty across the sites.
7. Many residents have taken the opportunity to visit new housing schemes for older people across the region, which have been organised by the Project Manager. These included visits to a variety of housing for older people including flats, bungalows and extra care. Visits have also been arranged to extra care schemes in York.

CONSULTATION

8. There has been widespread consultation with residents through the Residents Development Committee, which with the help of the Neighbourhood Management Unit became a constituted group in 2006 with a committee structure, which enabled representation on the Board. The resident representatives on the Board have ensured that views of the committee and the wider residents group are considered.
9. The Board meeting on the 1st March 2007 considered reports on proposals for the phasing of the re-development and agreed the Key Housing Objectives to be included in the sales particulars. Following discussions with the Residents Development Committee, the Board agreed that the properties at St Anne's Court would be vacant first and the site made available for development from April 2008.¹
10. Following Housing and Property consultation with the Council's Planning, Procurement and Legal Services, essential and desirable criteria was agreed. Each tender submission was assessed against these criteria using the evaluation methodology. This criteria was discussed and signed off by the Board at the meeting of 11th June 2007.

¹ A planned process of decanting residents from St Anne's Court into Regent Street voids and other housing has now commenced and is expected to be complete by the end of November. All affected residents are being fully consulted and supported by the Project Manager and Estate Manager throughout their moves

11. All potential development partners, who expressed an interest in submitting a proposal for the re-development, were given an opportunity to meet with representatives from the Residents Development Committee for a question and answer session. Eight organisations (some of the bids have come from a partnership of registered social landlords and private developers) took the opportunity to meet residents' representatives to discuss their proposals for the sites.

DEVELOPMENT PARTNER SELECTION TIMETABLE

12. The March 2006 EMAP report agreed that a preferred development partner would be selected to purchase and re-develop the three Discus sites. Following advice from Housing and Property Services, the Board agreed that a 2-stage selection process would be followed. The timetable for this process is detailed below:
 - March 2006 - agreement to redevelop the site
 - October 2006 - Project Team established
 - November 2006 - Discus Project Board established
 - March 1st 2007 - Key Housing objectives and outcomes considered by Board
 - April 23rd - final 'sign off' of outcomes, timetable and 2 stage tender agreed by the Board as well as agreeing vacant possession of St Anne's Court by April 2008
 - May 3rd - advert for the sale of the land in local and national press. Also details mailed out to all RSLs and developers on council database
 - June 11th - selection criteria (essential and desirable) plus evaluation methodology sent out to all organisations that had requested a detailed tender information pack
 - June - various meetings with organisations interested in submitting a proposal, and residents Question and Answer session
 - July- September- evaluation of submitted proposals against essential and desirable criteria and analysis of planning and highways implications to each tender
 - September 25th - Board to analysis submissions and recommend three developer partners to present their proposals to the Board and Residents Development Committee
 - October 16th – developer partner presentations and Board to evaluation and agree their preferred developer partner
 - November 6th - Board's recommendation to Executive meeting for approval

NEXT STEPS

13. Set out below are the next steps which outline some of the work still to be carried out and the anticipated timescale.

November 2007- April 2008

- Heads of Terms agreed
- Application made for Social Housing Grant from the Housing Corporation
- Conditional Development Agreement completed
- Planning application submitted and ground and other surveys carried out
- Development of Section 106 agreement
- Proposed start on site – April 2008

DEVELOPMENT PARTNER SELECTION PROCESS

14. The basis of the approval and sale is that the preferred developer organisation, which must be a Registered Social Landlord (RSL), or is a developer with an RSL partner. They must demolish the existing bungalows on all three sites and provide one hundred dwellings for older people to be funded through a Housing Corporation Social Housing Grant. All bids invited for the purchase of the three Discus sites are subject to completion of a development agreement and the purchase of the sites being conditional on the developer receiving satisfactory ground and other surveys, planning approval for their housing scheme and Social Housing Grant. Further to agreement with the Board, the developers were instructed in the sale particulars to base their tender on the following main elements:
 - These homes will comprise a minimum 60 x two bed bungalows for rent across a minimum of two sites (of which one must be Richmond Street), a minimum 30 x 2 bed extra care dwellings for high dependency care, and the remaining to be other housing specifically designated for older people.
 - 50% of the remaining housing (the other housing) to be affordable (being 90% rented dwellings and 10% discount for sale)
 - The Council to have nomination rights of 100% of first and 75% of subsequent lettings of the affordable rented dwellings
 - The other housing should reflect a mixture of housing types and sizes.
 - All dwellings should be visually indistinct regardless of tenure.
 - All dwellings should meet the secure by design standard, eco 'excellence' standard and be built to a lifetime standard (as defined by the Joseph Rowntree Foundation Design Standard).
 - The developer partners will work in consultation with the Project Board and Residents Development Committee in respect of the design and layout of the new dwellings.
15. Eleven tender submissions were received in total, as follows (details of the tender evaluation overall scores are available at Confidential Annex 1 and financial appraisal details are included in Confidential Annex 2):
 - Tees Valley Housing Group/York Housing Association/Southdale Homes
 - Hanover Housing Association/Accent Group/Keepmoat PLC
 - Miller/Yorkshire Housing

- Housing 21/Haslam Homes/FHM
- Northern Counties Housing Association/Guinness Care and Support. Guinness Developments Ltd
- Places For People
- Home Group Ltd
- Chevin Housing Association Ltd
- Jephson Housing Association/Wates Living Space
- The Riverside Group
- Joseph Rowntree Foundation

16. At the Board meeting on the 25th September, the four highest scoring bids that met the essential criteria were discussed. It was agreed to invite the following three tenders to the presentation stage of the evaluation (see Annex 3 for detailed summaries)

- Tees Valley Group/York Housing Association/Southdale Homes
- Hanover Housing Association/Accent Group/Keepmoat PLC
- Miller/Yorkshire Housing

17. The essential and desirable criteria were scored out of a possible 100 points. The Board in consultation with the Residents Development Committee evaluated the three highest scoring bids at the presentation stage against an agreed additional six criteria area; an additional 10 points was available for the presentation on the 16th October. The final three bids were therefore scored out of a possible 110 points (see Confidential Annex 1 for details).

OPTIONS

18. Members are asked to consider the following options:

19. **Option 1:** Accept the Project Board's recommendation of Tees Valley/York Housing Association/Southdale Homes as the preferred development partner and to sell the land to them, subject to a receipt of satisfactory planning consent, ground investigation surveys, the award of a Social Housing Grant and resolution of issues brought up as part of the evaluation, providing this does not affect the capital receipt to a point where it will affect the order of the evaluation scores.

20. **Option 2:** Not to accept the Project Board's recommendation to appoint Tees Valley/York Housing Association/Southdale Homes as the development partner and to approve one of the others tenders.

21. **Option 3:** Reject all the tenders and begin a new procurement process.

ANALYSIS

22. In regard to the options, Members are asked to consider the following details:

23. **Option 1:** In approving the Project Board's recommendation, Members will be accepting an offer which meets all the requirements of the tender documents as outlined in the background papers. Sensitivity analysis suggests that where further negotiation with the development partner may be required, there should be a tolerance on the capital receipt reduction of not more than 20%. The process to reduce the capital receipt should be agreed with Corporate Procurement Team in advance of any negotiations. This development partner offers the following (details can be seen at Annex 3a):

Tees Valley Group/York Housing Association/Southdale Homes

- Total number of properties: 198
- Total 100 re-provision: 60 x bungalows, 40 x extra care apartments
- Total additional affordable: 1 x extra care apartment, 20 x 3 bed houses, 28 x 2 bed apartments
- Total remainder: 4 x extra care apartments, 26 x 3 bed houses, 7 x 2 bed houses, 12 x 2 bed apartments
- Total number of each tenure: social rent 144, discount for sale 5, market sale 49

24. **Option 2:** If Members decide not to accept the Project Board's recommendation, one of the two remaining potential development partners will need approving, and this will affect the capital receipt of the land sale and the type of re-housing provided. The two remaining potential development partners are as follows (details at Annexes 3b and 3c): If the Executive choose option 2 and approve one of the remaining two bids, it must have a substantive reason for doing so.

Hanover Housing Association/Accent Group/Keepmoat PLC

- Total number of properties: 162
- Total 100 re-provision: 60 x bungalows, 30 x extra care apartments, 10 x older persons apartments
- Total additional affordable: 2 x 1 bed/2 per apartments, 17 x 3 bed/5 per houses, 13 2 bed/4 per houses
- Total remainder: 30 x 3 bed/5 per houses
- Total number of each tenure: social rent 125, discount for sale 3, shared ownership 4, market sale 30

Miller/Yorkshire Housing

- Total number of properties: 175
- Total 100 re-provision: 60 x bungalows, 40 x extra care apartments
- Total additional affordable: 8 x 2 bed apartments, 14 x 2 bed houses, 16 x 3 bed houses
- Total remainder: 16 x 2 bed apartments, 2 x 2 bed houses, 17 x 3 bed houses, 2 x 4 bed houses

- Total number of each tenure: social rent 98, shared ownership 10, market sale 37 (the remainder has not been distinguished in terms of social rent or shared ownership)
25. **Option 3:** If Members decide to reject the Project Board's recommendation, this will result in the development being delayed because there will need to be a re-tendering process. This may result in the possible loss of Housing Corporation funding, discontentment of Discus residents, and it may impact the Housing Revenue Account (HRA) Business Plan as a result of the Discus sites not being re-developed in line with meeting the 2010 Decent Homes Standard deadline.

Corporate Priorities

26. The re-development proposals reflect many of the council objectives and priorities, and many of the actions related to council objectives and initiatives. Specific links can be made to the following:
27. Outward facing
- Increase the use of public and other environmentally friendly modes of transport
 - Improve the actual and perceived condition and appearance of city's streets, housing estates and publicly accessible spaces
 - Reduce the actual and perceived impact of violent, aggressive and nuisance behaviour on people in York
 - Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest
 - Improve the life chances of the most disadvantaged and disaffected children, young people and families in the city
 - Improve the quality and availability of decent affordable homes in the city
28. Improving our organisational effectiveness
- Improve our focus on the needs of customers and residents in designing and providing services
 - Improve the way the Council and its partners work together to deliver better services for the people who live in York
 - Improve the way the Council and its partners work together to deliver better services for the people who live in York

Implications

29. The implications arising from this report are as follows:

- **Financial** - The associated costs to the Council of the re-development including the statutory homelessness payments to the existing tenants will need to be met from the capital receipt from the land sale. The project costs are regularly monitored and reviewed and currently the receipt that would be received from the preferred development partners will meet these costs.

Any remaining capital receipt after the relevant project costs have been met will be spent on the provision of affordable housing which can include funding expenditure on the Council's own stock in order to meet the decent homes standard. This use of the receipt is in accordance with government capital regulations regarding the use of housing capital receipts.

- **Property** - Property implications are included within the report and in detail at Confidential Annex 4.
- **Legal** - If the value of the land for the sale will be less than the unrestricted value and therefore an application may need to be made to the Secretary of State for consent to the sale, although it is not anticipated that there would be any problems in obtaining this.

There will be a development agreement with the developer and a separate planning agreement that will deal with ancillary planning matters including nomination rights of the Authority.

It is intended to give the developer vacant possession on sale of land with a licence back to the Authority, so that the Authority is able to manage the decant of tenancies throughout the development period.

The developer and the RSL will be responsible for the submission of Housing Corporation funding for Social Housing Grant and the agreement will be conditional upon this.

- **Crime and Disorder** - There are no immediate crime and disorder implications, but it should be noted that the re-development would be built to Secure by Design standard. It should also be noted that throughout the course of the development there would be void properties across the sites. These will need to be monitored and managed, and any issues around vandalism or anti-social behaviour tackled immediately.
- **Equalities** - This development will offer better choice and access to housing, that will not only help meet the aspirations of older people as highlighted in the Older People's Housing Strategy 2006-2009, but will help respond to affordable and other housing needs for a wide range of residents in York.
- **Information Technology (IT)** - There are no IT implications
- **Human Resources** - There are no Human Resources implications

- **Other - Housing Corporation, Social Housing Grant** - The Council expects the approved developer RSL to bid for and be awarded SHG from the Housing Corporation in April 2008 (bid to be submitted before 2nd November 2007 deadline) to fund the provision of affordable homes on the sites.

Risk Management

30. If Housing Corporation Social Housing Grant (SHG) is not secured with a bid by 2nd November for 2008/09, there will not be an opportunity to bid again until July 2008 delaying the proposed timetable. However, provided that the preferred RSL meets the submission deadline it is likely that SHG will be allocated to this development for following reasons; there has been a number of meetings between the Strategy and Enabling Team and the Housing Corporation to emphasis the significance of securing the bid and they are aware that this is a key strategic site for the delivery of affordable housing (and in particular housing for older people) in the city; all potential developer partners have been made aware of the deadline and the need to secure funding for 08/09; as City of York Council owns the land and has a stake in the development, there is greater certainty of delivery.
31. It must be noted that if Members approve a development partner, the selection is only provisional and the developer partner will not gain preferred status until a Heads of Terms Agreement is signed.
32. If further negotiation with the developer partner is required on any of the points raised in the recommendation, this may affect the level of capital receipt.
33. The chosen development partner's proposals are subject to satisfactory planning consent, ground investigation surveys and an award of Social Housing Grant.

Recommendations

34. The Executive are asked to:
 - i. Note the contents of this report and the progress of the Discus re-development project to date, through the work of the Project Board that has agreed the selection process.
 - ii. Approve Option 1, to select the partnership of Tees Valley Housing Group, York Housing Association and Southdale Homes Ltd, as the provisional preferred development partner to purchase and develop the three Discus sites, subject to a receipt of satisfactory planning consent, ground investigation surveys, the award of a Social Housing Grant and resolution of issues brought up as part of the evaluation, providing this does not affect the capital receipt to a point where it will affect the order of the evaluation scores.

Reason: This developer scored the highest marks in the selection process.

- iii. Delegate responsibility to the Director of Housing and Adult Social Services in consultation with the Project Board, to agree a Heads of Terms and Conditional Development Agreement with the preferred development partner to include the Discus Housing Objectives, subject to the Project Board confirmation of the agreements, and prior consultation with the Executive Member, the Corporate Landlord and the Chief Finance Officer in the event that the agreement may result in any reduction of the capital receipt.

Reason: To secure an agreement with the Discus development partner that achieves all the outcomes agreed through consultation with stakeholders and interested parties.

Contact Details

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Bungalows
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Chief Officer Responsible for the report:

Steve Waddington
Head of Housing Services

Report Approved ✓ **Date** 25th October 2007

Specialist Implications Officer

Implication: Property
Val Inwood
Property Surveyor
Tel No: 553358

Implication: Financial
Jayne Close
Account, Finance- Housing & Adult Social Services
Tel No: 553358

Wards Affected:

Fishergate and Heworth

For further information please contact the authors of the report

Background Papers:

EMAP report March 2006

Objectives for the Board

Affordable Housing/ Housing Corporation advice

Evaluation criteria- essential & desirable

Evaluation Methodology

Detailed evaluation of essential/desirable of the 4 bids that passed the essential criteria stage

Detailed presentation stage evaluation scores

Annexes:

Confidential Annex 1: Overall evaluation scores

Confidential Annex 2: Financial appraisal

Annexes 3a, 3b, 3c, and 3d: Detailed analysis of the 4 bids that passed the essential criteria

Confidential Annex 4: Property implications

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Annex 3a Tees Valley Group/York Housing Association/Southdale Homes

100 Re provision	Total 100 Re provision	Additional Affordable	Total Additional Affordable	Remainder	Total Remainder	Total Num b	Tenure	Total Number of Each Tenure	Affordable Housing % (ignoring re provision)
<p>St. Ann's - 14 x 2bed bungalows; 40 x Extra Care apartments; Regent - 23 x 2bed bungalows; Richmond - 23 x 2bed bungalows;</p>	<p>60 x bungalows ; 40 x Extra Care apartments;</p>	<p>St. Ann's - 1 x Extra Care apartment; Regent - 1 x 3bed house; 3 x 2bed apartments; Richmond - 19 x 3bed houses; 25 x 2bed apartments;</p>	<p>1 x Extra Care apartment; 20 x 3bed houses; 28 x 2bed apartments;</p>	<p>St. Ann's - 4 x Extra Care apartments; Regent - 17 x 3bed houses; 3 x 2bed houses; 10 x 2bed apartments; Richmond - 9 x 3bed houses; 2 x 2bed apartments; 4 x 2bed houses;</p>	<p>4 x Extra Care apartments; 26 x 3bed houses; 7 x 2bed houses; 12 x 2bed apartments;</p>	198	<p>St. Ann's - 14 x bungalows rent (repro); 40 x Extra Care apartments rent (repro); 1 x Extra Care apartment discount for sale (50%); 4 x Extra Care market sale (remainder); Regent - 23 x bungalows rent (repro); 1 x 3bed house discount for sale (50%); 3 x 2bed apartments rent (50%); 17 x 3bed houses market sale (remainder); 10 x 2bed apartments market sale (remainder); 3 x 2bed houses market sale (remainder); Richmond - 23 x bungalows rent (repro); 19 x 3bed houses rent (50%); 3 x 2bed apartments discount for sale (50%); 22 x 2bed apartments rent (50%); 9 x 3bed houses market sale (remainder); 4 x 2bed houses market sale (remainder); 2 x 2bed apartments market sale (remainder);</p>	<p>Social rent - 144; Discount for sale - 5; Market sale - 49;</p>	50% and 90:10 split

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Annex 3b. Hanover Housing Association/Accent Group/Keepmoat PLC

100 Reprovision	Total 100 Reprovision	Additional Affordable	Total Additional Affordable	Remainder	Total Remainder	Total Number of Properties	Tenure	Total Number of Each Tenure	Affordable Housing % (ignoring reprovision)
<p>St. Ann's - 19 x 2bed bungalows; Regent - 12 x 2bed bungalows; Richmond - 29 x 2bed bungalows; 30 x Extra Care apartments; 10 x older persons apartments;</p>	<p>60 x bungalows; 30 x Extra Care apartments; 10 x older persons apartments;</p>	<p>St. Ann's - 2 x 1bed/2per apartments; 2 x 3bed/5per houses; 2 x 2bed/4per houses; Regent - 13 x 3bed/5per houses; 9 x 2bed/4per houses; Richmond - 2 x 3bed/5per houses; 2 x 2bed/4per houses;</p>	<p>2 x 1bed/2per apartments; 17 x 3bed/5per houses; 13 x 2bed/4per houses;</p>	<p>St. Ann's - 11 x 3bed/5per houses; Regent - 15 x 3bed/5per houses; Richmond - 4 3bed/5per houses;</p>	<p>30 x 3bed/5per houses;</p>	<p>162</p>	<p>St. Ann's - 19 x bungalows rent (repro); 4 x houses rent (50%); 2 x apartments rent (50%); 11 x houses market sale (remainder); Regent - 12 x bungalows rent (repro); 19 x houses rent (50%); 3 x discount for sale (50%); 15 x houses market sale (remainder); Richmond - 29 x bungalows rent (repro); 36 x Extra Care apartments rent (repro); 4 x Extra Care apartments shared ownership (repro); 4 x houses rent (50%); 4 x houses market sale (remainder);</p>	<p>Social rent - 125; Discount for sale - 3; Shared ownership - 4; Market sale - 30;</p>	<p>51% and 90:10 split</p>

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Annex 3c. Miller/Yorkshire Housing

100 Reprovision	Total 100 Re provision	Additional Affordable	Total Additional Affordable	Remainder	Total Remainder	Total Number of Properties	Tenure	Total Number of Each Tenure	Affordable Housing % (ignoring reprovision)
St. Ann's - 13 x 2bed bungalows; 40 x Extra Care apartments; Regent - 16 x 2bed bungalows; Richmond - 31 x 2bed bungalows;	60 x bungalows; 40 x Extra Care apartments;	St. Ann's - none; Regent - 8 x 2bed apartments; 2 x 2bed houses; 6 x 3bed houses; Richmond - 12 x 2bed houses; 10 x 3bed houses;	8 x 2bed apartments; 14 x 2bed houses; 16 x 3bed houses;	St. Ann's - none; Regent - 16 x 2bed apartments; 12 x 3bed houses; 2 x 4bed houses; Richmond - 2 x 2bed houses; 5 x 3bed houses;	16 x 2bed apartments ; 2 x 2bed houses; 17 x 3bed houses; 2 x 4 bed houses;	175	St. Ann's - 13 x bungalows rent (repro); 30 x Extra Care apartments rent (repro); 10 x Extra Care apartments shared ownership (repro); No other on this site; Regent - 16 x bungalows rent (repro); 8 x apartments rent and discount for sale (50%) not distinguished which types will meet affordable housing policies; 8 x houses rent and discount for sale (50%) not distinguished which types will meet affordable housing policies; 16 x apartments market sale (remainder); 14 x houses market sale (remainder); Richmond - 31 x bungalows rent (repro); 22 x houses rent and discount for sale (50%) not distinguished which types will meet affordable housing policies; 7 x houses market sale (remainder);	Social rent - 98; Shared ownership - 10; Market Sale - 37; The remainder has not been distinguished in terms of social rent or shared ownership;	50% rounded up odd number of units in favour of market sales

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Annex 3d- Chevin Housing Association

100 Reprovision	Total 100 Reprovision	Additional Affordable	Total Additional Affordable	Remainder	Total Remainder	Total Number of Properties	Tenure	Total Number of Each Tenure	Affordable Housing % (ignoring reprovision)
St. Ann's - 30 x 2bed Extra Care apartments; 10 x 2bed older person apartments; Regent - 24 x 2bed bungalows; Richmond - 36 x 2bed bungalows;	60 x bungalows; 30 x Extra Care; 10 x apartments;	10 of either 2bed apartments or 3bed houses; Discrepancy in number of bed in houses	10 of either 2bed apartments or 3bed houses; Discrepancy in number of bed in houses	10 of either 2bed apartment s or 3bed houses; Discrepancy in number of bed in houses	10 of either 2bed apartments or 3bed houses; Discrepancy in number of bed in houses	120	St. Ann's - 20 Extra Care apartments rent (repro); 10 x Extra Care apartments shared ownership (repro); 10 x older persons apartments shared ownership (repro); Regent - 24 bungalows no ten ; Richmond - 36 bungalows rent (repro); 10 x houses no tenure stated;	Social rent - 80; Shared ownership - 20; No tenure stated on remaining 20	50% delivered through CYC planning policy

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

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Executive**6 November 2007**

Report of the Head of Civic, Democratic and Legal Services

**REFERENCE REPORT: NATIONAL SERVICE PLANNING
REQUIREMENTS FOR ENVIRONMENTAL HEALTH AND TRADING
STANDARDS SERVICES****Summary**

1. This report asks Members to consider a recommendation, referred to the Executive by the Executive Member for Neighbourhood Services, to approve the Council's environmental health and trading standards service plans. This referral was made in accordance with the delegation scheme detailed in the Council's Constitution.

Background

2. At the meeting of the Executive Member for Neighbourhood Services and Advisory Panel on 17 October 2007, Members considered a report which sought approval for the 2007/08 service plans relating to health & safety law enforcement, food law enforcement and animal health enforcement, produced in response to national requirements.

The Executive Member resolved to agree the plans and recommend that they be referred to the Executive for approval.

Members are asked to consider the Executive Member's recommendation that the plans be approved.

Consultation

3. No further consultation has taken place in addition to the consultation detailed in paragraphs 16 to 20 of the report attached as Annex 1.

Options

4. The Executive can either approve or reject the proposal of the Executive Member.

Analysis

5. Members need to consider the details in the report attached as Annex 1 and make a decision based on the information therein.

Corporate Priorities

6. The aims in facilitating this referral to the Executive accord with the key principles of improving the Council's organisational efficiency and complying with the requirements of the Council's Constitution.

Implications

7. The implications relating to the Executive Member's decision to refer the plans to the Executive for approval are set out in paragraphs 15 to 18 of the report at Annex 1.

Risk Management

9. There are no risk management implications in relation to the referral to the Executive of this matter and none associated with the recommendations of the original report.

Recommendations

That the Executive consider the decision of the Executive Member for Neighbourhood Services.

Reason: In line with Constitutional requirements and to comply with government guidance stating that these plans should be submitted to the appropriate Member forum for approval.

Contact Details

Author:
Fiona Young
Principal Democracy Officer
01904 551027

Chief Officer Responsible for the report:
Colin Langley
Interim Head of Civic, Democratic and Legal
services
01904 551004
Report Approved Date 23/10/07

Specialist Implications Officer(s)

N/A

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Decision Sheet of the Executive Member for Neighbourhood Services, 17 October 2007 (published on the Council's website on 18 October)

Annexes

Annex 1 – Report to the Executive Member for Neighbourhood Services and Advisory Panel – National Service Planning Requirements for Environmental Health and Trading Standards, together with the annexes to that report.

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Executive Member Advisory Panel for Neighbourhoods

17th October 2007

Report of the Director of Neighbourhood Services

NATIONAL SERVICE PLANNING REQUIREMENTS FOR ENVIRONMENTAL HEALTH AND TRADING STANDARDS SERVICES

Purpose of Report

1. To advise of the 2007/08 service plans for food law enforcement, health & safety law enforcement and animal health enforcement that have been produced in response to national requirements.
2. To seek member approval for these plans.

Background

3. In 2001 the food standards agency (FSA) introduced mandatory service planning arrangements for local authority food law enforcement services. In 2002 the government extended service planning regimes into other areas of local authority regulatory work. The Department of Trade and Industry (DTI) introduced a national performance framework for trading standards services (which originally required the production of an annual community service delivery plan but has now been replaced by peer review) and the Health & Safety Commission (HSC) placed a duty on local authorities to produce a health & safety enforcement service plan.
4. In 2004/05 the Department for the Environment, Food and Rural Affairs (DEFRA) added an additional plan. This plan covers animal health and welfare and was introduced to improve local authority enforcement practices following the national outbreak of foot and mouth disease.
5. The previous national plans were approved by the Neighbourhoods EMAP on 7th September 2006.
6. The purpose of each plan is similar in that they are to contain details of how local authorities are addressing national (FSA, HSC and DEFRA) enforcement priorities and how activities locally work towards meeting local authority corporate objectives and priorities. All plans link to the Best Value Performance Indicator for environmental health and trading

standards (BV 166) which requires each service to be scored against a checklist of good enforcement practice. The guidance for completing each plan (issued by the FSA, HSC and DEFRA) states that it should be submitted to the appropriate member forum for approval.

7. All plans must demonstrate that a local authority is providing core functions and an appropriate 'mix' of regulatory activities. The mix includes:
 - conducting inspections of premises to a risk based inspection programme to ensure compliance with legislation.
 - taking samples of food to ensure they are safe and correctly described.
 - investigating complaints
 - taking formal enforcement action (including prosecution) where necessary
 - providing an educational, promotional and advisory programme to raise standards
 - working in partnership with business and other enforcement agencies.
8. The plans are extensive in nature and their format prescriptive. They are available on Decision Making On Line on the council's website www.york.gov.uk or by contacting Sarah Kingston, Democracy Officer, by telephone on (01904) 552030, Fax: (01904) 551035 or by email on louise.cook@york.gov.uk. They can be found by calling

The Health and Safety Enforcement Service Plan 2007/08

Food Law Enforcement Service Plan 2007/08

Animal Health Framework Agreement Annual Service Delivery Plan 2007/08

Copies of the plans will also be available at the meeting.

Reporting and Monitoring

9. The council is required to submit an annual monitoring report on each plan. The FSA have used these reports to 'name and shame' poor performing local authorities and to target their audits of local authority enforcement services. The HSC has indicated that they may use their default powers to take over a local authority's health and safety enforcement responsibilities in circumstances where insufficient resources are allocated to this function.
10. The 2007/08 food and health & safety plans include performance variances with targets set in the 2006/07 plans. Reporting these variances is a requirement of the national bodies.

Consultation

11. Staff in environmental health and trading standards have been involved in the development of their respective plans and consulted on the targets that have been incorporated into the supporting work programmes. The activities set out in the animal health plan have been agreed with the DEFRA Divisional Veterinary Manager.

Analysis

12. Each of the plans represents an appropriate mix of enforcement, educational and advisory work required of modern local authority environmental health and trading standards services. Approval of the plans by members is a requirement of the FSA, HSC and DEFRA.
13. It is not known what action will be taken against the council if any of these plans does not receive member approval although it is likely to result in close scrutiny of the council's ability to provide the relevant service.

Corporate Priorities

14. Enforcement activities in the Health and Safety Enforcement Service Plan and Food Law Enforcement Service Plan support the corporate priority to improve the health and lifestyles of the people who live in York.

Financial Implications

15. The work programme outlined in the 2007/08 plans can be resourced from existing budgets. DEFRA are currently directly funding additional animal health and welfare enforcement. This funding is conditional on submission of a service plan which is acceptable to DEFRA.

Legal Implications

16. It is a legal requirement to set a service plan for food law enforcement and health and safety enforcement (Food Standards Act 1999 and Health and Safety at Work etc Act 1974) respectively.

Human Resources (HR) and Other Implications

17. There are no HR, or other implications associated with this report.

Risk Management

18. In compliance with the Councils risk management strategy. There are no risks associated with the recommendations of this report

Recommendations

19. That the Executive Member approves the plans and recommends that they are referred to Full Executive for approval.

Reason: In order that the council can discharge its statutory obligations in regard to service planning for environmental health and trading standards services.

Author:

Colin Rumford
Head of Environmental Health
and Trading Standards
Neighbourhood Services
Tel No. 01904 551502

Chief Officer Responsible for the report:

Andy Hudson
Assistant Director (Neighbourhoods and
Community Safety)

Report Approved



Date 18/9/2007

Specialist Implications Officer(s)

None

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

Food Standards Agency Framework Agreement on Local Authority Food Law
Enforcement
Health and Safety Commission Section 18 HSC Guidance to Local Authorities
DEFRA Framework Agreement



DIRECTORATE OF NEIGHBOURHOOD SERVICES

THE HEALTH AND SAFETY ENFORCEMENT SERVICE PLAN 2007/2008

FOREWORD

Under Section 18 of the Health and Safety at Work Etc Act 1974, the Health and Safety Commission has required the City of York Council to produce an annual service plan for health and safety enforcement.

The plan which follows sets out the aims and objectives of the service for 2007/2008, the demands placed upon the service and how available resource will be allocated to meet those demands. In a time of limited resource the Council is not able to achieve all of the desirable aims for health and safety enforcement, the attached work programme therefore shows the number of officer hours that have been allocated from the existing resource to provide a risk-based mix of enforcement approaches.

1 SERVICE OBJECTIVES, AIMS AND POLICIES

1.1 Our Vision is

- To deliver the highest standards of protection of health, environmental and economic well-being to the people of York, through the provision of a quality customer focused service.

1.2 The Objectives of Environmental Health and Trading Standards Services are

- To protect residents and local businesses from unfair and unsafe practices
- To protect residents and our environment from pollution and other public health and safety hazards.

1.3 The aims of the Health and Safety Enforcement Team are:

To ensure that workplace health and safety in the City of York is given sufficient priority and seen as an essential contributor to building a safe human environment, the health and safety enforcement team (the team) aims are:

- To seek to reduce work related ill health and accidents, and to protect the health, safety and welfare of people at work and to safeguard others (principally members of the public) who may be exposed to risks from the way work is carried out.
- To carry out an annual targeted programme of health and safety inspections and enforcement for all local authority enforced premises in the City in accordance with statutory requirements, approved codes of practice and guidance.
- To carry out a series of risk based interventions in accordance with the Health and Commission's FIT 3 campaign (fit for work, fit for life, fit for tomorrow), concentrating resources on the main causes of accidents and ill health at work i.e. workplace transport, falls from height, contact dermatitis, stress, musculo - skeletal disorders, asbestos.

- To enforce and advise on the Health Act 2006 regarding the smoking ban in workplaces.
- To support the annual inspection programme with targeted promotional advice and educational initiatives in line with the Health and Safety Commissions enforcement strategies.
- To investigate all complaints and requests for advice promptly.
- To carry out sampling when necessary to provide accurate information to identify workplace hazards.
- To be accessible, open and fair when taking proportionate enforcement action against health and safety law offenders.
- To investigate workplace accidents and incidents promptly and efficiently and where appropriate liaise with the Health and Safety Executive and other relevant bodies.
- To promote and provide health and safety information and advice to businesses and members of the public.
- To carry out registration of premises operating skin-piercing activities as prescribed by government.
- To deal with enquiries referred by other agencies and refer enquiries to the health and safety executive and to other bodies when necessary.
- To continue to work in partnership with the Health and Safety Executive and support them in any National enforcement campaigns. To this end the team is piloting a flexible warrants scheme with the Health and Safety Executive to allow officers from both enforcement agencies to deal with issues of immediate danger or ill health regardless of which is the relevant enforcement authority for the premises visited. This pilot makes the best use of the resources of both enforcement agencies.

1.4 Enforcement Policy and Customer Contract

The team operates to a comprehensive documented enforcement policy that reflects the Cabinet Office Enforcement Concordat. In addition there is a “Customer Contract” for environmental health and trading standards, which sets out our service standards.

1.5 Links to Corporate Strategy

The team's commitment of ensuring a healthy and safe workplace by the reduction of accidents and ill health due to work links to the strategy to improve lifestyles of the people who live in work. Many of the lower paid workers are more at risk from ill health such as contact dermatitis, musculo - skeletal disorders. The team makes a strong contribution to public health and so has clear links to the Corporate Strategy.

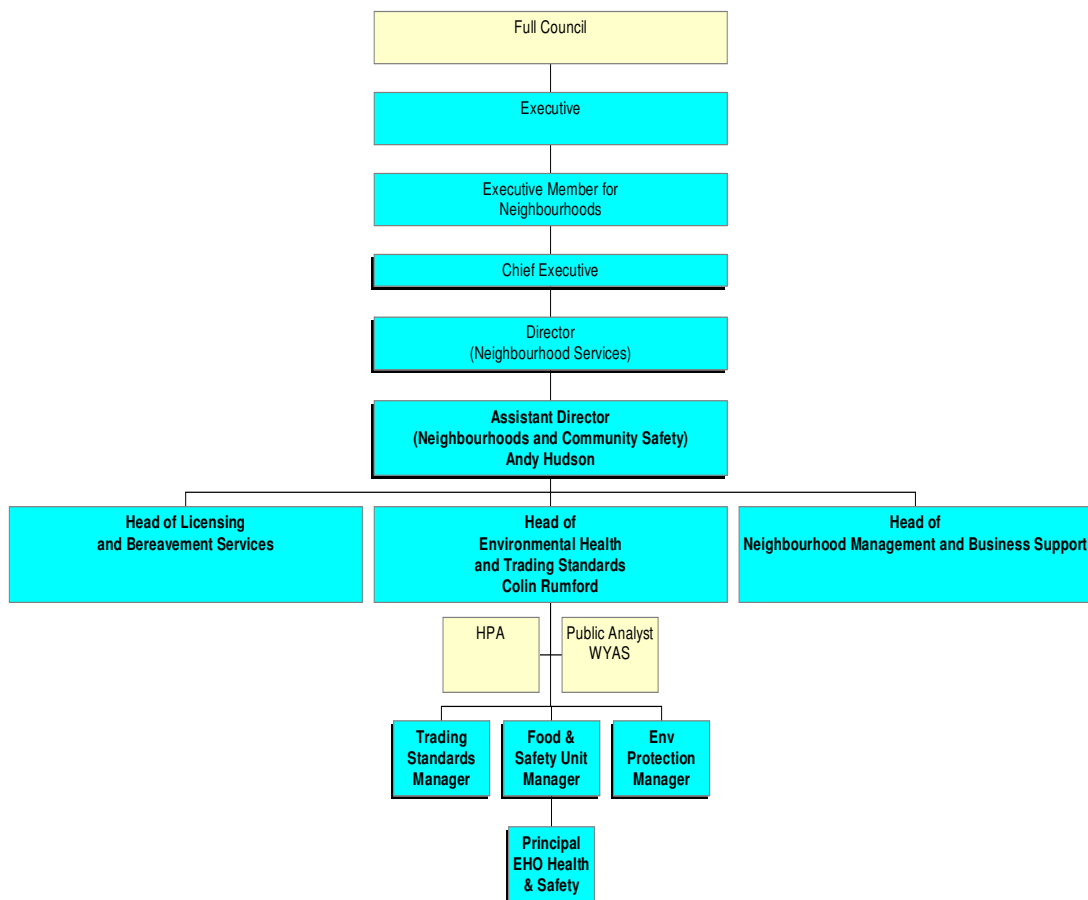
2. BACKGROUND

2.1 Profile of the Local Authority

A unitary authority with a population of approximately 184,000 and an area of 105 square miles (27250 hectares), 60% of the electorate is based in York with the remainder resident in the outlying towns and villages.

The area is predominantly urban covering the historic city with the associated tourism, hospitality and catering activities.

2.2 Organisational Structure



2.3 Provision of Specialist services

- i) Asbestos sampling and other environmental monitoring is carried out in conjunction with AHMMS, “ Braeburn”, 4 Chevin Avenue, Menston, Ilkley, West Yorkshire.
- ii) Micro-biological examination is carried out under service level agreement with the public health laboratory service (HPA) based in Leeds, e.g. for swimming and spa pool water sampling.

2.4 Scope of the Health and Safety Enforcement Team

The team is part of the food and safety unit and deals with all health and safety issues in non-food and food premises. The principal and senior environmental health officer will undertake a programme of health and safety inspections and investigations in response to complaints and accidents. In addition to its enforcement role, the service also provides information and advice to members of the public, businesses, professional bodies and organisations. It provides education, training and a variety of promotional work.

2.5 Demands on The Health and Safety Enforcement Service

The Local Authority enforced sector comprises mainly catering, retail, wholesale, offices, leisure, catering, places of worship and premises including hotels and guesthouses and residential care homes.

An external factor impacting on services delivery is the large number of visitors who use the City’s facilities.

2.6 Service Delivery Point

The service is delivered from a single office based in De Grey House, Exhibition Square, York. The hours of operation are 08:30 -17:00 Monday to Friday although officers work “out of hours” when the nature of the work dictates.

3 PLANNED ENFORCEMENT ACTIVITY

3.1 Programmed Health and Safety at Work Premises Inspections

The team aims to inspect premises in accordance with a risk-based programme. However, the inspections are centred on those activities in the workplace which the HSC have identified as contributing nationally to the highest rates of accidents/incidents and ill-health at work in accordance with the Health and Safety Commission's FIT3 Strategic Delivery Programme (Fit for work, Fit for life, Fit for tomorrow). This programme is based on analysis of injury and ill health generation across known hazard and sector hotspots in businesses, large and small. The key topics are, workplace transport, falls from height, slips and trips, musculoskeletal disorders, work induced stress, contact dermatitis, occupational asthma and asbestos. In adopting the topic inspection approach, the team will maximise its resources by focusing on these areas rather than completing all-encompassing inspections. The inspections are carried out in accordance with the team's quality management system (QMS) procedural documents for health and safety enforcement.

The total number of Health and Safety premises in City of York at 01/03/07 was 3998. These premises fall into 3 categories, made up of 6 groups in total.

Type	Frequency	Number of premises	Inspections in work plan
High Risk Category A	6 months	2	4
Medium Risk			
Category B1	12 months	20	20
Category B2	24 months	216	0
Category B3	36 months	1218	0
Category B4	48 months	418	0
Low Risk Category C	60 months	2124	0

- Premises will be inspected in accordance with the FIT3 strategic delivery programme. However, only the high risk premises will form part of the programmed inspection plan.
- The remainder of the teams work will be based on project work on the Fit 3 principles.
- The team estimates that 24 revisits to premises will be carried out in the year.

Comments on Past and Projected Performance

In 2006/07 the team achieved the total number of programmed A-risk inspections (10) and B1 inspections (76), thus meeting the local performance measure for those categories of premises.

The team comprises only two officers who have to carry out the number of inspections required under the HELA risk rating system. This has led to a large backlog of outstanding inspections to the lower risk premises over several years. However, the HSC have recently shifted the emphasis away from comprehensive, programmed inspections onto more resource-efficient and focused enforcement activities in accordance with the FIT 3 Strategic Programme

3.2 Other planned enforcement and advice work

As in 2006/07, the team will align its proactive work to the HSC priority areas.

In line with the FIT 3 strategic programme, the team will carry out a series of projects in partnership with the Health and Safety Executive:

- Prevention of contact dermatitis in hairdressers/florists/funeral directors/contract cleaners. Contact dermatitis is a major cause of sick leave in these industries, and HSC are determined to see a reduction in its incidence.
- A series of inspections to examine how businesses are managing asbestos in their buildings. Asbestos related diseases are a major cause of death and ill health and new regulations are now in force for employers to manage asbestos in their premises. Although initially this project will be an educational one, enforcement action will be taken for those businesses who fail to manage asbestos in their buildings.

3.2.1 Advice to Businesses

The team provides all reasonable support and assistance to businesses operating or intending to operate in the area.

The team acts as home authority on health and safety for Norwich Union, providing advice which is disseminated to the company's other UK offices.

Increased publicity and regular contact with small business organisations will continue through 2007/08

4 REACTIVE ENFORCEMENT ACTIVITY

4.1 Formal Action Taken

The following table summarises the level and types of formal enforcement action taken in the previous 2 years.

Type of action	Numbers taken / issued 2005/06	Numbers taken / issued 2006/07
Prosecution	1	0
Formal Caution	0	0
Prohibition Notice	1	2
Improvement Notice	18	5

4.2 Health and Safety Complaints/Service Requests

During 2006/07 the team received 717 complaints and service requests of all types.

It is estimated that future demands on the team are likely to increase as a result of growing awareness of health and safety awareness of health and safety at work amongst our customers resulting in an increase of the number of complaints and service requests

4.3 Reports of Accidents and Dangerous Occurrences

The team receives reports of accidents and dangerous occurrences from a variety of sources and is required to access the RIDDOR reporting centre at Caerphilly for notifiable injuries within the City of York Council area. Some of these reports are statutory notifications required to be made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

In 2006/7 the team received 313 statutory notifications.

4.4 Notification of Work with Asbestos

The team receives notification of asbestos removal work, which requires site meetings in order to ensure compliance by asbestos removal contractors with all relevant health and safety legislation.

During 2006/07 the team received 8 notifications and a similar figure is estimated for 2007/08

5 OTHER AREAS OF SERVICE DELIVERY

5.1 Partnership Working

The team aims to continue its role in providing a more holistic approach to health and safety, by ongoing partnership working with other organisations including the HSE, Commission for Social Care Inspectorate, the York Accident Prevention Group, the York Hospitality Association and other business organisations.

City of York Council supports the principle of lead authority and has signed up to a partnership agreement with Norwich Union.

6 REFERRALS TO AND LIAISON WITH OTHER AGENCIES

6.1 Liaison with Other Organisations

It is the policy of the team to take all reasonable steps to ensure that it is operating in a manner that is consistent with both neighbouring and national local authorities. Various methods will be adopted to facilitate this including benchmarking and liaison with:-

- The Health and Safety Executive Local Authority Unit
- North Yorkshire health and safety liaison group
- North Yorkshire chief officers training group
- North and West Yorkshire health and safety local authority liaison group
- North Yorkshire fire and rescue
- North Yorkshire police
- Planning/building control/licensing
- Safer York Partnership

6.2 Referrals to Other Organisations

Where the team receives a health and safety related service request that does not fall within its enforcement area it will refer the person concerned to the correct body or forward the request to the relevant authority within one working day or receipt.

7 RESOURCES, THEIR USE AND DEVELOPMENT

7.1 Financial Allocation

The overall level of financial allocation to health and safety enforcement activity for the year 2007/08 is as follows.

	Actual 2006/07 £k	Estimate 2007/08 £k
Staffing Costs (inc. direct employee expenses)	77.0	80.1
Support Costs	37.7	38.8
Supplies & Services (inc. transport)	4.3	5.3
Income	(1.4)	(1.4)
Overall Expenditure	117.6	122.8

7.2 Staffing Allocation

Health and safety enforcement is led by one full time principal environmental health officer under the overall supervision of the food and safety unit manager.

In addition there is 1 FTE senior environmental health officer carrying out all functions relating to health and safety in those premises for which the team has responsibility.

7.3 Staff Development Plan

The training development needs are identified both on an ongoing basis and by annual review. This is supplemented by:

- Attendance on seminars/courses. The partnership working with the Health and Safety Executive has resulted in a considerable amount of training provided by HSE Specialist Inspectors
- In-house training on specific issues
- Cascade training by staff who have attended relevant courses.

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DIRECTORATE OF NEIGHBOURHOOD SERVICES

FOOD LAW ENFORCEMENT SERVICE PLAN 2007/2008

FOREWORD

Under the Food Standards Act 1999, the Food Standards Agency (FSA) requires City of York Council to produce an annual service plan for food safety and food standards law enforcement. The plan sets out the aims and objectives of the council's food team for 2007/2008. The food team, which is part of the food and safety unit, is responsible for food law enforcement and this plan sets out what demands are placed on the team and what resources are available to meet those demands.

Resources are limited. However, this plan illustrates the effective use of existing resources to target the highest risk food businesses, while maintaining a balanced enforcement mix.

Variance between the 2006/2007 planned and actual performance is highlighted. Where necessary, corrective action is recommended and incorporated into the 2007/2008 plan.

1. SERVICE AND TEAM OBJECTIVES WITH LINKS TO CORPORATE OBJECTIVES

1.1 The vision of the Environmental Health and Trading Standards Service is:

- To deliver the highest standards of protection of health, environmental and economic well being to the people of York, through the provision of a quality customer-focused service.

1.2 Corporate priorities of the Service

City of York Council has a corporate strategy for the period 2006 – 2009, which incorporates 13 priorities. In terms of these priorities, the food team contributes to:

- Improving the health and lifestyles of the people who live in York, in particular among groups whose levels of health are the poorest.
- Improve our focus on the needs of customers and residents in designing and providing services.
- Improve the way the council and its partners work together to deliver better services for the people who live in York.
- Improve efficiency and reduce waste to free-up more resources.

1.3 The aims of the Food Team are:

- To reduce the risk of food poisoning in York.
- To make a positive difference to the quality of life of residents and visitors to York.
- To raise standards of safe and fair-trading.
- To promote healthy living.
- To continuously improve our service through communication with our customers.

1.4 The Objectives of the Food Team are:

- To operate a comprehensive regime of inspection, sampling, advice and other methods as appropriate, to ensure the safety, correct composition, description and labelling of foods and animal feeding stuffs and prevent adulteration and fraud in the production and sale of these products.
- To ensure the health and well-being of consumers by the above methods and through promotional activities.
- To promote best practice in food and animal feeding stuffs production and sale in the City of York.
- To provide support, assistance, training and advice to local businesses, thereby enabling them to market products that comply with legal requirements and best practice.
- To investigate cases of communicable disease notified to the Authority.
- To promote food safety and standards issues to the public through a variety of activities.
- To investigate complaints about the labelling, composition, safety and fitness of food, feeding stuffs and the operation of food premises.
- To act as a home authority and originating authority and deal with enquiries referred by other agencies.
- To licence, approve and register for operation premises as prescribed by government.
- To enforce the provisions of food and animal feeding stuffs legislation, and take appropriate and proportionate action to secure compliance.
- To take prompt and effective action in response to food hazard warnings and other threats to food safety in York.

1.5 Enforcement Policy and Customer Contract

The team operates to a comprehensive documented enforcement policy that reflects the Cabinet Office Enforcement Concordat. In addition there is a "Customer Contract" which sets out service standards for environmental health and trading standards services.

1.6 Links to Community Objectives

York's Local Strategic Partnership, Without Walls, launched York's Local Area Agreement (LAA) in April 2007. Contained within the LAA are a number of priorities that form part of a delivery plan for the lifespan of the LAA (2007-2010). The food team expect to contribute to the following outcome priorities:

Children and young people
Improving the eating habits and diet of young people
Promote healthy lifestyles

Healthier communities and Older People
Reduce obesity and improve nutrition

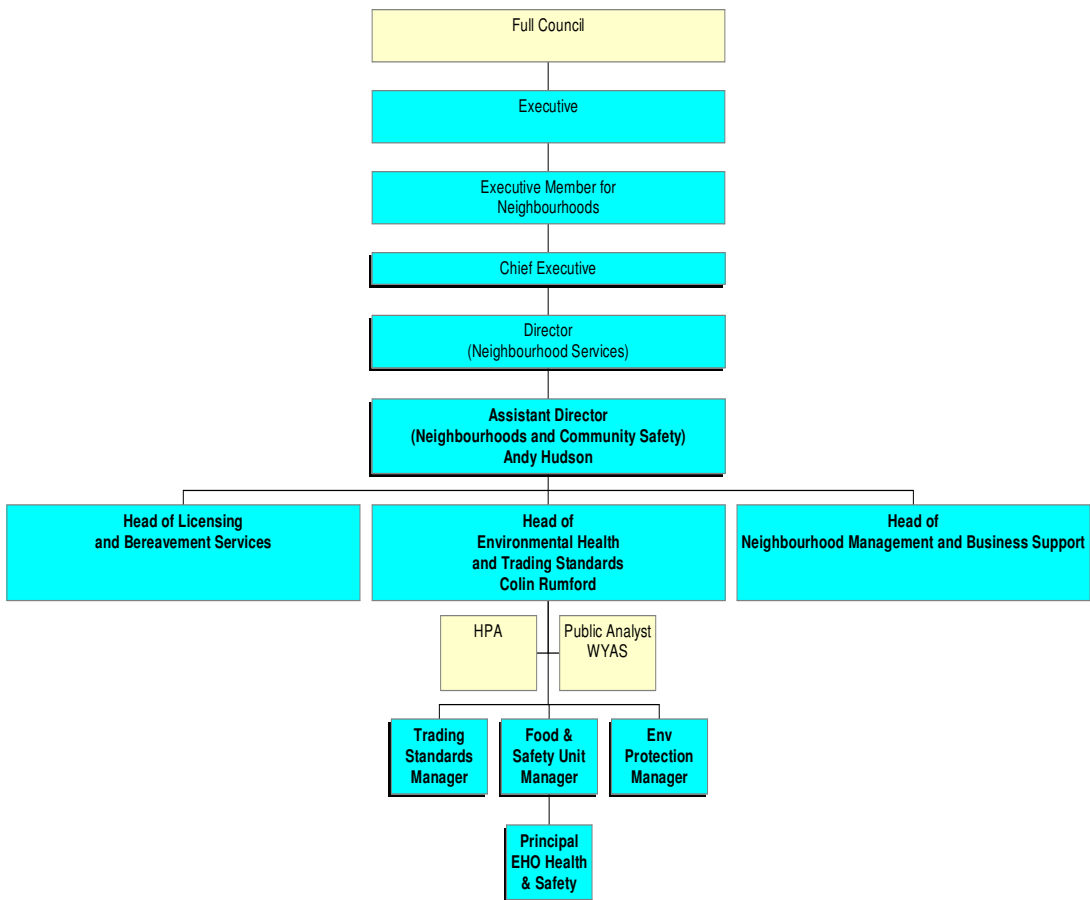
2. BACKGROUND

2.1 Profile of the Local Authority

City of York Council is a unitary authority, with a population of approximately 184,000 and an area of 105 square miles (27,250 hectares). The majority of the electorate (60%) are located in the urban city area, with the remainder resident in the outlying towns and villages.

The area is predominantly urban, covering the historic city with the associated tourism, hospitality and catering activities.

2.2 Organisational Structure



2.3 Provision of Specialist services

- i) Public Analyst Services covering food and animal feeding stuffs are provided under contract by West Yorkshire Analytical Services, Morley, Leeds.
- ii) Microbiological food examination is carried out under service level agreement with the health protection agency laboratory service (HPA), based in Leeds.
- iii) The proper officer for communicable disease purposes is the Consultant in Communicable Disease Control at the Health Protection Agency.

2.4 Scope of the Food Team

As a unitary authority, the council is responsible for the full range of duties under the Food Safety Act. It is also responsible for the provisions of the Agriculture Act 1970 in relation to animal feeding stuffs.

The food team carries out all of the food safety, standards and animal feeding stuffs activities on behalf of the council. The team is based within environmental health and trading standards services in the Neighbourhoods & Community Safety Group.

The team comprises of both environmental health and trading standards professionals, in addition to technical support staff. Some officers have dual qualifications. The team also carries out health and safety checks in food premises.

The service consists of:

- Programmed food/feeding stuffs premises inspections.
- Investigation of consumer complaints
- Investigations of food poisonings/infectious disease notifications
- Safe food promotion and education/advice
- Health improvement promotion (e.g. healthy eating awareness)
- Sampling of food and animal feeding stuffs according to annual targeted programmes.

2.5 Demands on the Food Team

The authority's area contains a mix of manufacturing, retail and catering premises; hospitality and catering is the dominant sector within this mix. There is a large international confectionery manufacturer, a district hospital, various large academic institutions and a racecourse.

The profile of food premises in York is heavily biased towards restaurants and caterers, which is a reflection of the City's status as a major tourist destination. There can be a rapid turnover of business ownership in this sector, which can place

a strain on the team in terms of premises inspection, advice provision and maintaining an accurate premises database.

Under the product specific or “vertical” EU Directives there are 2 approved premises that require 3 visits each year by the team.

A major project for the team in 2007/2008, will be to assist small caterers to comply with changes in the law, which require them to have a written food safety management system based on Hazard Analysis and Critical Control Points (HACCP).

Additionally, the team acts as “home authority” for the businesses that have a base in the City, but trade regionally or nationally. This means that we provide a link between other food authorities and the companies, resolving issues where appropriate.

Local customer consultations carried out in 2004, via the “Talk About” residents’ panel, indicate that food remains a concern for residents. Indeed, out of all the functions performed by environmental health and trading standards services, respondents thought that investigating dirty conditions in restaurants should be given the second highest priority.

This view echoes the findings of the FSA’s 2005 consumer attitudes survey that found that 60% of respondents were concerned about hygiene in catering outlets. The FSA survey showed that the top 4 consumer concerns about food were the amount of salt in food, the amount of fat in food, food poisoning, and the amount of sugar in food respectively.

Consumers were found to be increasingly concerned about the accuracy of food labels, which appears to be part of an increasing awareness and concern about healthier eating. The level of comprehension of food labels by consumers has not improved and remains quite low.

The team will continue to respond in 2007/2008 to the issue of obesity/healthy eating. Samples of primary school meals will be analysed for nutritional values and healthy eating promotional activity will form part of the team’s work programme.

2.6 Premises Profile

The high proportion of restaurants and takeaways in York means that officers are required to work out of hours in order to gain access to these premises. They must also be sensitive to the needs of ethnic minorities. The team has been the subject of an equalities impact assessment, leading to a number of service improvements, including the provision of food hygiene training tailored and made accessible to Turkish, Chinese and Indian restaurants operators/employees.

Breakdown of food premises in York by FSA category as at 1 April 2007.

Food safety:

FSA CATEGORY	Description	Number
A	Producers	7
B	Slaughterhouse	0
C	Manufacturers	15
D	Packers	2
E	Importers	1
F	Distributors	21
G	Retailers	482
H	Restaurants/Caterers	1191
I	Material & articles in contact with food manufacturer/ supplier	0
J	Manufacturer selling by retail	26
	Unrated premises	52
	Total:	1797

Food standards:

FSA CATEGORY	Description	Number
A	Producers	8
B	Slaughterhouse	1
C	Manufacturers	16
D	Packers	2
E	Importers	1
F	Distributors	23
G	Retailers	494
H	Restaurants/Caterers	1212
I	Material & articles in contact with food manufacturer/ supplier	0
J	Manufacturer selling by retail	26
	Total:	1783

2.7 Service Delivery Point

The service is delivered from a single office based in De Grey House, Exhibition Square, York. The hours of operation are 08:30 -17:00 Monday to Friday, although officers work out of hours when necessary.

2.8 Review of inspections carried out from the 2006/2007 Programme

2.8.1 Food Safety Inspections

Premise Rating	A	B	C	D	E
No of planned inspections at 1/4/2006	46	89	492	63	0
No. premises capable of inspection ¹	22	76	466	57	0
No. of inspections achieved ²	29	76	464	35	0

1. The number of premises capable of inspection includes the in-year adjustments, which have to be made to the start of year inspections plan. These are usually the result of businesses closing.

2. This figure is the number of actual inspections. It reflects the fact that some A rated premises either closed during the year, or were downgraded to a lower risk rating and therefore did not require inspecting twice in the year.

In addition, 59 unrated premises were inspected during the year. These represent newly registered food premises that are required to be inspected and risk-assessed. The lowest risk premises are category E and these are assessed by alternative approaches to physical inspection.

Summary

We inspected 100 % of our category A-B premises and 99.5% of our category C premises (the Local Performance Indicator is 100%). This is an improvement over our performance last year, where we inspected 94% of our category A risk premises.

2.8.2 Food Standards Inspections

Premises Rating	High	Medium	Low
No. of planned inspections at 1/4/2006	25	457	0
No. of premises capable of inspection	25	432	0
No. of inspections achieved	18	378	0

Summary

We achieved 87 % of our High and Medium premises target, which is similar to the 88% we achieved last year (the Local Performance Indicator is 100%).

As with food safety inspections, the lowest risk premises are not programmed to receive physical inspections.

2.8.3 Feeding Stuffs Inspections

During 2006/2007, we outsourced this area of work to a neighbouring authority. They inspected 22 of our registered animal feed operators that were due for inspection that year.

2.8.4 Alternative Enforcement Strategies (AEA)

The frequency at which food premises are inspected is determined by a risk assessment framework. In order to direct our resources away from low risk premises, we do not include them in our annual programme of inspections. Instead, these businesses are approached by means of questionnaires, which seek both to check that the businesses remain low risk, whilst providing information relevant to food law. There are a number of advantages to this arrangement, not least the fact that officers can concentrate on those areas where the service has a greater impact.

In 2006/2007, the team carried out 96 food standards AEs and 247 food safety AEs. To reduce duplication, we trialled integrating food safety and food standards AEs where appropriate.

3. PLANNED ENFORCEMENT ACTIVITY 2007/2008

3.1 Food Safety Inspections

Premises rating	A	B	C	D	E	Unrated
No. of premises due an inspection	22	108	485	116	273	52
No. of programmed inspections	44	108	485	116	0 (273 AEs)	52

3.2 Food Standards Inspections

Premises rating	High risk	Medium risk	Low risk
No. of premises due an inspection	26	498	268
No. of programmed inspections	26	498	0 (268 AEs)

3.3 Feeding Stuffs Inspections

A total of 34 programmed inspections are to be carried out this year. As with last year, we intend to outsource this work. Where appropriate, we will incorporate primary production hygiene inspections to reduce the burden on farms in line with Hampton principles.

3.4 Food and Feeding Stuffs Sampling

The team will sample foods and feeding stuffs in accordance with its documented policy. We will also participate in national LACORS/HPA sampling programmes and fulfil any requirements to sample for the premises approved under the product specific regulations.

Both the food standards and feeding stuffs sampling programmes have been produced in consultation with the Authority's public analyst/agricultural analyst. The food standards team co-operates with other regional authorities to coordinate some sampling initiatives, so as to avoid duplication and to optimise the statistical soundness of results data. Sampling results are submitted to national sampling initiatives where appropriate (eg: LACORS/FSA).

3.4.1 Food and feeding stuffs sampling programme

	2006/2007 Samples Programmed	2006/2007 Samples Taken	2007/2008 Samples Programmed
Food Standards Samples	225	203	160
Feeding Stuffs Samples	10	10	10

Food Safety Samples	193	271	200
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3.4.2 Comments on sampling performance

Sampling is an important tool for both the food standards and food safety teams. The food safety team is primarily concerned with the microbiological contamination of food, but also samples food to establish the nature and likely harm arising from foreign bodies and the like.

The sampling programme focuses on areas of past non-compliance, and emerging priorities such as imported foods and school meals.

Of the 203 food standards samples taken 43 (21%) were unsatisfactory. Legal proceedings instituted as a consequence of these samples have included cases concerning the substitution of spirits.

Each year the Health Protection Agency undertakes microbiological analysis of samples we provide, most of which are done for free under a credits system. Of the 271 samples taken last year, 57 (21%) were unsatisfactory.

In 2007/2008 the team will take environmental swabs where necessary, in addition to the food safety samples. These environmental swabs are taken to assess the freedom from bacteria of, for example, food contact surfaces and kitchen equipment/utensils.

3.5 Education and Information Programme

3.5.1 Advice to Businesses/Customers

The team will provide all reasonable support and assistance to businesses operating or intending to operate in the area.

It is estimated that the team will receive over 300 requests for advice this year, some of which will require discussion on site at the business premises. This advice is often in relation to prospective businesses seeking advice before they commence trading.

During 2006/7 we were able to offer approximately 40 businesses training to help them implement the Safer Food Better Business(SFBB) initiative. We are also offering coaching visits to assist food businesses put SFBB in place.

3.5.2 Food Team Promotional and Project Work

The team will raise consumer and business awareness of food matters by means of a programme of talks, press releases and other promotional activity.

Through its links with the Selby and York Healthy Lifestyles and Obesity Strategy Group, and its sampling of primary school meals, the team will maintain its role in the promotion of healthy eating.

For the fourth year running, the team intend to take part in the York Food and Drink Festival, by giving advice and raising awareness on food safety and food standards issues (eg: food labelling for school children and highlighting the salt, sugar and fat contents of various foods).

4. REACTIVE ENFORCEMENT ACTIVITY

4.1 Formal Action Taken

The following tables summarise the level and types of formal enforcement action taken in 2006/2007.

4.1.1 Food Safety

TYPE OF ACTION	NUMBERS TAKEN/ISSUED 2005/2006	NUMBERS TAKEN/ISSUED 2006/2007
Prosecution	1	6
Formal Caution	4	0
Prohibition Notice	0	0
Improvement Notice	20	17
Formal written warning ¹	9	5

1 – These are written warnings issued by CYC to businesses where prosecution is not the most appropriate course of action. They are not written warnings as defined by the FSA.

4.1.2 Food Standards and Feeding Stuffs

TYPE OF ACTION	NUMBERS TAKEN/ISSUED 2005/2006	NUMBERS TAKEN/ISSUED 2006/2007
Prosecution	4	2
Formal Caution	9	4
Formal Written Warnings	23	20

Comments on statistics

The percentage of businesses which were compliant with food law and other trading standards legislation on first inspection, or were brought into compliance within the year (2006/7), was 99%. However, there remain instances where formal action has to be taken in line with the service's enforcement policy and in order to bring about compliance.

We have seen a small fall in the number of hygiene improvement notices being served by the team. This figure is expected to rise during 2007/8 as we tackle those businesses who have failed to implement adequate HACCP systems to comply with EU legislation.

Formal actions recorded against the food standards team are for premises that were falsely describing alcoholic drinks.

4.2 Food Premises, Food and Feeding Stuffs Complaints

Investigation into food and feeding stuffs complaints is carried out in accordance with quality management system procedures.

In 2006/7, 797 complaints and requests for service were received. This high figure is consistent year-on-year, reflecting how busy the food sector is in York and the increasing awareness of food issues amongst our customers.

4.3 Home Authority Principle

City of York Council subscribes fully to the LACORS home authority principle.

The team will liaise with other local authorities about our national and regional companies. We will support, in particular, small/medium and new companies through advice on matters such as changes in the law. In 2006/2007 the team received 27 referrals from other local authorities and a similar number can be expected in 2007/2008.

4.4 Control and Investigation of Outbreaks of Food Related Infectious Disease

The team will investigate all food poisoning notifications and outbreaks of food borne disease in accordance with procedures agreed with North Yorkshire District Control of Infection Committee and our local quality procedures.

In 2006/2007 the team received 416 formal notifications of infectious disease, although some of these related to mumps, rather than food poisoning.

It is very difficult to predict the level of enforcement activity required in the case of a food poisoning outbreak.

4.5 Food/Feeding Stuffs Safety Incidents

It is the policy of the authority to handle all food alerts from the FSA in accordance with the FSA Code of Practice and our local quality procedure. Notifications are received from the FSA by e-mail and mobile phone, and an appropriate course of action is taken in each case.

The reactive nature of this task makes it difficult to estimate the likely level of activity. During 2006/7, 69 food alerts were received (88 were received during the year before). Although alerts can be issued by the FSA for information only, some require some response, be it the issue of a local press release or contacting food businesses directly, which is more time consuming. It is estimated that a similar or greater number of food alerts will be received in 2007/8.

We are now also receiving allergen alerts from the FSA, which we process and respond to as required.

5. OTHER AGENCIES - REFERRALS TO AND LIAISON

5.1 Liaison with Other Organisations

The team will take steps to ensure that it is operating in a manner that is consistent with both neighbouring and national local authorities and other agencies. Various methods will be adopted to facilitate this, including benchmarking, peer review and liaison with: -

North Yorkshire Food Liaison Group

This is a LACORS food liaison group working under the wing of the North Yorkshire Chief Environmental Health Officers Group. All eight North Yorkshire local authorities are represented on both of these groups. Of particular relevance is the food safety quality management system (QMS), which is accredited to the quality standard ISO 9002.

This is discussed later in Section 8 – Quality Assessment.

Yorkshire and The Humber Trading Standards Group Quality Standards Technical Group

This is the LACORS food standards and feeding stuffs liaison group for the area. It meets on a quarterly basis and seeks to promote best practice and consistency in food enforcement in the region.

West Yorkshire Analytical Services

This is the public and agricultural analyst for the City of York Council.

Health Protection Agency

Bi-annual review meetings are held with the HPA food laboratory, based in Leeds, to promote co-ordination and good sampling practice.

North Yorkshire District Control of Infection Committee

This is a multi-disciplinary group of public health consultants, consultant microbiologists, environmental health officers, infection control nurses, general practitioners and associated professions. It meets on a quarterly basis to discuss infection control issues and set policies in relation to their investigation and control.

Planning/Licensing Sections

The list of all planning applications is seen by the team and plans requested where necessary, so that recommendations/conditions can be supplied.

The team liaises with licensing to ensure that an integrated approach to enforcement is followed.

5.2 Referrals to Other Organisations

Where the team receives a food related service request that does not fall within its enforcement remit or geographical enforcement area, it will refer the person concerned to the correct body or forward the item of work to the relevant authority without delay.

6. CONSULTATION

During 2005/2006, as in previous years, the team carried out a customer satisfaction survey of food businesses. This was done using questionnaires left with every business at the close of a programmed inspection. Instances of reported dissatisfaction and suggestions for improvement were investigated on an ongoing basis.

We did not survey food businesses during 2006/7 As we are currently reviewing our approach on this area. We intend to survey businesses during the 2007/8 period.

7. RESOURCES, THEIR USE AND DEVELOPMENT

7.1 Financial Allocation

The overall level of financial allocation to food safety and standards enforcement activity for the year 2006/2007 is as follows.

	2006/07 Actual £k	2007/08 Estimate £k
Staffing costs	317.7	253.2
Support costs	147.4	151.8
Supplies & services (inc transport)	80.2	68.0
Analytical & sampling costs	19.3	21.6
Income	-35.5	-26.7
Overall Expenditure	529	467

7.2 Allocation of staff 2007/8

Food Safety

3.5 Senior EHOs – fully competent to enforce food law

1 Technician – not yet competent

388 food safety inspections will be undertaken by contractors

Food Standards

0.8 Senior Officer – fully competent

1 Technician – fully competent

Animal feed inspections and hygiene at primary production level will be outsourced to a neighbouring authority

The team is managed by the food and safety unit manager, lead officer for food safety and standards.

7.3 Staff Development Plan

Staff development needs are identified on an ongoing basis, through the quality management system, and by annual Performance Development Reviews, where the training needs of individual officers will be identified. The identified training need will be met by: -

- Qualification training
- Attendance on ad-hoc technical seminars/courses
- In-house training on specific issues
- Cascade training by staff that have attended relevant courses.

8. QUALITY ASSESSMENT

The food safety enforcement element of the team operates within the North Yorkshire Food Liaison Group's quality management system (QMS)

The QMS, which is independently accredited to ISO 9002 standards, includes a rigorous system of controlled documents that state the minimum standards for our food safety enforcement activities. It includes internal monitoring within the authority and is further enforced by inter-authority auditing.

The system ensures the delivery of high quality enforcement activity across the City of York, which is consistent with other North Yorkshire authorities and in accordance with good practice. York's QMS was subject to external audits in 2002, 2004 and again in 2006. The auditor reported zero non-compliances following the latest audit.

9. OVERALL REVIEW OF PERFORMANCE AGAINST THE PLAN

The team performed well in respect of its inspection targets for high and medium risk premises and improved on its performance in 2005/2006. At the same time, a well-balanced work programme, combining advice and promotional work with special projects and formal action, was maintained. Over and above the narrower issues contained in the plan, customer consultation results indicate high customer satisfaction with the work of the team. The team is also part of a Charter Mark-accredited service and emphasis is placed on the quality of the service provided to local people.

City of York Council – 2007/8 Framework Agreement Local Authority Annual Service Delivery Plan

This plan summarises activities to be undertaken and must be read in conjunction with the detailed activity framework, LA Profile and EH & TS Customer Contract attached

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
1. Enforcement planning					
1.1(a) Enforcement structure and plan	<p>Profile of Local Authority area and associated animal health and welfare workload (This may vary between LA structures, e.g. Trading Standards and Environmental Health Depts. Varying roles and responsibilities – but should be as inclusive as possible)</p>	<p>Analysis of commercial premises, by type, number, days of operation, size and scope of activities undertaken. Includes:</p> <p>Live Animals</p> <ul style="list-style-type: none"> premises licensed for sales (e.g. auction markets etc.) premises licensed for collections for slaughter or further rearing or finishing abattoirs/slaughterhouses (red meat full throughput and low throughput, poultry) <p>Carcasses/Animal By-Products</p> <ul style="list-style-type: none"> rendering plants, knackers yards, hunt kennels, maggot farms etc. 	Good	Annual	<p>Plan to be agreed with DVM.</p> <p>Profile attached</p>

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
1.1(b)		<p>Analysis of other 'agricultural' holdings, by type, number, farming and other activities, species kept, livestock census, disease history, welfare history etc. Includes where appropriate:</p> <ul style="list-style-type: none"> • premises where livestock present or kept (even temporarily) for commercial purposes • other premises where animals present or kept for commercial purposes (e.g. horse riding establishments/zoos and winter quarters/dog breeding and selling/quarantine kennels/pet shops etc.). • other non-commercial premises where livestock present or kept (e.g. pet pig keepers, back yard poultry flocks etc.) • other non-commercial premises (e.g. animal sanctuaries etc.) 	As above	As above	As above
1.2 Risk assessment	Preparation of risk assessment of Local Authority area	<p>Application of veterinary risks and direction where appropriate. Both (high-level) from Defra HQ and also regional input by DVM (as below).</p> <p>Account taken of any existing RA approaches used, including LACORS National Risk Assessment Scheme etc.</p> <p>Change-over from any existing risk scheme to the LACORS Trading Standards Risk Assessment Scheme by (latest) April 2004.</p>	Good	Annual	Risk assessment completed. Updated using AMES system. Veterinary risks accounted & recorded. Work with regional & LACORS advice.

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
1.3 Intelligence	Intelligence gathering, processing and dissemination	Use of intelligence; information and intelligence recording, processing and dissemination. Includes local/regional risk assessment of premises, businesses, people and their activities	Good	Annual	Ongoing process incorporated 5X5X5 intelligence assessment approach – National Intelligence Model.
1.4 (a) Consultation and liaison	Consultation with DVMs on risk assessment	Addition of any appropriate local veterinary focus or risk; cross-fertilisation with adjacent authorities in DVMs area through formal regional arrangements between DVMs and Local Authorities. Change-over from any existing risk scheme to the LACORS Trading Standards Risk Assessment Scheme by (latest) April 2004.	Minimum	Annual	Consultations undertaken and will be an ongoing process Completed
1.4 (b)	Liaison with other agencies	Liaison at planning stage with other relevant stakeholders, e.g. other Govt. departments such as FSA, other Local Authority agencies (e.g. Port Health Authorities, Environmental Health Departments, Emergency Planning Departments etc.), Police, Meat and Livestock Commission, Meat Hygiene Service, Market/Abattoir Operators etc.	Good	Annual	Maintain regional liaison status

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
2.1 Knowledge and training	Continuing professional development Knowledge and training	Continuing professional development of Local Authority AH&W staff. Time and resources allocated to keep up to date on appropriate animal health and welfare legislation and Defra requirements, codes of practice, guidance etc. – e.g. by using the LACORS website every day. All enforcement staff to hold Diploma in Trading Standards or Diploma in Consumer Affairs qualification and/or Certificate of competence in Animal Health and Welfare or other appropriate formal professional qualification, or have equivalent professional experience i.e. ‘grandfather rights’; or undertake to achieve such qualifications as soon as possible, and are authorised to enforce all relevant legislation (including where appropriate for specialist officers The Animal Health Act 1981 (as amended), EC Act 1972, Food Safety Act etc.)	Good	Annual	Professional development reviewed via Personal Development Plans during Performance Development Reviews, includes review of appropriate staff grades No applicable better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
3.1 Education and advice	Provide 'one-stop' shop of advice Reactive activity	Guidance provided to customers on all aspects of Animal Health and Welfare that Local Authorities are responsible for, as well as specific advice regarding the Defra (post FMD) 'steady state' regime including any movement licensing requirements. (Delivery targets set in accordance with individual Local Authority 'charter' response times) Phone calls – answer within 20 seconds – as per LA Charter Letters acknowledged within 3 working days of receipt – as per LA Charter. Full response within 10 days of receipt. Personal callers met within 10 minutes of arrival – as per LA Charter Email acknowledged within 3 working days of receipt – as per LA Charter. Full response within 10 days of receipt.	Better	Annual and Quarterly Measures	Delivering a standard of 99.5%

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
3.2 Issuing of specific animal movement licences (on AMLS) or other (non AMLS) LA issued licences	Receipt of licence applications Assessment and issue of specific licences. Assessment and issue of other LA issued licences.	Specific licences (on AMLS) issued for those individuals prohibited by the Minister from operating under the general licences. Issue of AMLS licences manually where approval given following investigation. Issue of licences for activities that require any other (non AMLS) LA issued licence under Defra Animal Health and Welfare Directorate general remit (e.g. PRIMO, performing animals, pet shops, Dangerous Wild Animals Act etc. depending upon council structure and areas of responsibility)	Better	Annual	Progression to better target standard – system in place to monitor ongoing achievement
3.3 Investigation of specific (AMLS) movement licence refusals Investigation of other LA issued licence refusals	Co-operation with applicants and AHDOs	Initial investigation of (AMLS) licence application refusals; fix if possible otherwise co-operation with AHDO to achieve resolution. Publicised appeals procedure (where appropriate and permitted by legislation).	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
3.4 Recording of animal movements	Pig/sheep movement data capture and recording of exemptions	Data entry onto AMLS of all pig/sheep movement submissions. All documents received to be date stamped or otherwise identified as to date received. Receipt, verification, and entry onto AMLS of owner movement declarations. Data-entry backlog to be managed to ensure that it does not exceed three working days from receipt for error free documentation. Allowance of one extra working day where errors detected that require follow-up resolution (see below).	Good	Annual	
3.5 Error management	Monitoring of AMLS Monitoring of other licensing systems/records	Where obvious data errors detected above and beyond those found during licence application (e.g. central data errors on DCS or other IT systems and not errors on paperwork received etc). Regular review and update of all non-AMLS licensing systems/records.	Good	Annual	Reduced number of refusals and errors actioned within one day
4.1(a) Routine activities to support compliance	Education and advice Proactive activity	As required on demand (in person, by phone, leaflet etc.). Proactive involvement or lead in education and training events (e.g. business guidance mail shots to stakeholder organisations etc.). Joined up approach to education and advice through liaison with Defra/LACORS Philosophy of 'Enforcement through Education'	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(b)	Documentary checks and reconciliation	Follow-up action on suspected irregularities identified in AMLS/AMES	Minimum	Annual	No applicable good or better practice target
4.1(c)	Attendance at 'critical control points'.	<p>Highly visible preventive enforcement presence.</p> <p>Attendance at:</p> <p>(a) markets (and other premises licensed for sales)</p> <p>to assure legislative compliance, in particular with</p> <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing • all other relevant legislation <p>Exact attendance levels and times according to risk, size of premises, volume of trade and presence of other agencies</p> <p>NB: see also 'Out of hours checks' below</p>	Better	Quarterly and Annual	This is a high priority for Animal Health Officers

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(d)		(b) premises licensed for collections for slaughter or for further rearing or finishing to assure legislative compliance, in particular with <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing • all other relevant legislation 	Better	Quarterly and Annual	This is a high priority for Animal Health Officers
4.1(e)		(c) slaughter markets (or premises licensed for direct to slaughter sales) to assure legislative compliance, in particular with <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing all other relevant legislation	Better	Quarterly and Annual	Focus on bio-security and identification enforcement, welfare & identification enforcement is a high priority for Animal Health Officers.

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(f)	<p>All these activities with regard to the transport, unloading and identification of livestock should occur outside of the slaughterhouse buildings. This service delivery function does not require LA officers to enter the slaughterhouse proper, or undertake enforcement in relation to the slaughterhouse operation itself. The MHS are responsible for enforcement in the slaughterhouse itself, and LAs should liaise with MHS with regard to any need to enter the slaughterhouse. If during a visit, an LA officer notes a defect in hygiene or has any concerns relating to the structure, operation or other matter involving the slaughterhouse itself, then this should be brought to the attention of the MHS.</p>	<p>(d) slaughterhouses (full and low throughput, red meat and poultry (white meat) slaughterhouses to assure legislative compliance, in particular with</p> <ul style="list-style-type: none"> • biosecurity (includes vehicles, premises and people) • livestock identification • welfare • transport • licensing and record keeping • specific pre-movement licensing <p>all other relevant legislation (specify where appropriate)</p> <ul style="list-style-type: none"> • Liaison with MHS <p>(Especially re MHS surveillance for one month at all poultry and red meat slaughterhouses in May/Sep 2004 for Welfare of Animals (Transport) Order compliance as part of annual welfare survey).</p>	Good	Quarterly and Annual	Reviewed and monitored according to risk assessment

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(g)	Premises visits and inspections	<p>Selective visits to verify legislative compliance (including any records required, any Defra (post FMD) 'standing regime' licensing or standstill requirements etc.):</p> <ul style="list-style-type: none"> • markets/premises licensed for sale • premises licensed for collection of animals for slaughter or for further rearing or finishing • slaughterhouses • commercial hauliers • farms (including own livestock vehicles) • knackers/hunt kennels/renderers/maggot farms etc. • any other premises of livestock origin and destination including assembly centres • other commercial premises where animals kept (e.g. pet-shops etc.) as appropriate. 	Better	Quarterly and Annual	

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
4.1(h)	Postal record recall checks (if carried out) on livestock premises.	<p>Postal record recall checks and verification as appropriate.</p> <p>This activity is not compulsory, but where it is undertaken, it is possible to target 95% of all livestock premises within a 12-month period for postal record recall checks. Allows data on premises to be kept up to date.</p> <p>Alternatively, records may be recalled according to risk, e.g. from all premises risked as High Risk every year, Medium Risk every two years, Low Risk every five years etc.</p> <p>Non-responses subject to follow-up action as appropriate (including if necessary premises visit inspection).</p>	Not applicable	Not applicable	Not applicable
4.1(i)	<p>Out-of-hours checks</p> <p>(outside of normal specified operating hours, or subsequent days)</p>	<ul style="list-style-type: none"> • Markets (premises licensed for sale) • Slaughterhouses • premises licensed for collection of animals for slaughter or for further rearing or finishing <p>to assure legislative compliance.</p>	Better	Quarterly and Annual	This is a high priority for Animal Health Officers
4.2 Standby and on-call	Response, standby and on-call arrangements.	Emergency inter-agency contact re disease/other enforcement incident(s).	Good	Annual	Review annually & in light of any emergency situation arising

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
5.1(a) Planned enforcement activities based on veterinary risk.	High-risk livestock movements.	<p>All livestock movements under general or specific post Foot-and-Mouth regime licences to premises where animals gather from different sources – and from where animals will go to new premises (other than to slaughter), e.g.</p> <ul style="list-style-type: none"> • premises licensed for sale (e.g. market) to farm • farm to farm • on farm sales • premises licensed for collection of store cattle for further rearing or further finishing • shows/sheep dog trials etc. <p>Continuing species risk of sheep.</p>	Minimum	N/A	No applicable good or better practice target
5.1(b)		<p>All irregular livestock movements and activities including:</p> <ul style="list-style-type: none"> • illegal returns from slaughterhouses • out-of-hours (unsupervised) movements at slaughterhouses, premises licensed for sale or premises licensed for collection of animals for slaughter or for further rearing or finishing • field lairages at slaughterhouses etc. 	Minimum	N/A	<p>Additional enforcement activities targeted at those where intelligence indicates illegal/irregular activities</p> <p>No applicable good or better practice target</p>

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
5.1(c)		All illegal livestock movements (i.e. unlicensed and/or outside the system): <ul style="list-style-type: none"> market to market (for sale within six/twenty days as appropriate to species) subsidy fraud moves (e.g. 'bed and breakfasting' of stock) movements to dealing farms substitution or diversion of livestock 	Minimum	N/A	Additional enforcement activities targeted at those where intelligence indicates illegal/irregular activities No applicable good or better practice target
5.1(d)	Lower risk animal movements	Those not included within a high-risk category and not involving any specified high-risk livestock species type. <i>(This may include Horses).</i>	Better	Quarterly and Annual	Horse sales are held at York Marts Attendance at and movement checks are a priority No applicable good or better practice target
5.1(e)	Vehicle biosecurity, cleansing and disinfecting compliance.	Checks on those making undertakings regarding cleansing and disinfecting at premises other than where they have delivered livestock (where permitted).	Better	Annual	This is a high priority for Animal Health Officers

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
5.1(f)	In-transit checks	Roadside checks (in conjunction with police): Police-led multi-agency roadside checks Local Authority-led checks for animal health and welfare compliance only (include co-ordination with adjacent Local Authorities) National exercises and operations (e.g. Operation Mermaid).	Minimum	Annual	
5.1(g)	Movement declarations	Follow-up on keeper self-declarations of movement (for sheep/goats/pigs) and follow up of: British Cattle Movement Service (BCMS) Cattle Tracing System (CTS) and Disease Control System (DCS) data on movements.	Better	Annual	
6.1(a) Unplanned and reactive or demand-led enforcement.	Identified infringements	Identified breaches of legislation (including biosecurity, licensing and any post Foot-and-Mouth standing regime standstill requirements, welfare, illegal imports, by-products & other disease control enforcement work, etc.).	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
6.1(b)	Intelligence-led actions	Infringements or suspected infringements reported from external enforcement sources or identified by use of data interrogation or intelligence sources.	Minimum	Annual	No applicable good or better practice target
6.1(c)	Intelligence-led actions	Infringements or suspected infringements reported by members of the public/complaints.	Minimum	Annual	No applicable good or better practice target
6.1(d)	Specialist enforcement and investigation techniques	Surveillance etc. as required. (This may include any operations carried out in accordance with RIPA 2000)	Minimum	Annual	No applicable good or better practice target
6.1(e)	Cross-border and multi-agency working	Proactive and reactive work with other LAs and agencies. Identify cross-cutting issues and relevant areas of risk suitable for cross-border and multi-agency approach. Research / intelligence-led activities including workshops. Investigations / exercises / initiatives to test compliance.	Good	Annual	A priority in undertaking animal health and welfare enforcement
7.1(a)	Data entry, report writing and casework (non-Court)	Follow-up reports, data entry, licence issues and other work following practical enforcement activities. Enforcement cases not going forward for Court action.	Minimum	Annual	No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
7.1(b)	Prosecutions – casework and Court attendance	Further investigation and evidence gathering. Prosecution casework. Attendance at Court and post-Court documentation.	Minimum	Annual	No applicable good or better practice target
7.1(c) Animal Movement Enforcement System (AMES)	Entry of data on to AMES system (or via electronic data transfer via local systems onto AMES) re Local Authority enforcement activities, actions and results.	Follow-up reports, data entry, management information report generation, licence regime compliance, data entry issues and other work following practical enforcement activities. Recording of data on infringements.	Good	Monthly	
7.1(d)	Intelligence – information and systems (non RIPA 2000)	Set up and on-going maintenance of intelligence systems. Access and development of data systems across boundaries and inter-agency work. Liaison with other agencies.	Minimum	Annual	No applicable good or better practice target
7.1(e)	Management information	Provision of management information data to Local Authorities and Defra on enforcement activities carried out.	Minimum	Annual	No applicable good or better practice target
7.1(f)	Evaluation	Periodic review of enforcement strategy and activities: Defra/Local Authorities.	Minimum	Annual	No applicable good or better practice target
7.1(g)	Audit	Future agreement will incorporate arrangements for audit, possibly by Audit Commission.	Minimum		No applicable good or better practice target

Function	Activity	Content	Agreed target standard (minimum, good, better)	Monthly/Annual Performance Measure	Comment
8. Contingency planning and emergency action					
8.1(a) Defra and Local Authority emergency preparedness.	Planning	Planning and contributing to emergency preparedness plans with Defra and other agencies as appropriate.	Good	Annual	Review and update as necessary
8.1(b)	Testing and training	Testing, training, practising and evaluating activities in relation to the emergency plan.	Minimum	Annual	Review with appropriate staff
8.1(c)	Emergency action	Provision of full emergency range of services under the emergency plan, when disease emergency declared by Defra.	Minimum	Annual	No applicable good or better practice target Provide services as required and necessary

Note: This activity framework outlines activities to support enforcement planning by Local Authorities. The columns entitled 'minimum standard', 'good practice' and 'better practice' are framed along the lines of the LACORS Trading Standards Good Practice Guides, No. 3 – Animal Health and Welfare. This is to allow flexibility in Local Authority planning approaches while maintaining a minimum level baseline. Any levels or targets quoted are given as targets and are for discussion purposes with local DVMs.

Any specific local areas of work that are not identified or allocated service delivery standards in the above Activity Framework should be identified, and decisions as to appropriate service delivery levels (minimum, good, better) agreed and recorded in any 'plan' produced in discussion with local DVMs.

Risk should define appropriate enforcement Activity (AEA) as per the LACORS National Risk Assessment Scheme – which can include inspection frequency. Nothing in this guidance prevents or restricts LAs from making local determinations as to appropriate service delivery.

Annex 1**DEFRA Framework Agreement – Local Authority Profile 2007/8**

Authority Name: **City of York Council**

Authority Type: **Unitary**

Animal Health & Welfare service provided by **Animal Health Team part of the Trading Standards Service – Animal Health & Dog Warden Service, Trading Standards & Consumer Advice**

Number of staff employed on AH&W as inspectors: **2.3 FTE**

*Number of these supported by additional funding from Defra: **0.8 FTE***

Number of staff employed as office based AMLS2/AMES data inputters (full time equivalent posts): **0.32 FTE**

*Number of these supported by additional funding from Defra: **0.32 FTE***

Number of staff employed on AH&W (full time equivalent posts) pre FMD: **1 FTE**
(specify if appropriate between inspectors and data inputters)

Breakdown of registered livestock premises within LA area (where known)

Livestock Premises

Total	Risk				
	High	Medium	Low	No inspectable risk	Not assessed
240	2	16	222	0	0

Markets and collection centres

	Livestock markets (all types)	Collecting Centres (all types)
Number	1	1
Operating days per month	9	4

Other

Number of			
Abattoirs (all types)	Knackers/Hunt Kennels	Ports/Airports	Commercial Hauliers (if known)
1	1		2

Data Capture System used (include details of software supplier): **Flare**

Any additional information:

Outline of Authority:

The City of York has a population of 183,000, and attracts in excess of four million visitors each year, from whom the service receives requests for consumer advice and assistance either directly or via Consumer Direct.

The Authority is also home to over 6,900 businesses. There are 245 agricultural premises of which 240 are farms/smallholdings with livestock. Most of these businesses require advice, assistance or inspection by the service at one time or another, some on a regular basis. These requests are received either by the traders contacting the service or during visits to those traders operating within the City of York Council area.

An internationally renowned historical City, it is also an industrial, commercial and transport centre with major companies in the fields of food manufacturing, construction, engineering and scientific products and growing employment in bioscience and technology.

Around 50% of the population are economically active, however 32% of jobs are part-time with 80% of the jobs in the service sector.

Farming and agriculture, although small in comparison to some of the other business sectors is a significant part of the local economy. The livestock centre being the largest single centre in the area. However, it is true that farming and agriculture has suffered more during recent years due to political and economic pressures. This has implications in terms of additional support required by the farming community, and increased enforcement to maintain the necessary standards of disease control and animal welfare.

The geographic location, the demographic profile (one of the highest totals of pensioner households as a proportion of the population) and make-up of the Authority means that we have a concentrated centre of population and businesses, with some rural communities together with several out of town retail parks.

The challenge for the service is to have a creative approach to service delivery to ensure equal access for all especially in the light of legislative changes including the Animal Welfare Act 2006.