



**Notice of a public meeting of  
Cabinet**

**To:** Councillors Williams (Chair), Crisp, Cunningham,  
Levene, Looker and Simpson-Laing (Vice-Chair)

**Date:** Tuesday, 3 March 2015

**Time:** 5.30 pm

**Venue:** The George Hudson Board Room - 1st Floor West  
Offices (F045)

**A G E N D A**

**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 **4:00 pm on Thursday 5 March 2015.**

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

**1. Declarations of Interest**

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

**2. Minutes**

(Pages 1 - 24)

To approve and sign the minutes of the last Cabinet meeting held on 10 February 2015.

### 3. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Monday 2 March 2015**. Members of the public can speak on agenda items or matters within the remit of the Committee.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

#### **Filming, Recording or Webcasting Meetings**

*“Please note this meeting will be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.*

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*The Council’s protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at [http://www.york.gov.uk/downloads/download/3130/protocol\\_for\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings](http://www.york.gov.uk/downloads/download/3130/protocol_for_webcasting_filming_and_recording_of_council_meetings)*

### 4. **Forward Plan** (Pages 25 - 28)

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

### 5. **Graduate Business Start-ups, Entrepreneurialism and Higher Value Jobs Scrutiny Review Final Report** (Pages 29 - 80)

This report presents the final report of the Graduate Business Start-ups, Entrepreneurialism and Higher Value Jobs Scrutiny Review and asks Cabinet to approve the review recommendations.

*[Councillor Burton, as Chair of the Task Group has been invited to attend the meeting for consideration of this item]*

**6. The Council's Housing for Older People Programme**

(Pages 81 - 102)

This report provides Cabinet with an update on the Council's existing Housing for Older People Programme and seeks permission to pursue an alternative approach to the provision of accommodation with care for older people, subject to approval of a detailed business case.

**7. York Outer Ring Road Improvement Scheme (Pages 103 - 112)**

This report provides an update in relation to ongoing work in respect of the York Outer Ring Road and Cabinet is asked to consider a number of options and associated risks for progressing the project. This report has been written on the basis that Full Council approved an additional recurring £500k allocation in the base budget for the progression of the West Yorkshire plus Transport Fund.

**8. Yorwaste Limited and Implementation of the Teckal Exemption (Pages 113 - 120)**

This report updates Cabinet on progress made towards enabling the award of contracts for the provision of waste services to Yorwaste Limited without competitive tender.

**9. Report on Interim Evaluation of the Anti Social Behaviour Hub (Pages 121 - 132)**

This report sets out the City of York Council's journey to date in transforming its approach to partnership working with North Yorkshire Police and the Police and Crime Commissioner to tackle Anti-social Behaviour and Nuisance through the creation of a multi-agency Anti-social Behaviour Hub.

**10. Economic Infrastructure Fund (Pages 133 - 144)**

This report sets out a proposal for Cabinet approval of funding from the Economic Infrastructure Fund to support the creation of a Business Improvement District in the city.

**11. Leeds City Region**

**a) Governance Arrangements - Business Rates Pool**

(Pages 145 - 156)

This report seeks Cabinet approval to the replacement of the Business Rates Pool sub-committee by a new joint committee of the seven Pool authorities, following the establishment of the West Yorkshire Combined Authority. Similar approvals are to be sought from the executives/cabinets of the other six Pool authorities.

**b) Leaders' Board**

(Pages 157 - 166)

This report proposes that Cabinet agrees to dissolve the Leeds City Region Leaders' Board on 31 March 2015. This is in order to allow the West Yorkshire Combined Authority to establish an advisory Leeds City Region Partnership Committee, to allow the Combined Authority to begin to act as the principal accountable body for funding relating to City Region economic development and regeneration activities from 1 April 2015.

**12. Delivering Marketing, Culture, Tourism and Business Development - Make it York**(Pages 167 - 172)

This report asks Cabinet to agree the governance and legal framework for Make it York prior to the company trading in April 2015, to deliver marketing, culture, tourism and business development in the city.

**13. Recommendations of Local Plan Working Group - Wheldrake Village Design Statement and Strensall with Towthorpe Village Design Statement** (Pages 173 - 184)

This report presents the recommendations from a meeting of the Local Plan Working Group held on 29 January 2015 in respect of the Wheldrake and Strensall with Towthorpe Village Design Statements and asks Members to consider the advice given by the Group in their capacity as an advisory body to the Cabinet, in relation to these Design Statements.

*[Councillor Merrett, as Chair of the LPWG has been invited to attend the meeting for consideration of this item]*

**14. Local Flood Risk Management Strategy** (Pages 185 - 260)

This report presents Cabinet with the final Local Flood Risk Strategy for approval. This follows a six week public consultation and an overview of the consultation responses and sets out the resulting changes to the Strategy.

**15. 2014/15 Performance Monitor Quarter 3** (Pages 261 - 278)

This report presents details of the Council's performance covering 1 April to 31 December 2014. This is the third report of the financial year and assesses performance against key themes, including Council Plan Priorities.

## 16. Urgent Business

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

### Democracy Officer:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

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

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

Contact details are set out above.

**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



City of York Council

Committee Minutes

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Meeting	Cabinet
Date	10 February 2015
Present	Councillors Williams (Chair), Crisp, Cunningham, Levene, Looker and Simpson-Laing (Vice-Chair)
In attendance	Councillors D'Agorne, Douglas, Galvin, Merrett, Reid, Richardson, Steward, Taylor Warters and Watson

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## **Part A - Matters Dealt With Under Delegated Powers**

### **89. Declarations of Interest**

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. No additional interests were declared.

### **90. Minutes**

Resolved: That the minutes of Cabinet meetings held on 16 December 2014 and 6 and 20 January 2015 be approved and signed by the Chair as correct records.

### **91. Public Participation**

It was reported that there had been seven registrations to speak at the meeting under the Council's Public Participation Scheme and that seven Members of Council had also requested to speak on items, details of which are set out below:

#### A-boards Scrutiny Review – Final Report

Diane Roworth, spoke as Chief Officer on behalf of York Blind and Partially Sighted Society, reporting her first hand experience of incidents involving A-boards on footpaths in the city and highlighting the risks of liability. She asked Members to

support Option D in the report, the introduction of a total ban on the use of A-boards.

Bob Towner, representing York Older People's Assembly spoke to highlight the adverse impact of A-boards on the lives of the elderly, those with mobility issues and those with small children and prams. He requested a ban on the use of A-boards in the city and to give businesses the option to affix signs to their premises.

Tracy Dearing addressed the meeting on behalf of the Royal National Institute for the Blind and Partially Sighted (RNIB). She highlighted a recently published RNIB Campaign Report, 'Who put that there!' which referred to street furniture and praised the Task Groups report. She expressed support for a ban on A-boards with zero tolerance and referred to the authorities need to manage risks.

Sue Barnes-Wilson spoke as the owner of Gillies Fabrics in Peter Lane, York. She highlighted the importance of an A-board, for the advertisement of her business, situated down a narrow lane off Market Street. She confirmed that she employed a number of local staff and that without the board's advertisement she expressed concerns at the viability of the business.

Cllr Taylor expressed support for the earlier speaker's comments in relation to A-boards.

Cllr Watson also expressed his support for earlier speaker's comments, referring to the growing concern at the increased use of A-boards around the city and the need for decisive action.

### 2014/15 Finance Monitor 3

Cllr Watson spoke to question a number of references in the report, particularly the additional costs of operating Waterworld and payments from the Delivery and Innovation Fund and to Greenwich Leisure Ltd.

### Capital Programme – Monitor Three 2014/15

Cllr Watson also spoke to question references in Annex A, to this report, of funding for York Art Gallery Gardens, the York Museums Trust and the freehold for Stonebow House.



### Financial Strategy 2015-2020

Stephen Pittam addressed the meeting on behalf of the York Travellers Trust, in respect of the Cabinet recommendation to increase rents for Gypsy, Roma and Traveller sites by 2.2%. He stated that the recommended rise was above the Retail Price Index and he questioned the legality of the increase, as prior consultation had not been undertaken.

Heather McKenzie spoke to represent UNISON, acknowledging the financial pressures the authority faced however she remained concerned at the use of outsourcing vehicles to delivery future services. She asked the Cabinet to look at the use of in-house services wherever possible and to continue meaningful discussions with staff to mitigate against cuts and support jobs and the local economy.

### New Council House Building – Phase 2

Stewart Harrison, spoke as the Chair of Bishopthorpe Parish Council, in respect of the six bungalows proposed in Maple Avenue Bishopthorpe, as part of these proposals. He expressed concern at the loss of community open space and to the affect building would have on the privacy of adjacent properties. The development also required demolition of Vernon House, a well used community centre and launderette, and he requested Members to exclude this site from the proposals.

Cllr Galvin also spoke to highlight the importance of Vernon House to the social life of Bishopthorpe residents. Whilst understanding the need for additional Council homes he asked Cabinet to agree a balance, with the retention of Vernon House and the development of only two bungalows on the Maple Avenue site.

### Next Steps in Neighbourhood Working

Cllr Galvin spoke in relation to the proposed new ways of neighbourhood working. He expressed concern at the proposals, confirming that it would be difficult to undertake the proposals without a larger budget and pointing out that delivery would however have been possible under the previous system.

Cllr Reid referred to the disconnect between residents and the Council which had arisen from the policies of the current

Council. With cuts to ward committees and frontline services, she felt that budgets and decision making should be more devolved.

### A Congestion Commission for York

Cllr Warters spoke of his concern at the recompense suggested for independent experts appointed to explore the options to reduce traffic congestion in the city, particularly following the recent budget announcement of cuts to the Council's workforce. He suggested that the decisions should remain with Officers of the Council and those who used the roads.

Cllr D'Agorne referred to the recent cuts in local bus services and to increases in fares and the effects on the network and service users. He also expressed his reservations regarding the chairing of the Commission and highlighted the need to examine the Council's existing transport policies and the engagement of all stakeholders in the Commissions work. The appointment of an alternative People's Commission was suggested with cross party support but with arrangement following the May elections.

Cllr Taylor expressed his support for Cllr D'Agorne's earlier comments in relation to proposals for the Congestion Commission.

Cllr Reid also spoke to express concern that if the proposals set out a new approach to congestion, that all Members should be involved in order to gain full cross party support. She questioned whether value for money would be achieved and requested Cabinet to review the range of options with the utilisation of previous transport studies.

Cllr Merrett spoke to welcome the proposals for a Commission with the scope outlined in the report. He highlighted the significant congestion challenge the city posed, pointing out that the costs needed to be considered in context with the work required. He asked that city centre businesses also required representation on the Commission as their buy in would be required.

### Legible York Wayfinding Project

Cllr Taylor spoke of his concern at the costs associated with the wayfinding project. He highlighted the shortfall in budget for a

scheme which was not fully supported by all stakeholders. He also requested further examination of the digital element of the proposals together with a full comparison of quotes following tendering.

**92. Forward Plan**

Members received and noted details of those items on the Forward Plan for the next two Cabinet meetings, at the time the agenda was published.

**93. A-boards Scrutiny Review Final Report**

Consideration was given to the final report from the A-boards Scrutiny Review. The review's aim had been to identify suitable guidelines for the use of A-boards, taking into account other issues such as alternative ways of advertising and health and safety issues.

Councillor Douglas, as Chair of the Task Group presented the final report. She referred to her concerns regarding the increased use of A-boards in the city and to the difficulties of identifying acceptable requirements and guidelines to balance the needs of both highway users and businesses. She referred to research undertaken and to policing issues and asked Officers to work with businesses to enable them to advertise on buildings and to prepare guidance for the boards use across the city, in line with the Task Groups recommendations:

- i) The introduction of a policy allowing the use of A-boards under strict criteria.
- ii) The policy to include a list of streets where the use of A-boards is prohibited at all times due to the limited widths of footways.
- iii) That appropriate resources be identified to ensure the full and proper enforcement of the new policy. This to include consideration of the potential for improved cross directorate/team working outlined in paragraph 44 of the review final report.
- iv) The Policy (based on Option E, as detailed in Recommendations (i) & (ii) above) be trialled for a two year period.

Members confirmed that enforcement was key, as was the need to balance the use of A-boards with the livelihood of small businesses. With limited resources there was a need to work with and support businesses to find alternative methods of advertising.

Resolved: That, having considered the Task Group's final report and annexes, Cabinet agree to request the Director of City and Environmental Services to prepare guidelines for the use of A-boards across the city, in consultation with interested parties, for consideration at a future meeting. <sup>1</sup>.

Reason: To conclude the Scrutiny Review in line with CYC Scrutiny procedures and protocols.

Action Required

1. Prepare guidelines for the use of A-boards, in consultation with interested parties, and add item to future Forward Plan.

SCT

**94. 2014/15 Finance Monitor 3**

Members considered a report which provided details of the Council's financial position for the period covering 1 April to 31 December 2014. The report assessed the main budget variations and any mitigating actions by Directorate, progress of the Corporate Budgets and the Housing Revenue Account and provided an update on the Section 106 balances and Delivery and Innovation Fund.

With the Council's budget for 2014/15 at £124,186k forecasts indicated financial pressures of £771k, an improvement of £538k on the previous forecast. Details of the financial position in relation to individual directorates were reported at paragraphs 7 to 29 of the report. It was noted that the Council had made a total of £89.8m of savings between 2007/2016 and experienced a government grant reduction of £36.9m.

Resolved: That Cabinet agree to note the current financial position of the Council as set out in the report.

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

**95. Q3 Capital Programme Monitor**

*[See also Part B minute]*

Members considered a report which informed them of the likely outturn position of the 2014/15 Capital Programme based on the spend profile and information to January 2015, including under and over spends, programme changes together with any slippage.

The current approved Capital Programme for 2014/15 was £72.555m, financed by £32.063m of external funding, and internal funding of £40.492m. A decrease of £6.350m, details of which were set out in the report, and had resulted in a revised Capital Programme budget of £66.205m made up of under spends and net re-profiling to future years. The variances against each portfolio area, together with a summary of the key exceptions and implications on the capital programme, were set out at paragraphs 8 to 45 and at Annex A of the report. A summary of the revised 5 year Capital Programme incorporating the proposed changes highlighted in the report were shown at Table 2 together with the proposed financing at Table 3.

The overall spend and the commitment profile on the Economic Infrastructure Fund over the existing 5 year programme was reported at paragraph 16 and at Annex B of the report.

Resolved: That Cabinet agree to:

- (i) Note the 2014/15 revised budget of £66.205 as set out in paragraph 6 and Table 1.
- (ii) Note the restated capital programme for 2014/15 – 2018/19 as set out in paragraph 46, Table 2 and detailed in Annex A.

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

**96. Financial Strategy 2015 - 2020**

*[See also Part B minute]*

Members considered a report which presented the financial strategy for 2015 to 2020, including detailed revenue budget proposals for 2015/16 for Council approval. Members were

informed that the final Local Government Finance Settlement had been announced, following publication of the Cabinet agenda, which provided an additional allocation of £162k the effect of which would be:

- new growth item of £162k in respect of general contingency
- increase in grant funding of £162k
- increase in net revenue expenditure of £162k, from £119.598m to £119.760m.

Details of the amended recommendations, as a result of the additional allocation, had been circulated at the meeting and republished online.

It was noted that the financial strategy delivered a balanced budget for 2015/16 with savings totalling £11.9m and a proposed Council Tax freeze for 2015/16. The total council tax increase including the Parish, Police and Fire Authority precepts would be agreed at the full Council meeting on 26 February 2015.

Details of the national context and the local issues and challenges were reported with the steps the Council was taking to enable itself, residents and communities to work together to meet their future needs and priorities.

Members referred to the continuing challenges the Council faced with an increasing demand for services and the need to ensure the budget was both prudent and protected vulnerable people. It was confirmed that priority had been given to funding areas highlighted by residents during recent consultation and that staff would be fully engaged during future rewiring projects.

**Resolved:** That Cabinet approve the average rent increase for 2015/16, as shown in table 18 and paragraphs 118 to 119 of the report, as 2.2%. This rent increase will be applied across council dwellings, hostels and Gypsy, Roma and Traveller Community sites. <sup>1</sup>.

**Reason:** To ensure the ongoing financial stability of the Housing Revenue Account and allow work on improving the quality of the council's affordable housing to continue.

Action Required

1. Implement the rent increases as from 1 April 2015.

SK, DM

**97. Next Steps in Neighbourhood Working**

Consideration was given to a report which set out proposals for further development of the Council's approach to neighbourhood working.

Although the Authority had a strong tradition of community engagement it was felt that there was a need to consolidate the approach to empower local residents. The development of this approach, including support for ward members as community champions together with the resources which would be available to wards to support this engagement was detailed in the report and annexes.

Officers referred to the number of different elements which would form the new approach which would allow flexibility, however the detail, with input from ward members would be brought back to Cabinet for final agreement. It was noted that the five models of accountability at ward/area level at Annex A of the report had been compiled by Elizabeth Richardson of York University.

Members acknowledged that the direction of travel would provide local accountability and it was

Resolved: That Cabinet agree to:

- Approve the direction of travel set out in paragraphs 7-23 of the report
- Agree to receive further reports on the detail of these proposals. <sup>1</sup>.

Reason: To update Cabinet on the Council's commitment to the creation of a new relationship with its residents and communities.

Action Required

1. Proceed with approach to new way of working and add further reports to Forward Plan.

CC

**98. Rewiring of Public Services: Update on Business Case for Young People's Information, Advice, Guidance and Support Services currently located in Castlegate**

Consideration was given to a report which updated Cabinet on developments in relation to the transformation of Information, Advice, Guidance and support services for young people. This outlined developments, following the last update to Members in November 2014, in respect of consultations with young people and partners and a meeting of the sub group of the YorOk Board in the development of revised proposals.

It was noted that themes had emerged, from feedback from partners and young people and that a second meeting of the sub group was due to be held on 30 January to further develop the model, prior to reporting to the YorOk Board in March. A revised business case would then be presented to Cabinet in Summer 2015.

Resolved: That Cabinet note the views from partners and young people, as reflected in the report, and approve the suggested timelines and further work of the YorOk sub group in respect of the development of revised proposals for the services currently located at Castlegate.

Reason: To allow the work with YorOk partners to develop proposals to inform a revised business case to be submitted to Cabinet in early summer 2015.

**99. Proposed Expansion of St Barnabas' CE Primary School**

Cabinet considered proposals for the provision of additional accommodation at St Barnabas' CE Primary School, in order to meeting demand from within the school's catchment area.

It was noted that consideration had been given to the following options, with details of each reported:

- Expand the capacity at Poppleton Road Primary School
- Build a new primary school on the former Manor CE Secondary School site
- Expand St Barnabas' CE Primary



The recommended option of expanding the existing school with two additional classrooms and expanding the kitchen had been found to be the most cost effective solution in providing sufficient places within the local area to meet local demand. Consultation had subsequently been undertaken with stakeholders, with all supporting expansion of the existing school.

As a Private Finance Initiative (PFI) school, it was noted that this work would be undertaken by Sewell Group, the Council's PFI partners.

Resolved: That Cabinet agree Option A and approve £667k of Basic Need capital investment to expand St Barnabas' CE Primary by an additional 60 places, in order to meet the expected increase in pupil numbers from within the catchment area of the school. <sup>1</sup>.

Reason: Expansion at St Barnabas' CE Primary represents the most cost effective way for City of York Council to deliver its statutory responsibility to provide sufficient school places for local families.

Action Required

1. Proceed to use investment to implement expansion of school.

JW

**100. A Congestion Commission for York**

Consideration was given to a report which asked Members to consider the establishment of a Congestion Commission for the city and proposals for a city-wide consultation, building on known expertise in the field, to bring forward strategic recommendations for the Council to consider.

The report considered the challenges and experiences of similar compact mediaeval cities, including their use of a Commission approach to congestion management. It was noted that Officers had examined the key lessons and in particular the importance of independent expertise and the need for participation and open debate. This had then been used to draw up the Terms of Reference, principles of operation, scope, size and membership of the Commission.

Members also noted details of the proposed funding and budget, in the context of the ongoing management of the highways.

Consideration was given to the option of not setting up a Congestion Commission, with the Council continuing as it had in the past, which it was noted had its strengths. Alternatively consideration was given to establishing a Commission intended to identify strategic recommendations, in a different way, along the lines of the London Roads Task Force.

Members referred to a number of earlier approaches taken by the authority to congestion and to the lack of long term solutions. It was now felt that expert assistance and community engagement were required with an early start being made on the set up of a Commission.

Following further discussion it was

Resolved: That Cabinet agree to the establishment of a Congestion Commission for York with the purposes, scope and ways of operating set out in the report and Terms of Reference, the budget proposed in paragraph 32 and the draft work programme set out in paragraphs 30 and 31. <sup>1</sup>

Reason: To enable a robust, evidence-based and participative approach to developing strategic recommendations for the management of congestion in York.

Action Required

1. Await outcome of CSMC (Calling-In) meeting. SCT

**101. New Council House Building - Phase 2**

Consideration was given to a report which set out proposals for the delivery of the second phase of new Council homes and the development of a number of sites within the Housing Revenue Account and one with the General Fund.

It was proposed to develop a further 30 Council homes between the following sites:

- Heworth Lighthouse
- Maple Avenue

- Ordnance Lane
- Viking Road/Crombie House

It was noted that Ward Members would be kept informed of progress, that a procurement strategy would be developed and that proposed costs for the delivery of the new homes would be set out in a report to a future Cabinet meeting.

Consideration was then given to the following options:

Option 1- To approve the working up of Phase 2 of the Council House Building Programme utilising a budget of £25,000 from the HRA Investment Fund with the aim of bringing forward up to 46 new council homes on the sites identified

Option 2 – To not undertake any preparatory work to develop a Phase 2 of the Council House Building Programme until longer term considerations of delivery models has been undertaken.

The Cabinet Member highlighted the need for new Council housing built to a Code for Sustainable Homes Level 4 standard for future generations.

Members noted the concerns of Bishopthorpe residents, in relation to the Maple Grove development, and confirmed that further discussions would take place regarding the needs of residents within the proposed the scheme.

Resolved: That Cabinet agree to:

- (i) Approve expenditure of up to £25,000 from the HRA Investment Fund for developing proposed schemes and budgets for Phase 2 of the Council House Building Programme with the aim of bringing forward up to 46 new council homes.
- (ii) Note that subject to the proposed scheme being considered the best strategic use for the site and being financially viable and value for money, that permission will be sought to appropriate the Heworth Lighthouse site into the Housing Revenue Account.

- (iii) Agree the inclusion of an element of market housing where appropriate on any site where 20 or more new council homes are being created.
- (iv) Note that an extension of the New Build Project Manager post by 12 months will be sought to enable the project management of the construction sites to be funded from the total scheme cost budget for Phase 2.
- (v) Note the longer term strategic ambitions of delivering a greater number of new affordable homes across the city with consideration given to alternative vehicles for delivery and the requirements being considered as part of the ongoing strategic review of council and existing HRA assets. <sup>1</sup>.

- Reason:
- (i) To allow the council to add a significant number of homes to its existing asset base and help to alleviate the acute housing need in the city.
  - (ii) To allow this site to be developed for new council housing whilst generating the appropriate return for the General Fund.
  - (iii) To ensure a mix of tenures to create a mixed and sustainable community and to provide cross subsidy to help fund the delivery of council homes.
  - (iv) To allow the successful delivery of the project without impacting on the wider Housing Development Team work plan by ensuring the appropriate level of resources.
  - (vi) To help meet more of the housing need in the city and enabling the delivery of homes in a more effective way.

Action Required

1. Proceed with Phase 2 of the building programme. AK

**102. Implementation of the Better Homes Contract - York**

Cabinet considered a report which set out details of the implementation of the Better Homes Contract, set up to improve the energy efficiency of private sector homes and reduce fuel poverty and carbon emissions.

Members noted work undertaken with the Leeds City Region for a framework agreement for the programme to deliver energy efficiency measures to private sector homes with the contract awarded to a consortium of Keepmoat, Willmott Dixon and Scottish and Southern Electricity. As the Better Homes programme had exclusivity rights and, in order to take full advantage of the scheme and future funding opportunities, it was noted that the authority would no longer work be able to work with other contractors, which included the Yorkshire Energy Partnership.

Consideration was then given to the following options

Option 1: To completely withdraw from the Yorkshire Energy Partnership

Option 2: To become an Associated Member of Yorkshire Energy Partnership

Option 3: To maintain the current status

Resolved: That Cabinet agree to:

- (i) Note progress to date of the Better Homes – York scheme and to receive annual progress reports.
- (ii) Acknowledge the change in the relationship with Yorkshire Energy Partnership as a result of the new scheme and to agree to Option1 to withdraw from YEP. <sup>1</sup>.

Reason: To ensure that City of York Council can take full advantage of the Better Homes- York Scheme promoting energy efficiency measures across all sectors to reduce fuel poverty and carbon emissions without being breach of any exclusivity clause and ensuring that there is no conflict should the Yorkshire Energy Partnership become a delivery partner for Keepmoat, Willmott Dixon and Scottish and Southern Electricity.

Action Required

1. Implement withdrawal from YEP and add progress reports to Forward Plan.

RA

**103. Private Rented Sector Consultation - Review**

Cabinet considered a report which informed them of the results of consultation regarding the private rented sector in relation to the review of the YorProperty Voluntary Landlord Accreditation Scheme.

It was noted that consultation, undertaken between 15 October and 21 November had resulted in 450 responses, the majority of which were unfortunately incomplete. It was reported that, whilst the consultation had provided good and statistically valid information from landlords, letting agents and tenants, the response from the wider community and the shared student sector had provided an incomplete picture.

With this in mind Members considered the following options:  
Option (i) – Continue with the current service with the accreditation scheme and other initiatives to support a healthy private rented sector;

Option (ii) – Continue with Option (i) above and to carry out further detailed consultation focusing on those groups which didn't respond and commission the Building Research Establishment to provide an updated picture of the condition of the stock to provide a more complete picture of the private rented sector for members to make a judgement.

Members were informed of the work undertaken by Councillors Barnes and Fitzpatrick in the private rented sector to support the review.

Resolved: That Cabinet agree to approve option (ii) and continue with the current service with the accreditation scheme and other initiatives to support a healthy private rented sector and to carry out further detailed consultation focusing on those groups which didn't respond and commission the Building Research Establishment to provide an updated picture of the condition of the stock to provide a more complete picture of the private rented sector for members to make a judgement. <sup>1.</sup>

Reason: To maximise the contribution made by the private rented sector in York towards meeting current and future need through tailored, targeted and proportionate intervention and support, designed to secure safe, well managed and decent accommodation.

Action Required

1. Undertake additional consultation in respect of the private rented sector.

JS

**104. Legible York Wayfinding Project**

Consideration was given to the report of the Director of City and Environmental Services in relation to the implementation of a contemporary wayfinding solution to replace existing street furniture and digital and paper mapping.

A project team had worked with a range of communities with specific concerns about navigating the city to look at improvements which could be made to the public realm to make it as accessible as possible for residents and visitors, whilst maintaining and enhancing the city's unique qualities.

The Cabinet Member highlighted the need to deal positively with access issues in the city for vulnerable residents. However he felt that additional information was required in relation to costs of the differing options to ensure value for money.

Officers referred to points raised by earlier speakers, confirming the clear separation between work undertaken in the projects development and future procurement and the need to draw down further funding and sponsorship to support the shortfall.

Following further discussion consideration was given to the following options:

Option one:

- To approve the contemporary design for finger posts, totems and mapping developed by Placemarque as detailed in the Annex B; and
- To approve adoption of the wayfinding map as the city wide standard; and

- To approve securing a preferred manufacturer through the Council's procurement process for wayfinding street furniture; and
- To approve implementation of phase one (see Annex D for phasing), Station to Minster wayfinding subject to further analysis on detailed locations and quantity of street furniture; and
- To approve implementation of the complementary digital wayfinding and to support the implementation of Way-Fairer for people with visual impairments as detailed in the annex.

Option two: to approve the contemporary design for finger posts and mapping, but not the totems developed by Placemarque as detailed in Annex B. To approve further consideration of utilising the existing cast iron wayfinding street furniture for delivering accessible wayfinding solutions.

Option three: Do nothing.

It was then

Resolved: That further consideration of wayfinding solutions for the city be deferred in order to allow the Director of City and Environmental Services to fully investigate the different options available, including costings and report back to a future meeting. <sup>1</sup>.

Reason: In order to allow Cabinet to make an informed decision and provide consistency of signage across the city, that it is fully supported by stakeholders.

Action Required

1. Undertake investigation of all options and costs and add report back to future Forward Plan.

BS

## **PART B - MATTERS REFERRED TO COUNCIL**

### **105. Q3 Capital Programme Monitor**

*[See also Part A minute]*

Members considered a report which informed them of the likely outturn position of the 2014/15 Capital Programme based on the spend profile and information to January 2015, including under



and over spends, programme changes together with any slippage.

The current approved Capital Programme for 2014/15 was £72.555m, financed by £32.063m of external funding, and internal funding of £40.492m. A decrease of £6.350m, details of which were set out in the report, and had resulted in a revised Capital Programme budget of £66.205m made up of under spends and net re-profiling to future years. The variances against each portfolio area, together with a summary of the key exceptions and implications on the capital programme, were set out at paragraphs 8 to 45 and at Annex A of the report. A summary of the revised 5 year Capital Programme incorporating the proposed changes highlighted in the report were shown at Table 2 together with the proposed financing at Table 3.

The overall spend and the commitment profile on the Economic Infrastructure Fund over the existing 5 year programme was reported at paragraph 16 and at Annex B of the report

Recommended: That Council approve the adjustments in the Capital programme of a decrease of £6.350m in 2014/15 as detailed in the report and contained in Annex A. <sup>1</sup>.

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

Action Required

1. Refer to Council.

JP

**106. Treasury Management Strategy Statement and Prudential Indicators for 2015/16 to 2019/20**

Consideration was given to a report which provided Members with information on the following which required Council approval:

- Treasury management strategy statement for 2015/16 covering the two main areas of Capital Issues 2015/16 to 2019/20 and the treasury management strategy ;
- Prudential indicators for 2015/16 to 2019/20
- Revised treasury management policy statement
- Specified and non-specified investments schedule at Annex B.

- Treasury management scheme of delegation and role of the section 151 officer at Annex D of the report.

It was noted that the Council were required to receive, scrutinise via the Audit and Governance Committee and approve these reports each year.

At a strategic level, there were a number of treasury management options available that depended on the Council's stance on interest rate movements. The report set out the Council's stance and recommended the setting of key trigger points for borrowing and investing over the forthcoming financial year.

Members highlighted recent comments by the external auditors of the Council's strong financial management and financial control.

Recommended: That Council approve;

- (i) The proposed Treasury Management Strategy for 2015/16 including the annual investment strategy and the minimum revenue provision policy statement;
- (ii) The Prudential Indicators for 2015/16 to 2019/20 in the main body of the report;
- (iii) The Specified and Non-Specified Investments schedule (Annex B)
- (iv) The Scheme of Delegation and the Role of the Section 151 Officer (Annex D) <sup>1</sup>.

Reason: To enable the continued effective operation of the Treasury Management function and ensure that all Council borrowing is prudent, affordable and sustainable.

Action Required

1. Refer to Council

JP

**107. Financial Strategy 2015-2020**

*[See also Part A minute]*

Members considered a report which presented the financial strategy for 2015 to 2020, including detailed revenue budget proposals for 2015/16 for Council approval. Members were informed that the final Local Government Finance Settlement had been announced, following publication of the Cabinet agenda, which provided an additional allocation of £162k the effect of which would be:

- new growth item of £162k in respect of general contingency
- increase in grant funding of £162k
- increase in net revenue expenditure of £162k, from £119.598m to £119.760m.

Details of the amended recommendations, as a result of the additional allocation, had been circulated at the meeting and republished online.

It was noted that the financial strategy delivered a balanced budget for 2015/16 with savings totalling £11.9m and a proposed Council Tax freeze for 2015/16. The total council tax increase including the Parish, Police and Fire Authority precepts would be agreed at the full Council meeting on 26 February 2015.

Details of the national context and the local issues and challenges were reported with the steps the Council was taking to enable itself, residents and communities to work together to meet their future needs and priorities.

Members referred to the continuing challenges the Council faced with an increasing demand for services and the need to ensure the budget was both prudent and protected vulnerable people. It was confirmed that priority had been given to funding areas highlighted by residents during recent consultation and that staff would be fully engaged during future rewiring projects.

Resolved: That Cabinet, having considered;

- Expenditure pressures facing the council as set out in the report

- Impacts of savings proposals set out in annexes 3a to 3d of the report
- Medium term financial factors facing the council as outlined in the report
- Projected levels of reserves as set out in the report
- Statutory advice from the Director of Customer and Business Support Services

It be

- Recommended: (i) That Council approve the budget proposals as outlined in the report, and in particular;
- a. The net revenue expenditure requirement of £119.760m, having been adjusted by a further £162k, following receipt of the final grant settlement
  - b. A Council Tax requirement of £72.736m
  - c. The revenue growth proposals as outlined in the body of the report
  - d. The additional revenue growth of £162k, as a result of the final grant settlement
  - e. The revenue savings proposals as outlined in Annex 3a to 3d
  - f. The fees and charges proposals as outlined in Annex 5
  - g. The Housing Revenue Account budget set out in Annex 6

- h. The dedicated schools grant proposals outlined in paragraphs 120 to 128.
- (ii) That Council note the effect of approving the income and expenditure proposals included in the recommendations would result in no increase in the City of York Council element of the council tax.<sup>1</sup>

Reason: To ensure a legally balanced budget is set.

Action Required

1. Refer to Council.

JP

**108. Capital Programme 2015/16 to 2019/20**

Consideration was given to a report which set out the Capital Strategy for the 5 year period covering 2015/16 to 2019/20 and provided information on new capital schemes.

Since current scheme approval in February 2014 a number of amendments had been made resulting in a current approved capital programme for 2014/15 to 2018/19 of £209.117m financed by £118.741m of external funding and £90.376m of Council controlled resources.

Requests in the sum of £44.107m had been made to increase the existing programme, details of which were set out in paragraphs 6 to 9 in the report. With a summary of the new bids set out in Table 3 and the capital programme and growth summary in Annexes A and B.

It was noted that all the schemes progressed through for consideration had demonstrated that they directly contributed towards achievements in the Corporate Strategy and that to mitigate risks the programme was regularly monitored by the Capital Asset Board.

Recommended: That Council agree to:

- (i) The revised capital programme of £187.019m that reflects a net overall increase of £44.107m (as set out in paragraph 55 table 7 and in Annex B). Key elements of this include:

- a. Extension of prudential borrowing funded Rolling Programme schemes totalling £5.970m as set out in table 2 and summarised in table 7;
  - b. New schemes totalling £8.763m including an increase in prudential borrowing of £5.538m as set out in table 3 and summarised in table 7;
  - c. New externally funded schemes totalling £15.140m as set out in table 4 and summarised in table 7;
  - d. An increase in HRA funded schemes totalling £14.234m funded from a combination HRA balances/Right to Buy receipts of £14.234m as set out in table 5 and summarised in table 7 subject to the approval of the Director of CBSS in relation to the IT investment (£1.810m)
- (ii) Approve the full restated programme as summarised in Annex A totalling **£187.019m** cover financial years 2015/16 to 2019/20 as set out in table 8 and Annex A.<sup>1</sup>

Reason: To set a balanced capital programme as required by the Local Government Act 2003.

Action Required

1. Refer to Council.

JP

Cllr D Williams, Chair

[The meeting started at 5.40 pm and finished at 8.20 pm].

**Forward Plan: Cabinet Meeting: 3 March 2015**

**Table 1: Items scheduled on the Forward Plan for the Cabinet Meeting on 14 April 2015**

Title and Description	Author	Portfolio Holder
<p><b>Narrowing the Gap Scrutiny Review Final Report</b></p> <p>Purpose of Report: To present the Cabinet with the Final Report arising from the Narrowing the Gap Scrutiny Review.</p> <p>Cabinet are asked to approve the recommendations arising from the review.</p>	Melanie Carr	<p>Cllr D Taylor Chair of Learning &amp; Culture Overview &amp; Scrutiny Committee</p> <p>Cabinet Member for Education, Children and Young People</p>
<p><b>Disabled Access to York's Heritage &amp; Culture Offer Scrutiny Review Final Report</b></p> <p>Purpose of Report: To present the Cabinet with the Final Report arising from the Disabled Access To York's Heritage Cultural Offer Scrutiny Review.</p> <p>Cabinet are asked to approve the recommendations arising from the review Disabled Access to York's Heritage &amp; Culture Offer Scrutiny Review Final Report</p>	Melanie Carr	<p>Cllr D Taylor Chair of Learning &amp; Culture Overview &amp; Scrutiny Committee</p> <p>Cabinet Member for Culture, Leisure and Tourism</p>

**Table 2: Items scheduled on the Forward Plan for the Cabinet Meeting on 2 June 2015**

<b>Title and Description</b>	<b>Author</b>	<b>Portfolio Holder</b>
<p><b>Review of Get York Building Programme 2nd Year</b></p> <p>Purpose of Report: To review progress of the workstreams under the Get York Building programmes that were agreed at the March 2014 Cabinet Meeting.</p> <p>Members are asked to note the contents of the report and to consider the recommendations contained within it.</p>	<p>Steve Waddington/Paul Landais-Stamp</p>	<p>Cabinet Member for Communities/ Cabinet Member for Transport, Planning and Economic Development</p>



**Table 3: Items slipped on the Forward Plan**

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p><b>Review of Get York Building Programme 2nd Year</b></p> <p>Purpose of Report: To review progress of the workstreams under the Get York Building programme that were agreed at the March 2014 Cabinet Meeting.</p> <p>Members are asked to note the contents of the report and to consider the recommendations contained within it.</p>	<p>Steve Waddington/ Paul Landais Stamp</p>	<p>Cabinet Member for Communities/ Cabinet Member for Transport, Planning and Economic Development</p>	<p>3 March 2015</p>	<p>2 June 2015</p>	<p>In order to allow full year performance figures to be included rather than year end forecast figures.</p>
<p><b>Narrowing the Gap Scrutiny Review Final Report</b></p> <p>Purpose of Report: To present the Cabinet with the Final Report arising from the Narrowing the Gap Scrutiny Review.</p> <p>Cabinet are asked to approve the recommendations arising from the review.</p>	<p>Melanie Carr</p>	<p>Cllr D Taylor  Cabinet Member for Education, Children and Young People</p>	<p>3 March 2015</p>	<p>14 April 2015</p>	<p>The report is awaiting consideration by the Learning &amp; Culture Overview &amp; Scrutiny Committee on 24 February 2015.</p>

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p><b>Disabled Access to York's Heritage &amp; Culture Offer Scrutiny Review Final Report</b></p> <p>Purpose of Report: To present the Cabinet with the Final Report arising from the Disabled Access To York's Heritage Cultural Offer Scrutiny Review.</p> <p>Cabinet are asked to approve the recommendations arising from the review Disabled Access to York's Heritage &amp; Culture Offer Scrutiny Review Final Report</p>	Melanie Carr	<p>Cllr D Taylor</p> <p>Cabinet Member for Culture, Leisure and Tourism</p>	3 March 2015	14 April 2015	The report is awaiting consideration by the Learning & Culture Overview & Scrutiny Committee on 24 February 2015.



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**Cabinet****3 March 2015**

Report from the Economic & City Development  
Overview & Scrutiny Committee

**Graduate Business Start-ups, Entrepreneurialism and  
Higher Value Jobs Scrutiny Review – Cover Report****Summary**

1. This report presents the final report of the Graduate Business Start-ups, Entrepreneurialism and Higher Value Jobs Scrutiny Review see Appendix 1, and asks Cabinet to approve the review recommendations.

**Recommendations**

2. Having considered the final report and its annexes, the Cabinet is recommended to:
  - i. Approve the recommendations shown in paragraph 9 below.

Reason: To conclude the Scrutiny Review in line with City of York Council Scrutiny procedures and protocols.

**Background**

3. At a meeting in March 2014 the Economic & City Development Overview & Scrutiny Committee considered briefing papers on three possible scrutiny review topics and agreed that more productive and higher value jobs could be worthy of scrutiny review. A Task Group was appointed to carry out the work on the Committee's behalf.
4. The Task Group met with Officers on several occasions to agree a suitable remit and during a meeting between the then ECDOSEC Chair, the Head of Economic Development and the Programme Director Business Consolidation it was suggested the focus of the review should be on entrepreneurship and graduate enterprise. The Committee subsequently agreed the following review aim and objectives.

## **Aim**

5. To identify cost effective ways to attract graduates and entrepreneurs to start up or relocate in York thus enabling the employment of local people at higher than average wages.

## **Objectives**

6.
  - i) Identify improvements to the way York attracts and supports graduates and young entrepreneurs to develop enterprise in the city.
  - ii) Identify an improved marketing strategy for York in general and as a place to grow higher value jobs.

## **Consultation**

7. As part of the review the Task Group have had the support of City of York Council Economic and Enterprise Officers while the Business & Economic Intelligence Unit have been consulted and have provided information in support of this review, as have the University of York, York St John University, Sophie Jewett of York Cocoa House, Ged Dillon of The Hog and Apple, York, and Catalyst IT Solutions, Heslington East, York.

## **Analysis**

8. Over a number of meetings and visits the Task Group gathered evidence in support of the review. The final report at Appendix 1 and its associated annexes includes a full analysis of the information gathered, the Task Group's conclusions and the recommendations endorsed by the Economic & City Development Overview & Scrutiny Committee at their meeting on 28 January 2015.

## **Review Recommendations**

9. Having considered the evidence gathered by the Task Group the Economic & City Development Overview & Scrutiny endorsed the following recommendations:
  - i. That the Economic Development Unit, Make It York and their partners bring forward innovative proposals to increase the amount of city centre space available for start-up and growing businesses in York by 20% by 2020, the amount of extra space to increase

year on year and be reviewed annually.

- ii. That the Council look to establish a single point of contact for business advice and develop a communications strategy to more effectively inform business owners and new starters of the assistance the Council can provide by clearly signposting services and to examine how local banks, accountants and solicitors could be used to point people in the direction of the council and its partners for advice.
- iii. That named Council support officers responsible for liaison with start-up businesses are clearly identified on the York Means Business and other appropriate Council websites.
- iv. That the Council and its partners work to increase business-to-business mentoring, peer support and networking opportunities for small businesses and the named contacts in Recommendation iii) be responsible for facilitating networking opportunities.
- v. That ECDOSC receives reports within six months on the outcomes of the support being provided to new local businesses by the Council.
- vi. That interventions through the Local Growth Fund and Make It York support an increase of 5% in employment in professional, scientific and technical activities by 2030.
- vii. That the Council construct a comprehensive database and e-list of businesses in the city.
- viii. That existing education providers be encouraged to step up provision of business plan writing so people can be coached to develop business plans.
- ix. That the University of York be urged to:
  - Reallocate University car parking to improve access and increase the attractiveness to visitors to the Ron Cooke Hub, subject to planning restrictions.
  - Make more in its prospectus that the university does not claim the intellectual property rights to undergraduate ideas.

## Council Plan

10. This review is linked to the create jobs and grow the economy element of the Council Plan 2011-15.

## Options

11. Having considered the final report at Appendix 1 and its associated annexes, Cabinet may choose to amend and/or approve, or reject the recommendations arising from the review as set out in paragraph 8 of this report.

## Implications and Risk management

12. The implications and risks associated with the recommendations above are detailed in paragraphs 114 & 115 of the review final report at Appendix 1.

## Contact Details

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### Chief Officer Responsible for the report:

Andrew Docherty

Assistant Director Governance and ICT

Tel: 01904 551004

Report Approved  Date 20/02/2015

Wards Affected:

All

For further information please contact the author of the report

## Annex

**Appendix 1** - Graduate Business Start-ups, Entrepreneurialism and Higher Value Jobs Scrutiny Review Final Report



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**Economic & City Development Overview & Scrutiny Committee****28 January 2015**

Report of Assistant Director Governance and ICT

**Final Report on Graduate Business Start-ups, Entrepreneurialism and Higher Value Jobs****Summary**

1. This is the Draft Final Report on the work on the agreed scrutiny review of more productive and higher value jobs being undertaken by a Task Group on behalf of the Economic & City Development Overview & Scrutiny Committee (ECDOSC).

**Background to Review**

2. At a meeting in March 2014 the Economic & City Development Overview & Scrutiny Committee considered briefing papers on three possible scrutiny review topics and agreed that more productive and higher value jobs could be worthy of scrutiny review. The Committee appointed a Task Group comprising Cllrs Burton (Chair), Semlyen and Cuthbertson to examine the proposed topic further.
3. The Task Group met with Officers on several occasions to agree a suitable remit and during a meeting between the then ECDOSC Chair, the Head of Economic Development and the Programme Director Business Consolidation it was suggested the focus of the review should be on entrepreneurship and graduate enterprise.
4. The Committee subsequently agreed the following review aim and objectives:

**Aim**

5. To identify cost effective ways to attract graduates and entrepreneurs to start up or relocate in York thus enabling the employment of local people at higher than average wages.

## Objectives

6. i) Identify improvements to the way York attracts and supports graduates and young entrepreneurs to develop enterprise in the city.
- ii) Identify an improved marketing strategy for York in general and as a place to grow higher value jobs.

## Consultation

7. City of York Council Economic and Enterprise Officers and the Business & Economic Intelligence Unit (EDU) have been consulted and have provided information in support of this review, as have the University of York, York St John University, Sophie Jewett of York Cocoa House, Ged Dillon of The Hog and Apple, York, and Catalyst IT Solutions, Heslington East, York.

## Background

8. In looking to attract higher value jobs it is necessary to understand and appreciate the link between Gross Value Added (GVA) and the higher value jobs. GVA is linked to gross domestic product (GDP) as both are measures of economic output.
9. Recently published figures by the Office of National Statistics show the value of York's Economy was worth £4.31 billion in 2012, the highest since 1997 and beating pre-recession levels of £4.27 billion. The GVA per head in 2012 was above the UK 100 Indices at 101.1 and was 2<sup>nd</sup> in the region behind Leeds.
10. However, there is a need to remain competitive on a national and international scale and the Centre for Cities Outlook has ranked York 40 out of 64 cities in regards to GVA per worker hence:
  - GVA per head is not competitive.
11. This can be tracked back to two headline issues, both of which reflect changes in the sectoral composition of York's economy, in particular the decline in manufacturing employment, which began in the 1990s:
  - We have high employment in traditional low productivity areas such as hospitality, catering and retail;

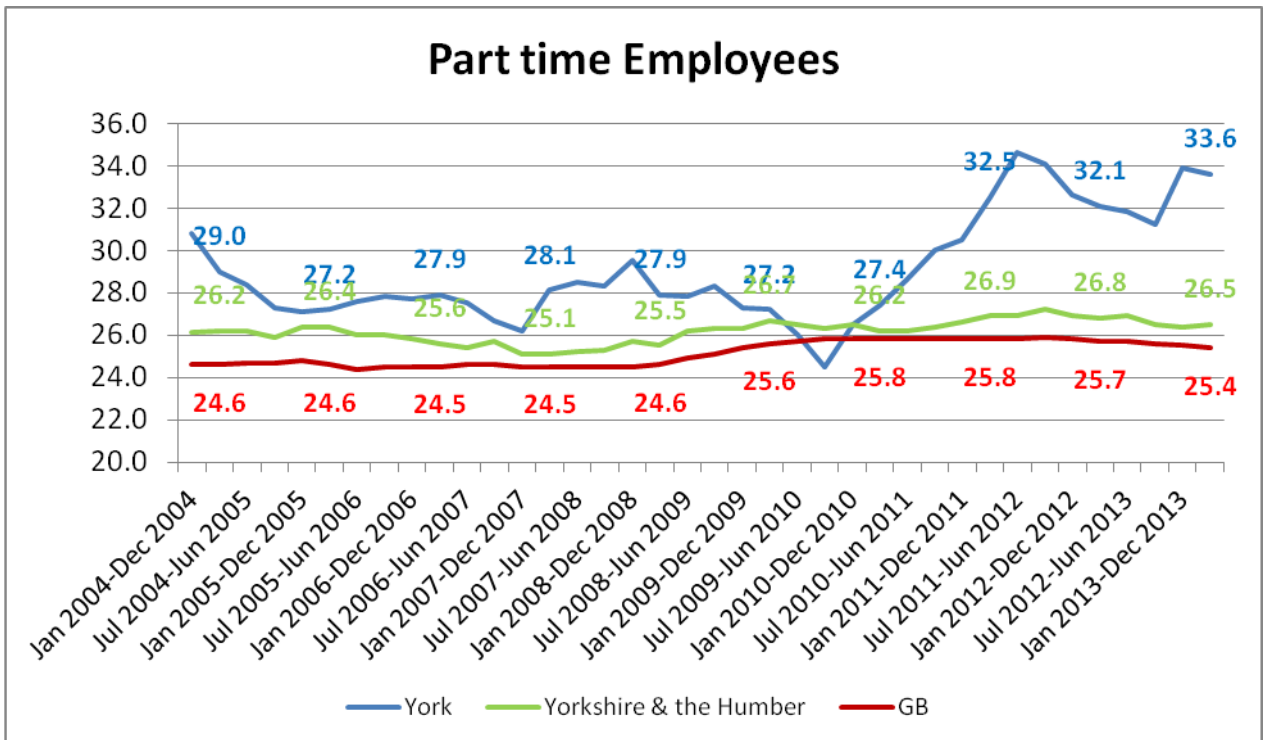


- We have low employment in the traditional high value areas such as insurance and pensions, pharmaceuticals, telecoms, chemicals and biochemistry.

12. The Task Group agreed that as York has low unemployment it is not that people do not have jobs and they wanted to find out how to raise the average level of wages by looking at sectors of the economy that can provide jobs and higher wages. The Task Group could look at either bringing in new organisations or helping home grown businesses develop and boost entrepreneurialism. The Task Group agreed it would be better to look at entrepreneurialism rather than outside businesses.

**Information Gathered**

13. While the unemployment rate in York is below the national average the latest economic dashboard shows the percentage of full time employees has fallen to 66.1% (from a high of 75.4% in September 2010) while the percentage of part time employees has risen to 33.2% (from a low of 24.5 in September 2010). ECDOSC members suggested that students staying in the city after graduation are taking part-time employment or roles previously taken up by those with lower levels of education, while they established a career path



**Objective i)**

14. To progress the review the Task Group wanted to consider best practice from other local authorities on what they are doing to encourage entrepreneurialism and assist companies to start and grow. A short survey found:
- **Leeds City Council:** QU2 (Supporting Business Success through Leeds Metropolitan University). Professional business centres offer a range of office services at affordable rates. Social media training provides an overview of online networks to give businesses a digital presence. They work closely with the university business start-up team to ensure the transition from university to running a business is as seamless as possible. They also offer recent graduates access to hot desk facilities and the use of a business address, free of charge, for three months.
  - **Sheffield:** Works closely with Sheffield Hallam University and the University of Sheffield to support graduate and post graduate business creation.
- Sheffield Hallam** helps students – or graduates from the last five years – start their own businesses with free access for a year to specialist business knowledge and resources to improve their chances of success. Last year, it supported almost 600 students with their business ventures.
- The University of Sheffield** runs a pre-start programme to take graduates from the late concept stage through to a stage where they are either ready to launch their business or apply for investment/funding if necessary. Some are incubated in an innovation centre for six months free of charge where they have access to an in-house business adviser, free printing, outgoing calls and WiFi, meeting rooms, workshops and networking events.
- **Hull:** The enterprise centre acts as a central point of access at the University of Hull for activities which will enhance enterprise skills and inspire business start-ups, supporting and driving activities from students, graduates and staff as well as members of the wider community. The enterprise centre also works with schools to help create a more enterprising culture.

- **Durham:** Enterprise activities allow the opportunity to explore entrepreneurial potential and to set up and run a business whilst still at University. The 'enterprise support programme' helps provide the knowledge and skills required for students to start exploring business start up and self employment. The programme has been developed by university staff, small business experts and entrepreneurs, and aims to give practical help and advice as and when needed. A resident business adviser is available to discuss any aspect of business start-up.

15. To gain further information about what is available in York, Task Group Members took part in visits to the University of York and York St John University in June 2014.

### **University of York**

16. Task Group Members visited the University's Ron Cooke Hub at Heslington East, which offers workspace accessible to entrepreneurs, business and other organisations. Facilities include high-quality, subsidised start-up space; areas for meetings, presentations, seminars, training and hospitality; access to industry experts and business support advisers; facilities to promote services; intern and graduate recruitment pool and networking opportunities.
17. The Hub was largely funded through the European Regional Development Fund as part of a project to encourage knowledge transfer between the University and local businesses. The Embedded Business Space and Technology Transfer project evidenced the following Small and Medium Enterprises (SME) / business engagement results:
- 75 SME assists – a minimum of 12 hour / two day intensive support.
  - 20 new businesses created – there are more in the pipeline but can only be reported once they have sustained for 12 months+.
  - 358.5 (FTE) new jobs created.
  - 12,709m<sup>2</sup> new floor space created.
18. The project is also targeted to grow the regional economy by achieving GVA of £37 million between the start and end dates from January 2007 to December 2014.
19. Central to the Hub offering is Springboard, low cost, fully serviced accommodation for start-up businesses. It provides space, time and

support for entrepreneurs to turn ideas into commercially-viable businesses. Businesses must be less than 12 months old and they can stay in Springboard for one year.

20. In the Hub's annual report for 2013 York Science Park Ltd reported that they had seen keen interest in Springboard despite the tough economic climate. During the 2012/13 academic year the average occupancy was 61%. However since its inception Springboard has supported 34 companies with an average occupancy of 73%. There were no business failures within Springboard during the 2012/13 academic year, with 50% of the companies ending their subsidised period in the domain being retained within York Science Park managed premises; moving to the adjacent Catalyst office building.
21. The Student Enterprise Space situated within the Springboard domain provides a free-of-charge office base and postal address for promising student businesses, including business support events and proof-of-concept<sup>1</sup> / social enterprise funding opportunities. The number of students signing up to use the facilities has grown 206% in 2012-13 to a total of 49 students running 30 businesses.
22. The integration of student businesses and external companies is proving invaluable for the cross fertilisation of ideas and support. The University offers funded enterprise internships to students and graduates to explore their business ideas and makes no claim in the intellectual property of its undergraduates
23. The Catalyst at Heslington East provides follow-on space and is designed to support the growth of early stage companies in the creative, IT, digital and media sectors. It gives new businesses the opportunity to access the facilities and the teaching and research expertise of the University's academic departments, including computer science, law and management and the Department of Theatre, Film and Television.
24. University of York alumni have set up a network of entrepreneurial alumni <http://yorkexperts.co.uk/> which allows specialist advice for students looking to set up in business or are involved in a start-up business.
25. York Entrepreneurs is a society which has a large student membership. They run a number of projects on campus but also undertake other

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<sup>1</sup> Proof-of-concept is documented evidence that a potential product or service can be successful.

activity such as outreach with schools. Enactus is a similar student society aimed at supporting social enterprise.

26. The York Award is a well-established recognition programme for students who wish to develop broader employability skills.
27. The University identified one of the obstacles to setting up a small business in York as being the lack of a critical mass of graduate jobs. If a graduate starts a business and it does not work then there is no fall-back. This presents an employment risk because if the new enterprise fails there are few other employment options.
28. Another possible obstacle is the perceived lack of convenient car parking at the Heslington East campus which is a cause of frustration for start up businesses wanting to attract clients from other parts of the country. However, the Hub's Annual report 2013 states that one of the most important improvements during the year is the opening of the Kimberlow Lane car park and new access via Grimston Bar, enabling ample parking facilities for all.
29. A problem could be the signage from both the A65 and from Heslington West as drivers on Hull Road are asked to follow signs to the Sports Village and Grimston Bar Park and Ride to access Kimberlow Lane car park, although literature providing clear directions is available on the university website.
30. There was also a suggestion that the university would benefit from a hotel near the Heslington East Campus, both for clients of businesses using the Springboard and Catalyst office buildings and people attending conferences and lectures at the Ron Cooke Hub.
31. To gather further evidence Task Group Members visited Catalyst IT Solutions, a developing IT support business based in the Springboard, a facility they considered invaluable.
32. While the two entrepreneurs behind Catalyst IT Solutions were focusing on building their business they were struggling with business support and would have benefitted from a basic composite business service at a discount rate. Ideally this would be a form of one-stop shop providing help and advice with business, financial and legal matters. They would also welcome a community of entrepreneurs so they could meet people in a similar situation for networking events.

## York St John University

33. Since 2009 expert staff have helped budding entrepreneurs and small organisations to achieve their potential through workshops, start-up business programmes, access to funding and the provision of affordable work space.
34. Start-up facilities include dedicated offices, hot desks, meeting spaces and small conferencing suites, providing a professional environment for young businesses. Start-ups have access to the University's facilities and resources as well as advice from YSJ academics and technical staff.
35. The Phoenix Centre was launched to kick start the development and growth of creative and digital businesses and in the five years since its launch it has accommodated 65 start-up businesses.
36. The centre has been developed by Science City York in direct response to feedback from members of its Creative York and IT & Digital York networks, fulfilling an identified requirement for a centrally located, incubation facility to support the region's growing creative and digital sectors. Businesses can occupy space in the centre for a maximum of one year.
37. St John also has effective connectivity with its alumni through a mentoring scheme which provides opportunities for students to improve their employability skills and enhance career prospects. It views entrepreneurship not only as setting up in business but also the skills around innovation.
38. The incubation facility provides affordable space and allows students to develop their business in a collaborative environment. This internal marketplace has allowed as many as four Phoenix businesses to work on the same project.
39. The incubation and mentoring services have provided business help to more than 150 businesses while the enterprise team supports over 350 graduate business inquiries each year. Some 4% of York St John graduates, from a student population of 6,500, establish a business, compared to 2.6% regionally. Again many decided to set up a business some years after graduating. A graphic designer developing a business at the Phoenix Centre left University five years ago while another who set up a social enterprise working with people with dementia had been working from home for a year and a half. She hopes to be able to find

some affordable shared space when she has to leave the centre.

40. In early July 2014 the York St John hosted an Entrepreneurs Boot Camp at which 31 would-be business people were given expert advice on how to get started. The four-day programme included practical aspects of starting a business such as finance, marketing, business planning, networking and sales. Sessions were led by business experts and professional advisers such as solicitors and accountants.
41. The University hosts an annual Enterprise Event offering workshops and the opportunity to hear from established businesses in the area. This is usually free and in the past has been held during York Business Week.
42. The Acorns Programme is aimed at self-starters who are about to become self-employed or have just started their business venture. The programme offers practical advice and support to turn ideas into reality.
43. York St John conducted a survey of graduate businesses and where they are now and it found that 30% had left York because they could not find affordable, reasonably equipped space.
44. The migration out of the city is highlighted by the creative agency The Beautiful Meme (TBM) which was created in York five years ago, although not by York graduates. The agency is making its mark nationally and internationally, winning major UK and international awards for creativity. Clients include AXA PPPhealthcare, King's College, Design Museum, AkzoNobel, English National Ballet Opera North and National Trust Scotland. The Task Group asked the founder and creative director of TBM, to help the review by sharing his experiences but he declined, saying he was relocating his business to London at the end of 2014.

### **Graduate Support**

45. Higher York is a partnership of Askham Bryan College, the University of York, York College, York St John University, and the City of York Council. Craven College is an associate member.
46. Among Higher York's priorities, the partners are committed to supporting the development of local enterprise, specifically through '*supporting students and graduates to improve their chances in local, national and international job markets and develop their own business skills through enhancing graduate employability and entrepreneurship*'.

47. Pan-institutional activity: The Graduate Entrepreneurship Project, which brought together the 10 higher education institutes in Yorkshire and the Humber, was financed through the European Regional Development Fund. It supported over 70 new start-ups over three years. The future of this project may benefit from a continuation of a regional approach (York St John and Higher York have begun to explore funding opportunities through the Local Enterprise Partnerships).
48. The Business Growth Fund helps new businesses accelerate growth in the crucial first year of trading. In addition to funding recipients receive mentoring, access to contacts, events and networking.
49. The Yorkshire Innovation Fund is operated by the two universities and is aimed mainly at established businesses although start-ups are also eligible.

### **Science City York**

50. Science City York (SCY) is a leading provider of high quality business and innovation services. It was the organisation that secured £19.6m towards the creation of knowledge transfer space across the Heslington East campus, including the Ron Cooke Hub, through the Embedded Space and Technology Transfer project (paragraph 17).
51. It works closely with, and in some ways acts as an extension to, the City of York Council's Economic Development Unit in delivering the aims and ambitions of the Council Plan 2011-15 and the wider York economic strategy. Its aims are:
  - Providing professional high quality business and innovation services;
  - Levering significant investment to support growth;
  - Being a key communicator of all growth sectors;
  - Sharing our expertise to create more value for clients.
52. Key priorities are to help early stage businesses to establish and grow and helping businesses reach their goals (paragraph 36). This includes providing grow-on space (paragraph 23) and embedded business space for small and medium sized businesses, allowing them to exploit opportunities for collaboration with other businesses and research organisations.



53. SCY was founded in 1998 to help develop York's economy and its priorities are to support businesses to achieve growth; develop new infrastructure to support the region's growth sectors and help businesses to make connections with the academic and research base.
54. In July 2014 the Science City York Board, comprising representatives from City of York Council, University of York, York St John University and the chairs of SCY's sector networks, accepted a proposal by City of York Council for SCY to come under full Council ownership and form part of Make it York, a company created by the Council to promote business development, tourism and culture in the city.
55. This will allow City of York Council to ensure the SCY offer is brought more closely in line with other York partners and agencies. This will create a wider suite of activities and enable SCY to continue providing services to the key growth sectors of bioscience, creative and IT & digital, in addition to building on its joint programme of work with City of York Council in developing the city's innovation ecosystem.
56. The move builds on the success of SCY over the past decade, in which time it has successfully brought in significant public and private sector funding and contributed to the creation of jobs and GVA growth.
57. The University of York and York St John University are supportive of the move of SCY to encompass the broader remit of Make It York. Both universities have made clear their continued commitment to working with the Council to deliver the ambitions of the city as a Science City, including maintaining the city's provision of innovation and business support across the city's key growth sectors.
58. However, SCY is operating on reduced capacity at present – staff numbers have gone down from 7 FTE to 2 FTE as of the end of December 2014 and as it may take several months to recruit and embed new staff the focus is on sector development work for the biomedical, creative and digital sectors. As of December 2014 SCY could not commit capacity as it did not know what the budget for Make It York will be for this activity.

### **Objective ii)**

59. To identify a strategy to make it easier to grow jobs in York, the Task Group sought the opinions of other people who have set up businesses in the city, a graduate and a former groundworker.

60. York Cocoa House. The Task Group met businesswoman Sophie Jewett in early July 2014. Sophie, a graduate of the University of York and former events officer at York St John University who set up the York Cocoa House in the city centre in 2011.
61. She was still working in events management when she first set up a web based business, Little Pretty Things, offering chocolate based classes, tastings, events and activities. She spent as much time as she could making chocolates, going to fairs and markets and delivering workshops at weekends and evenings. Sophie took part in the Acorn Programme at York St John to develop her ideas and in February 2010 she handed in her notice in order to take her business to the next level with the York Cocoa House, opening her first office at the York Eco Centre.
62. She suggested to the Task Group that the development of small businesses is led by available space, and there is also a need to create a mechanism of support for new businesses. While she is grateful for CYC support with things such as business funding, alternative finance solutions and peer to peer lending, some other areas of advice are fragmented. She suggested:
  - A “fixer” who can help address problems and find solutions to issues around planning, licensing and environmental health at the same time.
  - A one-stop-shop for business support as so many alternatives have grown to fill the void left by Business Link.
  - Initiatives to develop networking, business-to-business mentoring and peer support to provide cross fertilisation of ideas with people who are further on in their careers.
63. A business is more likely to succeed if the idea is strong and Sophie’s view is that by sharing these ideas they will become a magnet for expertise and people willing to help. However, there was a tension between ideas being stolen and ideas being able to grow.
64. She also felt that York had many excellent businesses and industries but many were not acknowledged within the city. There was a need to identify home-grown talent and let them stand and develop on their own but providing a safety net when needed.
65. Her opinion is that the difference between businesses that succeed and those which fail is that the ones that succeed keep trying, but the risk culture is being suffocated. Rather than so much effort being put into risk

analysis she felt more should go into opportunity analysis to stimulate business ideas. Entrepreneurs see their business development as a long-term plan and tend to pay themselves less in order to reinvest in the business.

66. The Hog and Apple, York started as a hog roast business which was conceived in late 2006 by Ged Dillon and a friend with a shared passion for good food. In the early days it was very much a weekend enterprise catering for a variety of social events with both partners continuing to work full time.
67. As The Hog and Apple evolved it moved into fine food catering and much of its current business involves providing a complete catering package for wedding receptions. Initially the preparation and much of the cooking was done in the kitchens at their homes. Ged later took full control of the business and went full time in April 2013 while his friend decided to stay in paid employment.
68. The Hog and Apple moved into a business unit in 2013 and was registered for VAT in August 2014. It currently employs chefs, kitchen and serving staff on a freelance basis but Ged will be employing a full-time chef in the near future and has been in talks about taking on an apprentice.
69. There were numerous obstacles to overcome in the early days of establishing the business, most significantly finding out who to contact for help and advice on a wide variety of issues such as:
  - tax;
  - legal matters;
  - health and safety;
  - insurance
  - accountancy;
  - public liability;
  - where to find staff;
  - how to go about training staff;
  - claiming expenses
  - tenancy advice;
  - business rates for council tax.
70. He admits that in the early days he was working by trial and error and had to learn from his mistakes. He used the internet for information but

soon realised the best source of advice was by talking to other business owners, many of whom had made a similar series of errors. He found that people who had set up in business were passionate about what they were doing and were only too willing to share their experiences.

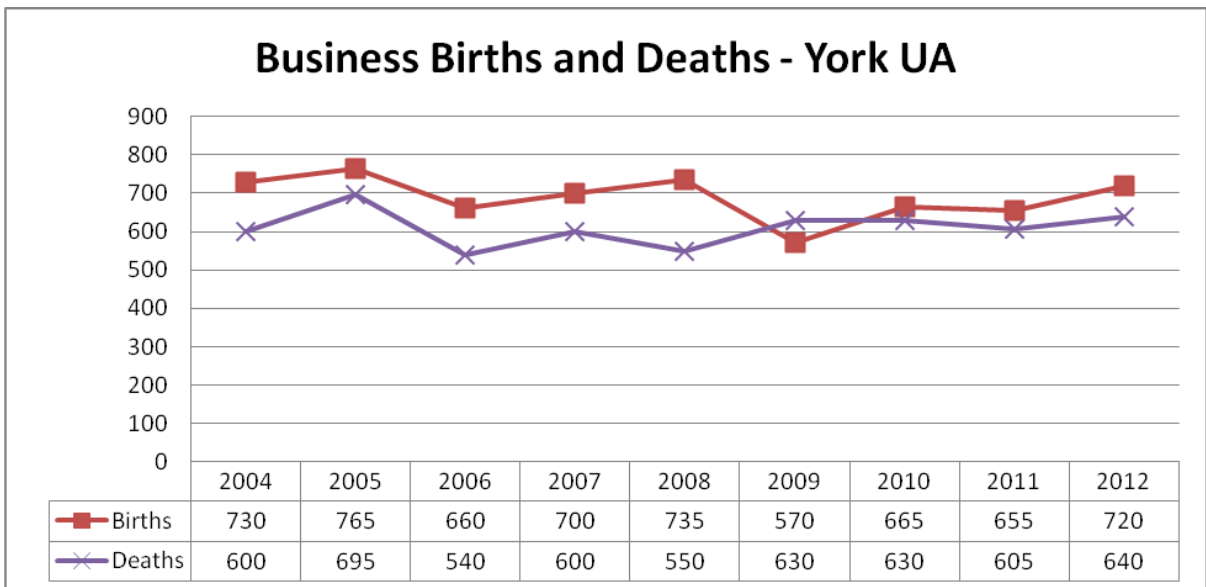
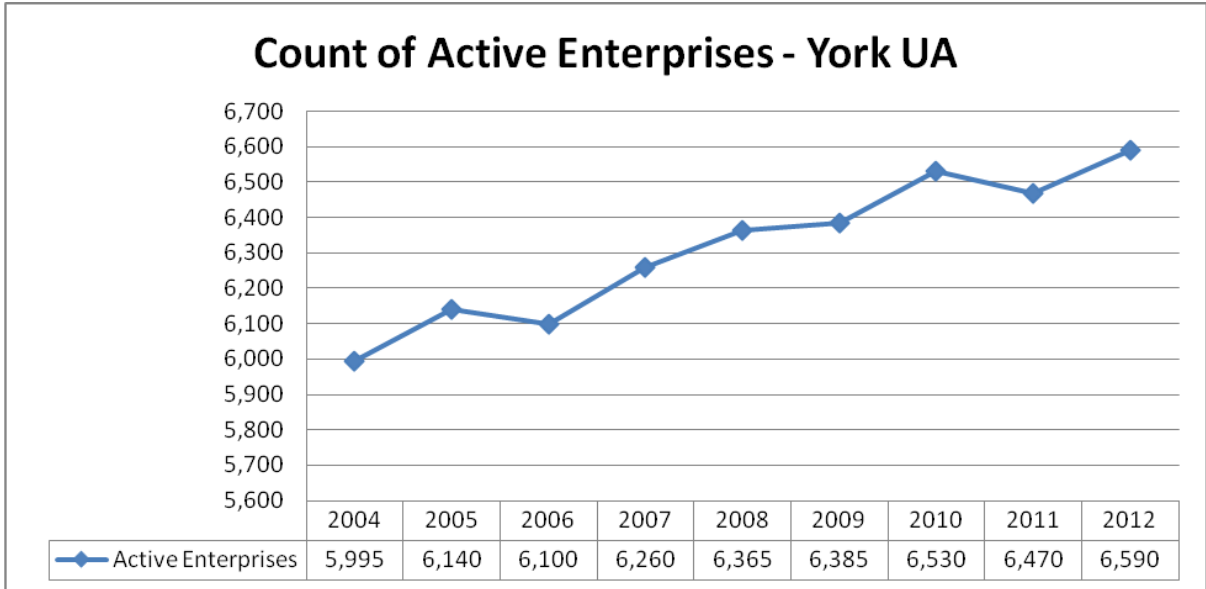
71. Ged did not know what support was available from City of York council and while he was able to register online as a food business he did not find the Council website helpful and had difficulty contacting anyone from the Council by telephone.
72. To help start-up businesses Ged suggests some form of central monitoring system on the lines of the food business register. He suggests all new businesses should be registered with a Council support service complemented by one or two members of staff who can provide “on-the-spot” help and advice or signpost appropriate support.

### **Business Demography**

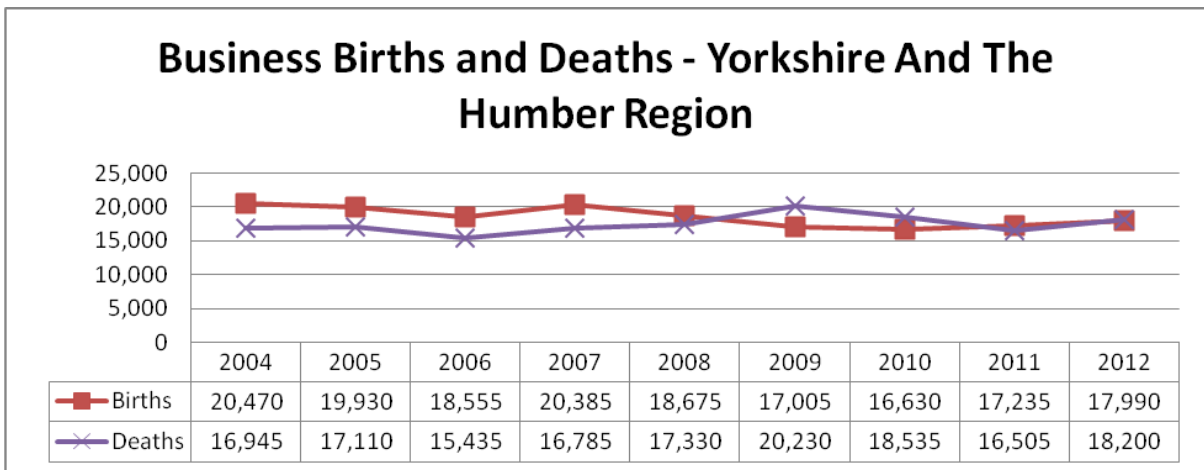
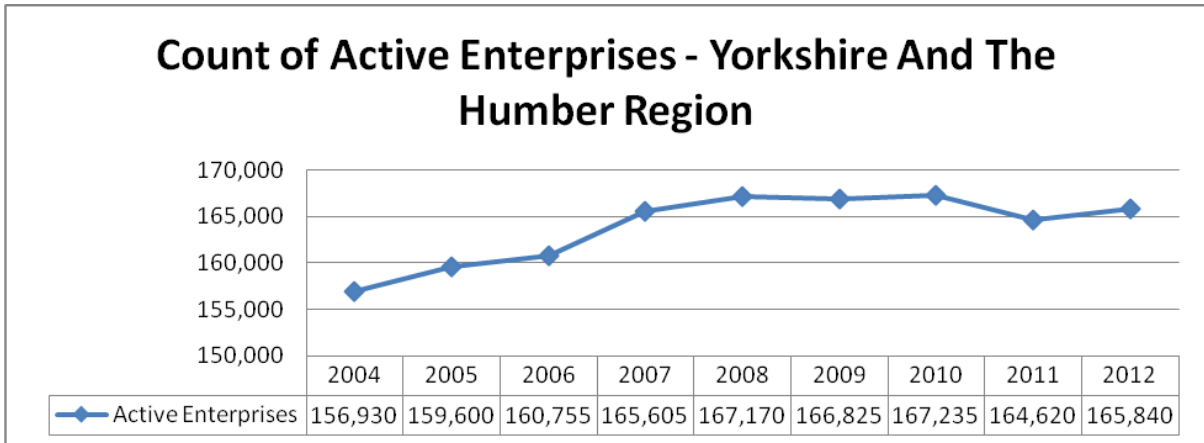
73. To help understand the success and failure rate of firms setting up in York the Task Group asked the CYC Performance and Innovation Team for measures to track the progress of businesses. The information below provides the latest and most accurate proxy measures although it does only include the number of VAT and PAYE based enterprises.
74. The Office for National Statistics provides the following annual figures in late November 2013: <http://www.ons.gov.uk/ons/rel/business-register/business-demography/2012/rft-business-demography-2012-tables.xls>
75. Active: The starting point for demography is the concept of a population of active businesses in a reference year (t). These are defined as businesses that had either turnover or employment at any time during the reference period. Births and deaths are then identified by comparing active populations for different years.
76. Births: A birth is identified as a business that was present in year t, but did not exist in year t-1 or t-2. Births are identified by making comparison of annual active population files and identifying those present in the latest file, but not the two previous ones.
77. Deaths: A death is defined as a business that was on the active file in year t, but was no longer present in the active file in t+1 and t+2. In order to provide an early estimate of deaths, an adjustment has been

made to the latest two years deaths to allow for reactivations. These figures are provisional and subject to revision.

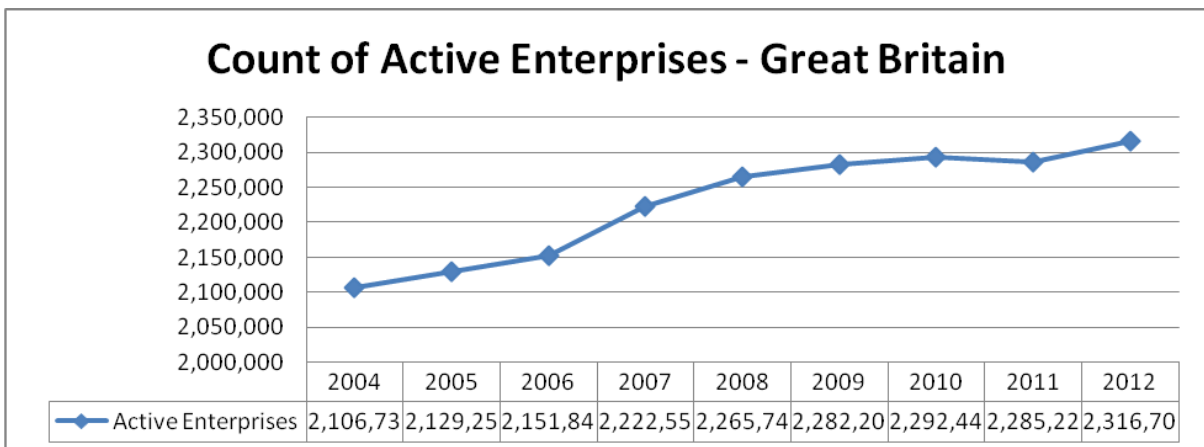
78. The following are the graphs that relate to York:

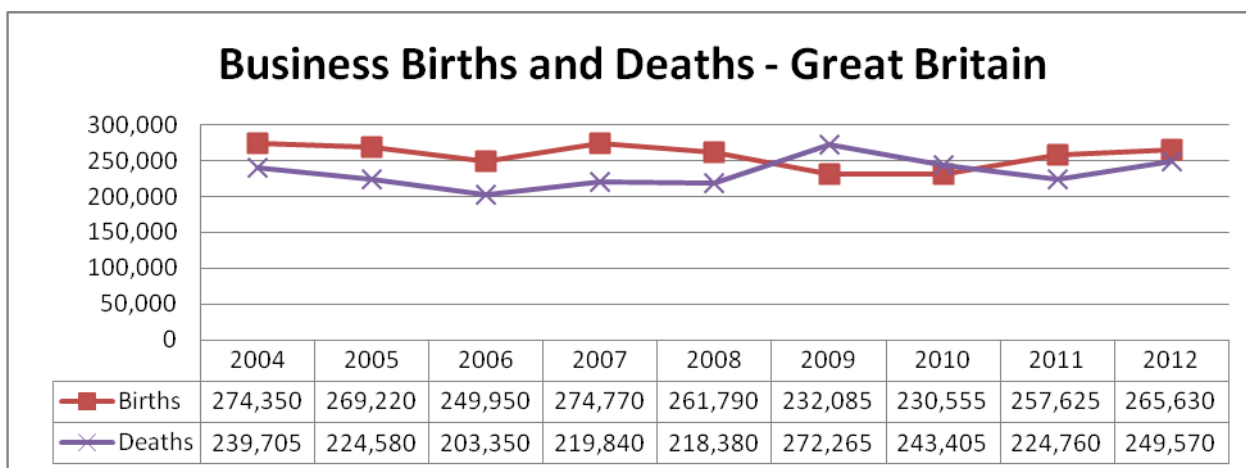


Regionally



Nationally





## Growth Hubs

79. During discussions in September 2014 about simplifying access and information for new businesses the Task Group were told of Leeds City Region Enterprise Partnership plans to establish a regional growth hub (Annex 1).
80. A strategic priority of the growth hub is to “unlock the growth potential of business and enterprise” and to:
- Simplify and coordinate the landscape for business support;
  - Coordinate targeted support for innovation and high growth businesses;
  - Work with the private sector and other partners to support the potential of firms across all sectors to grow and adapt to changing and new markets.
81. Among the potential gaps in business support it identifies a single point of access for all business support i.e. a one-stop-shop for information on business support, business information and referral.
82. It identifies that the current business support landscape is crowded, confusing and uncoordinated and one of the principles of the hub is to make things easier for SMEs and intermediaries by bringing everything into one place.

## Recent Developments

83. In August 2014 the Department for Business, Innovation and Skills (BIS) published a package of support making it easier for budding

entrepreneurs to start up and grow a business from their home.

84. The measures were announced by Business Minister Matthew Hancock who noted in a Government release that around 70% of new businesses start off in the home, and the 2.9 million home-based businesses in the UK contribute £300 billion to the economy<sup>2</sup>. As part of a long-term economic plan to back businesses, the government wants to make it much easier for people thinking of starting a home business to do so with the law firmly on their side. The new measures include:
- New legislation will make it easier for people to run a business from a rented home. The law will be changed so that landlords can be assured that agreeing to this will not undermine their residential tenancy agreement. A new model tenancy agreement will also be made available;
  - Updated planning guidance makes it clear that planning permission should not normally be needed to run a business from your home:
  - New business rates guidance clarifies that in the majority of cases home based businesses will not attract business rates.
85. By removing some of the red tape required to run a home business, the Government is hoping to create an increase in home-based entrepreneurs over the coming years.
86. Cllr Semlyen asked the Learning and Culture Overview and Scrutiny Committee to undertake a review in to entrepreneurship skills training in schools and colleges, which they agreed to as an adjunct to the careers scrutiny task force chaired by Cllr Scott. The Task Group has asked that ECDOSC receive a copy of the Learning and Culture OSC final report.

### **New Investment**

87. Since the Task Group began its work a new development was announced that may help address the lack of a critical mass of graduate jobs (paragraph 27) in the region. In July 2014 York announced two major developments which will create hundreds of higher value jobs after winning millions of pounds in Government funding.

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<sup>2</sup> BIS Business Population Estimates and BIS Small Business Survey



88. A food science campus off the A64 at Sand Hutton will mean 800 highly skilled and highly paid technical jobs while a bio hub at the University of York will host and support a range of high-tech industrial biochemical companies and create a further 500 high value jobs, although it is not known how many of these jobs will be for the people of York.
89. The new food science campus, to be built on the Food and Environment Research Agency (FERA) site, will be a base for research and product testing in the AgriFood and AgriTech industries.
90. There is also funding for:
  - Biovale - £8m of new science facilities in York to provide a biotechnology 'innovation cluster,' which will help companies develop next generation biofuels, bio-waste processing and high value chemicals.
  - Askham Bryan College, for a £1.6 million new state-of-the-art 'Agri-Tech' training Centre and Engineering Centre of Excellence

### **Analysis**

91. In regard to the steady supply of higher education graduates from York's colleges and universities the Task Group were mindful of the lack of a critical mass of graduate jobs in the city. They noted that anecdotal evidence suggested that many who remain in the city after graduation take part-time or lower value jobs, which has a knock-on effect on York's labour market.
92. The Task Group acknowledged the City's track record in encouraging graduate start-ups, noting that many were not included in official statistics as they were below the VAT threshold, while others relocated relatively soon after start-up.
93. In regard to the business start-ups located at the Phoenix Centre at York St John University, the Task Group recognised that one of the challenges they faced was a lack of affordable follow-on space. Many of those graduates wanted to keep their fledgling businesses in or around the city centre because of its transport links and the availability of cafes where they often held meetings.
94. The total office stock in the city centre excluding business centres / services offices was 1,501,321 sq ft (May 2013 baseline). If a target were

to be set, an appropriate level might be to increase this by 20% by 2020.

95. The Task Group were pleased to note that evidence gathered during the review suggested that those people who had started up in business were passionate about what they did and were happy to share their experiences with other start-up businesses.
96. Having considered the two case studies (paragraphs 60-65 and 66-72) and the evidence from the two entrepreneurs behind Catalyst IT Solutions (paragraph 32) the Task Group recognised the similarities in the issues new businesses faced even though their routes to start up came from different career backgrounds. The Task Group acknowledged the feedback from them suggested they would have benefitted from mentoring opportunities and access to business-to-business support.
97. The Task Group also recognised that networking could help provide a fertile environment in which businesses thrive. Too often people developing their businesses were so focused on what they were doing they did not have time to share what they were doing with others. By sharing their ideas they could become a magnet to attract the expertise they needed to grow.
98. In recognising the void left by the loss of Business Link the Task Group acknowledged that experts in the public sector were not always best placed to advise the private sector. Task Group Members noted the view of businesses that the current approach was fragmented, making it more difficult to seek advice. The Task Group questioned whether this could be improved.
99. While accepting that experts in the public sector are not always best placed to advise the private sector Task Group Members agreed the Council could help facilitate information sharing, mentoring, business-to-business advice and networking opportunities.
100. A consistent message during the Task Group's investigations was the importance of having a single point of contact for new businesses. When businesses start up they often do not know where to go and from whom to seek advice and a single point of contact at an early stage would prove valuable. Businesses also felt they needed specific early help with networking and to be made more aware of networking events and opportunities.

101. The Task Group also recognised that with entrepreneurial students their ideas were usually very strong and a new business was more likely to survive if the idea was strong. Even so, they acknowledged that most students did not start a business on graduation. They, along with non-graduate entrepreneurs, were more likely to start a business at age 26 or 27 and graduates were more likely to start a business if they were first exposed to social enterprise.
102. Changing the sectoral composition of York's economy (paragraph 11) is fundamental to the ambition of improving its productivity and the value of jobs in the city. The decline in both is attributable to the decline of manufacturing jobs in the city from the 1990s. This bears directly on the report's recommendations and setting a stretch target for the proportion of jobs in high value sectors such as professional, scientific and technical activities would measure directly the outcome the report is interested in.
103. Current forecasts reflected in the Local Plan from work done by Oxford Economics see a growth in employment in professional, scientific and technical activities of 1.2% by 2030. A target to increase the proportion of jobs in these categories by 5% by 2030 would reflect a significant shift in the structure of the economy. Interventions through the Local Growth Fund (in support of York Central, Biovale) and through Make It York would support the achievement of this target.

## **Conclusions**

104. There is a need to provide more suitable space in York in general and in the city centre in particular to provide suitable accommodation to allow start-up businesses to move on and grow.
105. New businesses would benefit from a more joined up approach to business support. While a whole host of advice services have grown to fill the void left by Business Link fledgling businesses would benefit from the creation of a mechanism of support for new businesses, a "one-stop-shop" where a series of potential problems can be addressed and solved at the same time.
106. For continuity this single point of access would best be served by appointing specific officers to the role with their contact details circulated on York Means Business and relevant Council and business partner websites.

107. New businesses would benefit from more mentoring and networking opportunities (paragraph 97). Regular networking with people in similar fields can lead to a cross fertilisation of business ideas and development (paragraphs 63 & 64).
108. Start-up businesses want simplified access to information held by the council on issues such as planning, licensing, environmental health etc (paragraphs 32, 62, 69 and 72).
109. The Task Group recognised that communication is an important element of developing business in the city and as such a comprehensive database and email list of all York businesses would be important for spreading the message of what is available and where.
110. Overall, while the Task Group welcomed the new investment coming to York and the higher value jobs it will create they would hope that those positions would prove suitable for people from York rather than being filled by graduates from elsewhere. This would free up part-time and lower value jobs for others in York's labour market.
111. Finally, there is a need to change the sectoral composition of York's economy to improve productivity and the value of jobs in the city.

### **Review Recommendations**

112. Having considered the evidence above, the Task Group recommends:
- i. That the Economic Development Unit, Make It York and their partners bring forward innovative proposals to increase the amount of city centre space available for start-up and growing businesses in York by 20% by 2020, the amount of extra space to increase year on year and be reviewed annually;
  - ii. That the Council look to establish a single point of contact for business advice and develop a communications strategy to more effectively inform business owners and new starters of the assistance the Council can provide by clearly signposting services and to examine how local banks, accountants and solicitors could be used to point people in the direction of the council and its partners for advice;
  - iii. That named Council support officers responsible for liaison with start-up businesses are clearly identified on the York Means

Business and other appropriate Council websites;

- iv. That the Council and its partners work to increase business-to-business mentoring, peer support and networking opportunities for small businesses and the named contacts in Recommendation iii) be responsible for facilitating networking opportunities.
- v. That ECDOSC receives reports within six months on the outcomes of the support being provided to new local businesses by the Council.
- vi. That interventions through the Local Growth Fund and Make It York support an increase of 5% in employment in professional, scientific and technical activities by 2030.
- vii. That the Council construct a comprehensive database and e-list of businesses in the city;
- viii. That existing education providers be encouraged to step up provision of business plan writing so people can be coached to develop business plans;
- ix. That the University of York be urged to:
  - Reallocate University car parking to improve access and increase the attractiveness to visitors to the Ron Cooke Hub, subject to planning restrictions;
  - Make more in its prospectus that the university does not claim the intellectual property rights to undergraduate ideas.

### **Council Plan**

113. This review is linked to the create jobs and grow the economy element of the Council Plan 2011-15.

### **Implications**

114. At the time of undertaking this review it was acknowledged many of the recommendations would fall within the purview of the newly formed Make It York. Any resource implications falling on the Council will need to be addressed once the specific role of Make It York and the Council within

it, has been established.

- **Financial** – the Council funds the EDU team and has a number of priorities to deliver. If it concentrates on one area that will impact on other business. Recommendations iv) and vii) will come at a cost but it has not been determined what these cost will be.
- **Human Resources** – resource wise the Economic Development Unit are already stretched so there are limitations to the level of intervention available. CYC will aim to include these aims and recommendations in the Make It York contract but the ability to deliver them will be subject to the level of resources made available to Make It York. This contract with and resources going to Make It York are subject to a further report to Cabinet.
- **Equalities** – there are no equalities implications.
- **Legal** – there are no legal implications at this stage.
- **Crime and Disorder** – there are no crime and disorder implications.
- **Information Technology** – there are no direct IT implications.
- **Property** – there are no property implications.
- **Other** – there are no other implications at this stage

### **Risk Management**

115. There are no known risks arising from the report. However, there is a risk to the economic development of York if nothing is done to arrest the migration of graduates and graduate start-up businesses away from the city.

## Contact Details

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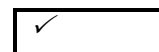
[steven.entwistle@york.gov.uk](mailto:steven.entwistle@york.gov.uk)

**Report Approved**



**Date** 29/12/2014

**All**



**Wards Affected:**

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

## Annexes

**Annex 1** – Leeds City Region Local Enterprise Partnership Business Growth Hub

**Annex 2** – Outcome measures

## Abbreviations

CYC – City of York Council

ECDOSC – Economic & City Overview & Scrutiny Committee

EDU – Economic Development Unit

FERA – Food & Environment Research Agency

FTE – Full Time Equivalent

GDP – Gross Domestic Product

GVA – Gross Value Added

IT – Information Technology

PAYE – Pay As You Earn

SCY – Science City York

SME – Small & Medium Enterprise

TBM – The Beautiful Meme

VAT – Value Added Tax

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# BUSINESS GROWTH HUB MAY 2014

LEEDS CITY REGION  
ENTERPRISE PARTNERSHIP



# WHAT IS A GROWTH HUB?

- An access and referral point for all business support products and services available in a LEP geography
- Clear focus on support for growth-oriented SMEs
- Ranging from 'light-touch' web presence to dedicated helpline and teams of advisers

# GROWTH HUBS IN ENGLAND

There are established Growth Hubs in:-

- Greater Manchester <http://www.businessgrowthhub.com/>
- Lancashire <http://www.boostbusinesslancashire.co.uk/>
- Cumbria <http://www.cumbriagrowthhub.co.uk/>
- Northamptonshire  
<http://www.northamptonshiregrowthhub.co.uk/>

# POLICY CONTEXT

- Closure of regional Business Links
- National business support contracts awarded e.g. MAS, UKTI, Growth Accelerator, TSB etc.
- BIS dialogue with Core Cities and LEPs
- £32m RGF funding for 16 Growth Hubs in Wave 2 City Deal areas e.g. £2.5m for Humber
- **'Small Business: Great Ambition' makes a commitment to 'roll out Growth Hubs during 2014 and 2015 to provide a single place for businesses to go for local advice and support'.**

# THE NEED FOR A GROWTH HUB

- SMEs that access business support are more successful
- Growth-oriented SMEs create a disproportionately high number of new jobs
- The business support landscape has become more fragmented and complicated for SMEs
- There is lots of business support out there which SMEs are not benefitting from
- It is resource-intensive to map, promote and maintain business support information
- A central hub with local spokes makes sense (why do it 10 times for LCR?)

# THE CURRENT BUSINESS SUPPORT LANDSCAPE



# GROWTH HUB FOR LCR

## Underpinning Principles

- Makes things easier for SMEs and intermediaries i.e. everything is in one place
- Proactive focus on growth-oriented SMEs (to be defined), but can react to all businesses in LCR
- It doesn't deliver advice, but provides access and referral to trusted, good quality business advice
- Partnership approach with local providers critical
- Co-location of other business support services e.g. Skills Hub, Access to Finance, MAS, Chambers etc.

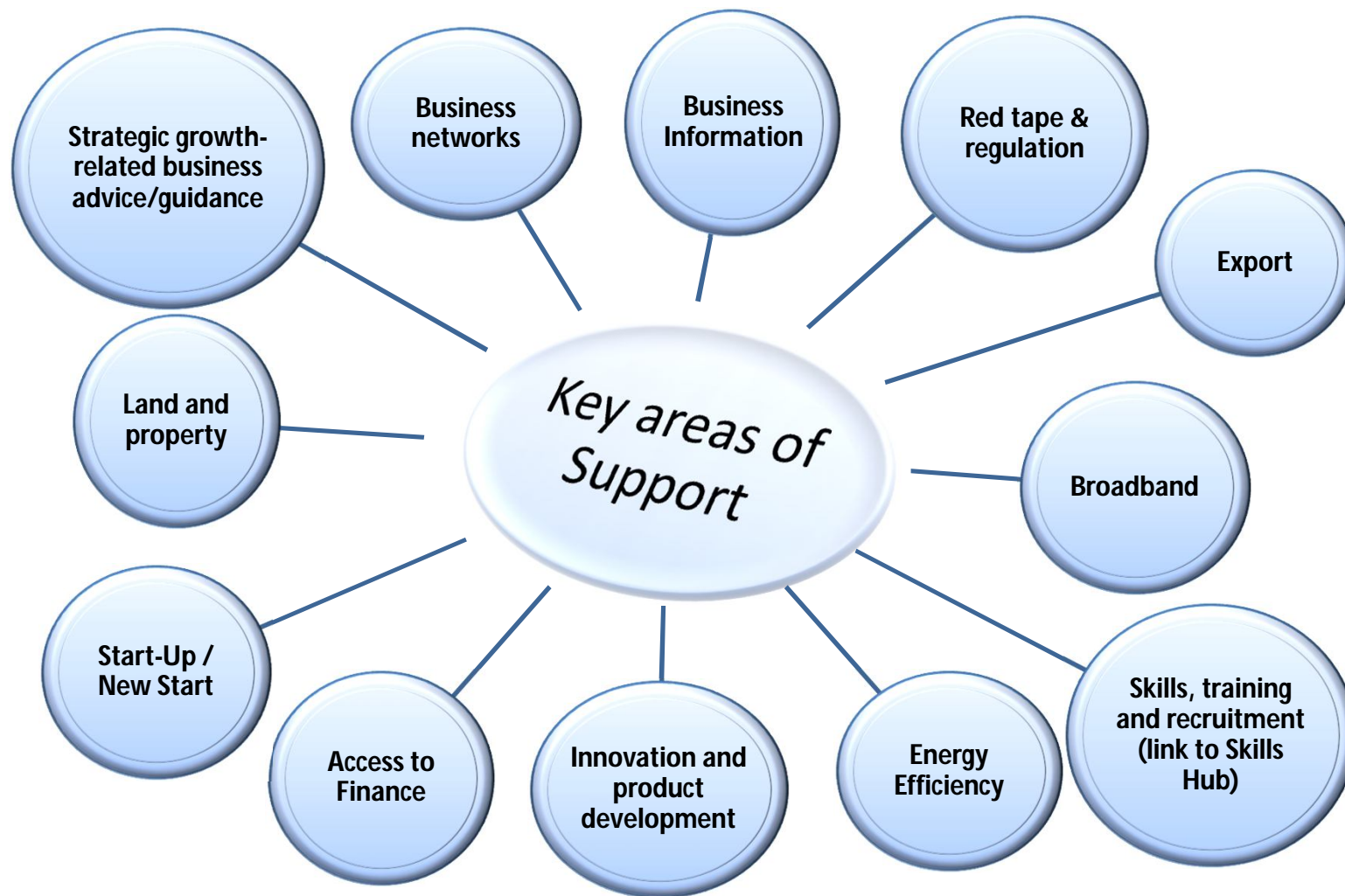
# GROWTH HUB FOR LCR

## Underpinning Principles (continued)

- Drives 'deal-flow' to growth-oriented products and services
- Becomes part of a joined-up network of hubs across the country to share good practice and lobby
- Uses customer feedback to jointly-develop new products and services with Government
- It doesn't chase public money for the sake of it e.g. ERDF debate
- **Underpinning architecture for a sustainable business support model**



# CONTENT AND LINKAGES



# GROWTH HUB FOR LCR

## Key Features

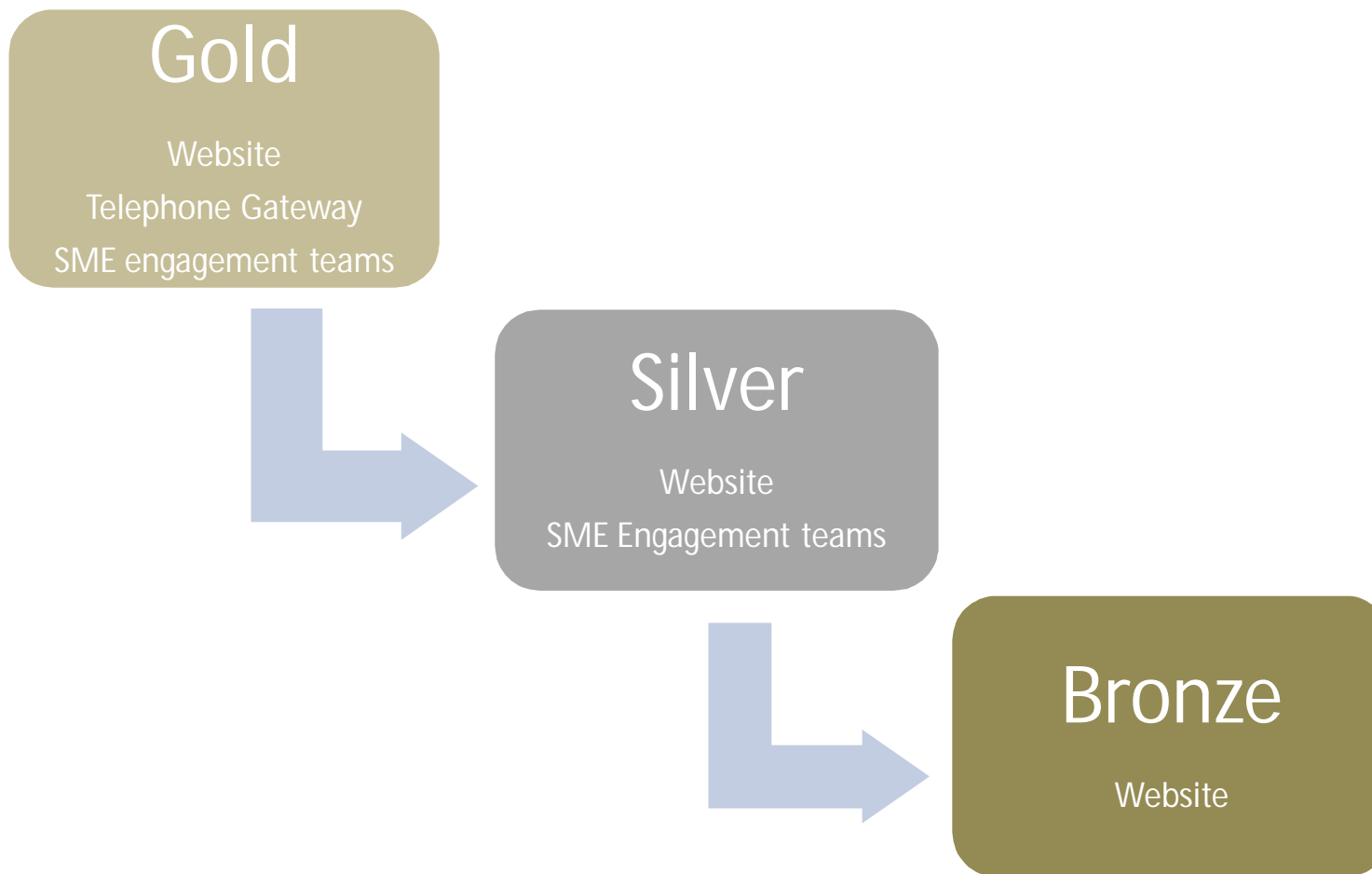
- Gold, silver and bronze models dependent on resources
- Hub and spoke model i.e. central hub linked to wider network of local spokes (how many?)
- Shared CMS system for all Growth Hub partners (Evolutive)
- Central business intelligence function to report on SME demand/needs (may include a regular business survey and reports to Government)
- Consistent branding (LEP), QA and evaluation across the Hub partners (local and national)
- Consistent approach to business diagnosis and definition of 'growth-oriented'
- Public and private sector support e.g. staff, premises, free events/workshops/seminars etc.

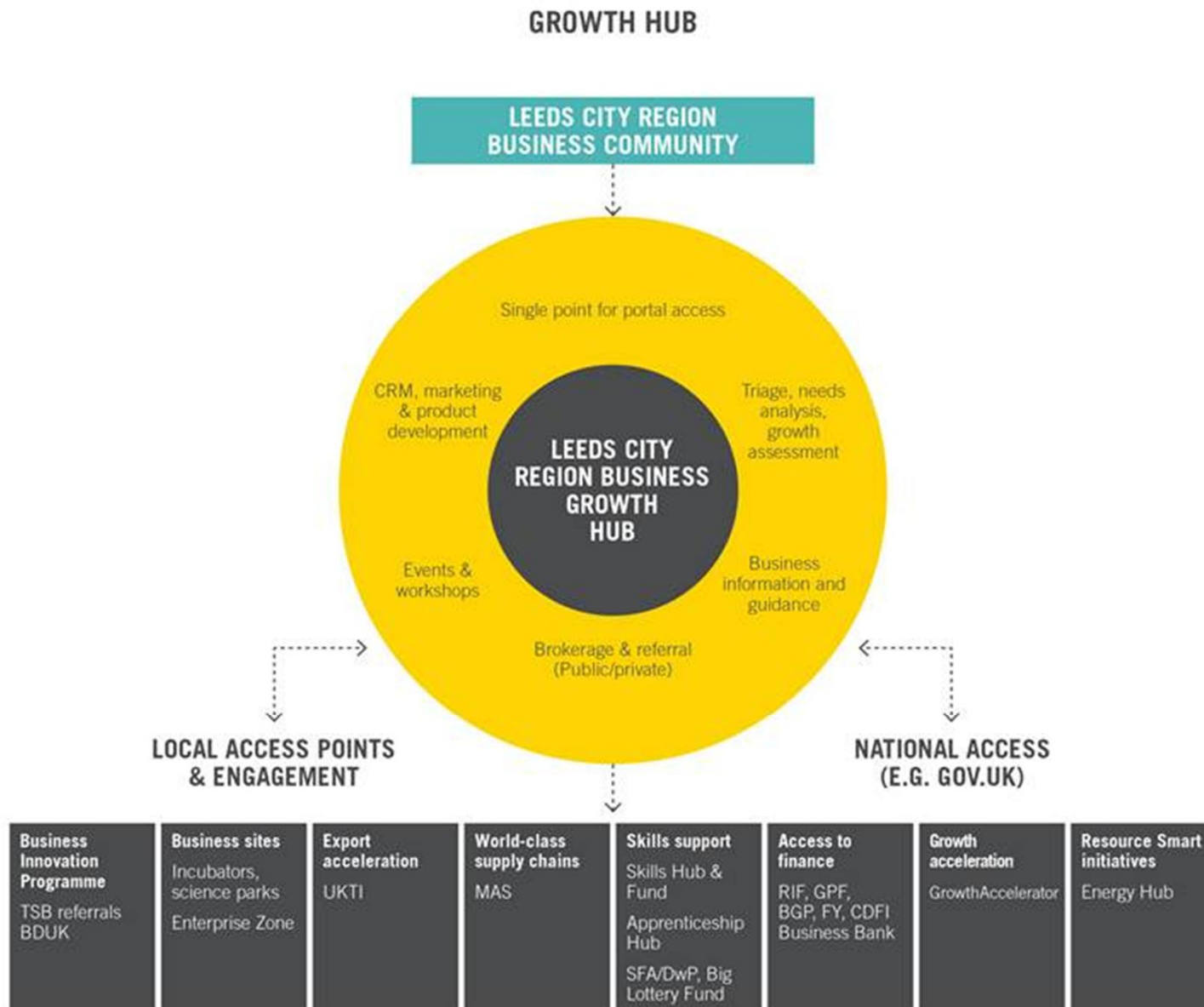
# GROWTH HUB FOR LCR

## Key Features (continued)

- Website with links to local spokes
- Utilisation / adaptation of the national business support offer (website, telephone gateway & knowledge bank)
- Locally-embedded SME account managers (expert knowledge on products and services)
- Local partners to determine where managers should be based, and who they should target (strategic exercise based on economic priorities and opportunities at the district level)
- Requires a consistent approach and sharing of intelligence and good practice.
- Ongoing development of new products and services.

# GROWTH HUB MODEL OPTIONS





# RESOURCE OPTIONS

- **Local Growth Fund (£0.625m from LGF for 15/16)**
- **Includes £125K for evaluation linked to Ministerial Star Chamber Review of business support**
- ESIF, including 'opt-ins' (more suited to delivery of services from the Hub)
- Horizon 2020 (as above)
- Regional Growth Fund Round 6
- Growing Places Fund interest repayments
- Other Government funding schemes
- Private Sector support (sponsorship, staff, venues, events/workshops/seminars, expertise)
- Public Sector support (staff, venues, expertise)

# ROLE OF THE HUB

- Branding (LEP Growth Hub linked to local ones)
- Co-ordination and promotion of activity across LCR
- Content Management
- Underpinning CMS (Evolutive)
- Gathering/analysing business intelligence (LCR survey)
- Governance (BIG Panel to LEP Board/CA)
- Securing additional resources form Govt. and partners
- Quality Assurance & evaluation
- Product / service design and development

# ROLE OF THE SPOKES

- Proactively target and account-manage growth-oriented SMEs
- Provide match-funding for SME account managers
- ‘Light touch’ diagnosis and impartial brokerage (‘right products at the right time’)
- Map & coordinate local provision
- Share data and intelligence with central Hub and other spokes
- Communications with local partners and strategic leadership at local level
- Contribute to product/service design, development and evaluation



## NEXT STEPS

- Consult with EDOs and DoDs in summer 2014
- Ongoing dialogue with Government re-funding and policy
- Ongoing development of the model with Working Group and partners
- Ongoing development of the LEP CMS
- Potential commissioning of the website
- Incorporation of elements of the national business support offer
- Learning from other Growth Hubs across the country

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## How to measure the impact of the draft recommendations

A range of outcome measures have been considered to measure the impact of the scrutiny. A discussion of the strengths/weaknesses of each is set out below:

- **Headline GVA**

Arguably this is the most appropriate given the focus of the scrutiny on increasing productivity. However, GVA is a notoriously unreliable measure even at national level, measures at regional level (NUTS II) even more so, and difficulties are compounded at local authority level (NUTS III). Taking into account the varied forces that impact on the measure (global economic factors, business cycle) that are beyond the control of the council, and the difficulty of proving a causal relationship between the report's recommendations and changes in performance on an inherently unreliable measure, this is not recommended.

- **Business stock**

Again, this measure is attractive in terms of its focus on increasing entrepreneurship, which should result in more business births, and more successful businesses, resulting in fewer business deaths. Data is available in a range of forms (VAT registrations, PAYE, survey). None are complete and sometimes point in different directions ( Bank Business Survey suggests York in bottom 5% of local authorities for business start-ups; York accountancy firm UHY Calvert Smith reported in the last year York had created 4 new businesses per 10,000 population, compared to a national average of 0.8). There is also the issue of whether business stock in the round measures the shift from low to high value appropriately. Whilst these measures are valuable as indicators of performance, it is much more difficult to choose one and then set a target with any confidence. This is not recommended.

- **Space availability**

In principle, this does seem to relate directly to one of the report's key recommendations, and change would be more directly attributable to the actions of the council, through its planning and regeneration activity. This is therefore recommended. The total office stock in the City Centre excluding business centres/services offices was 1,501,321 sqft (May 2013 baseline) If a target were to be set, an appropriate level might be to increase by 20% by 2020.

- **Graduate retention/ Bringing graduates back to York**

Higher York does not regularly collect information on these areas, (although usefully, a survey was carried out and the results published in February 2014). ONS Population data does capture resident qualification levels. This would however be a very rough proxy for the outcome the sub-group was interested in specifically, of the interplay between students coming to the university and staying in the city for employment or business start-up, and graduates who leave, but then return later. This is not recommended.

- **Sectoral composition**

Changing the sectoral composition of York's economy is fundamental to the ambition of improving its productivity and the value of jobs in the city. The decline in both is attributable to the decline of manufacturing jobs in the city from the 1990s. This bears directly on the report's recommendations and setting a stretch target for the proportion of jobs in high value sectors such as professional, scientific and technical activities would measure directly the outcome the report is interested in. Current forecasts reflected in the Local Plan from work done by Oxford Economics see a growth in employment in professional, scientific and technical activities of 1.2% by 2030. A target to increase the proportion of jobs in these categories by 5% by 2030 would reflect a significant shift in the structure of the economy. Interventions through the Local Growth Fund (in support of York Central, Biovale) and through Newco would support the achievement of this target. This is recommended.

- **Part-time employment**

The headline information is readily available on a monthly basis from JSA data. The key challenge with part-time work is in relation to distinguishing between elective and enforced part-time working. This is currently impossible. It would therefore not be appropriate to consider setting a target on this.

- **Hollowing out of age range**

ONS and NOMIS statistics suggest that York's population increase over the last 20 years has mainly been in the 20-24 and 50+ year

olds. There has been limited growth in 25-40 year olds. However York is still in a stronger position than the regional and national average and it is therefore difficult to see a link between this and the value of jobs in the city and the productivity of the local economy. As this measure seems not to have a direct link with the report's areas of focus, this is not recommended.

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**Cabinet**

**3 March 2015**

Report of the Director of Adult Social Care from the portfolio of the Cabinet Member for Health and Community Engagement

## **The Council's Housing for Older People Programme**

### **Recommendations**

1. Members are asked to:
  - a. Agree to a new approach to the provision of accommodation with care for older people which, subject to approval of the detailed business case:
    - i. makes best use of the existing Sheltered Housing with Extra Care accommodation owned by the Council by changes to allocations and lettings, staffing changes and capital investment so that residents with care needs, including those with complex needs and those with dementia, can be accommodated;
    - ii. authorises officers to develop the business case for an integrated care, health, housing and community facility on the Burnholme School site so that residents with care needs, including those with complex needs and those with dementia, can be accommodated alongside health, sports, library, nursery, other community facilities and family housing.
    - iii. supports and encourages the independent sector to develop and provide additional care beds by use of block-purchase, help, advice and (if viable) grants or loans so that residents with care needs, including those with complex needs and those with dementia, can be accommodated;

- iv. authorises officers to seek funding opportunities for, and if necessary an RSL partner to develop, a newly built Extra Care and Health Hub in Acomb on a site made vacant by the closure of an existing Council-run Older Persons' Home (OPH), foregoing a capital receipt for the site;
- v. allocates the development site at Lowfields for housing use which would include homes to rent and to buy for older residents who down-size from a family home as well as family housing, subject to obtaining a capital receipt for the land;
- vi. authorises the potential disposal and development of up to four sites made vacant by the closure of existing Council-run OPHs for housing use which would include homes to rent and to buy by older residents who down-size from a family home, subject to obtaining a capital receipt for the land and also the disposal of the remaining sites when they become vacant in accordance with the Council's disposal policy; and
- vii. agrees to the development of a detailed business case which sets out how all of the above proposals can be funded either within existing budget provision or by a combination of council and other external funding.

*Reason: to provide suitable accommodation, ideally in a community setting, for the city's older residents including those with complex care needs, those with dementia and those moving out of, or diverted from moving to, existing Council-run OPHs which are no longer fit-for-purpose.*

- b. Approve the use of unspent project management funds allocated for this purpose in 2013 to facilitate moving forward this programme of work, with further costs to be included in the business case for specific activities in the plan.

*Reason: So that the project can progress.*

- c. Agree to receive further reports to update Cabinet on progress of these plans and to submit for approval the detailed business case for the Burnholme development and other investments.



*Reason: to ensure that Members are kept informed of progress and that the financial implications of investments in property are considered.*

- d. Agree to abandon the procurement of care homes at Burnholme and Lowfields (plus a Community Village and Community Hub) on the grounds of unaffordability.

*Reason: that the procurement exercise was unable to provide a solution that fulfilled the Council's requirements within the financial resources available to the project.*

## **Summary**

2. This report provides an update on the Council's existing Housing for Older People Programme and seeks permission to pursue an alternative approach.
3. The Council are currently involved in a live procurement process to find a partner to deliver new care home facilities and a community village for older people; this procurement process has been paused because, during the competitive dialogue phase, it became apparent that the Council's detailed requirements for the project (advertised to the market at the outset of the procurement process) are not deliverable within the funding available. The Council have worked within the legal framework provided by the procurement process to find a viable solution to meet our needs but the most recent budget review confirms that no more money is available to support this scheme and with construction costs rising the options for our potential partner to model an alternative is limited.
4. Since the procurement begun in 2013 York's care and housing sectors, and the national funding framework, have changed and we therefore have access to an alternative approach and resources to meet the care and accommodation needs of older people that is community focused and progresses key strategic aims of the city:
  - a. reform the provision of existing Extra Care Housing, and seek to build new provision, in order to meet the needs of those with complex care needs and those with dementia, accelerating a commitment made in the 2011 Older Persons' Housing Strategy (and later in the York Supported Housing Strategy

2014-2019, published in 2013) and taking advantage of Homes & Communities Agency funding available for Housing with Care and Support;

- b. integrate the provision of care facilities for older people and people with dementia into the wider redevelopment of the Burnholme School site, bringing together community and health services including GP services, the Tang Hall library (Explore), sports and child care facilities; giving life to a renewed commitment of the Clinical Commissioning Group, published in June 2014, for health and care service to work together in “care hubs”, taking advantage of a range of potential funding including the government’s Primary Care Infrastructure Fund;
  - c. work more closely with current providers of care to deliver more beds for those with dementia in locations across the city, responding to renewed interest from independent providers and supporting smaller providers where we can;
  - d. expand the provision of housing options for older people in Acomb by developing the Lowfields site for housing, which would include homes targeted at older residents who wish to down-size (following the success of similar schemes which opened in 2014) while at the same time earmarking the potentially vacant OPH site of Oak Haven on Front Street (subject to planning and other considerations) as suitable for Extra Care Housing and Health Hub for older people; and
  - e. explore the use of the existing sites of Morrell House, Willow House, Windsor House and Woolnough House, as they are released by the closure of OPHs, for development as “downsizing” homes to buy and to rent by older people, complementing the provision of family homes and ensuring that vibrant communities used by local people replace what is there at present.
5. Recently announced funding available from the Homes & Communities Agency and NHS England afford the opportunity for change as they facilitate investments not envisaged by the previous plan.
  6. The alignment of Care and Health services in York continues at a pace with strategic alignment being identified in the Clinical Commissioning Group’s five year plan published in 2014 and the

most recent decision of the CCG and City of York Council to submit a bid to the government's New Models of Care Programme to become a vanguard provider. The intention of the Programme is to speed up the development of new care models for promoting health and wellbeing and providing care. The delivery of housing with care and the exciting proposals for Burnholme give life to this new way of work.

7. It is recommended that we abandon the current procurement process and seek Cabinet approval to begin work on the new approach.
8. Our aim is still to provide replacement accommodation to facilitate the completion of the Housing for Older People programme (which currently accommodates up to 213 residents with a further twelve used by health colleagues as step down beds), achieved as follows:

What	By when	Units of accommodation	OPHs replaced
Making best use of Existing Extra Care Housing	2015/16 2016/17 2017/18	14 14 46	2
Additional independent sector care beds	2017/18	36	1
Care and community Hub at Burnholme	2018/19	60	2
New Extra Care homes	2018/19	43	2
<b>TOTALS</b>		<b>213</b>	<b>7</b>

9. Additional capacity will also be generated in the independent sector, bringing the total new provision up to 265. Further capacity will be achieved by additional independent sector provision and the building of down-sizing homes.

## **The Current Position**

10. In 2011 the Council began a strategic review of its Accommodation for Older People and in May 2012 Cabinet agreed to explore options to re-provide.
11. On 4 June 2013 Cabinet agreed to fund the building of two new care homes plus other facilities and services on land at Burnholme

and Lowfields (including a community village) so that the city would meet the needs of residents with dementia and those with high dependency care needs. It was agreed that the Council would undertake a competitive dialogue procurement exercise to procure an external provider who would design, build, operate and maintain the facilities, funded from capital receipts and revenue savings released by the closure of the Council's seven OPHs. Project costs of up to £500k were earmarked to complete the procurement process.

12. The procurement began on 7 June 2013 and in October 2013 three suitably qualified bidders were asked to engage in dialogue to explore the detail of their proposals. As is the intention of the competitive dialogue process we explored issues relating to the proposed timetable, the wider Burnholme site, the transition arrangements from the existing OPH's and the affordability of the project overall. We have continued in dialogue in an attempt to resolve the key issue of affordability, discussing the matter during the summer of 2014 and, via internal budget reviews in the autumn, exploring the potential for more resources to be made available to the project and the implications of this upon other service priorities. The conclusion, reached during the budget setting process for 2015/16, is that no more resources can be made available to this project over and above those allocated by Cabinet on 15 May 2013. Cabinet met on 10 February 2015 to confirm the 2015/16 budget without uplift for this project.

### **The need for Accommodation with Care**

13. There is still a demonstrated need for accommodation with care in York, both now and to keep pace with the growing older persons population.

<b>Accommodation with Care: need &amp; supply</b>		<b>2011</b>	<b>2014</b>	<b>2020</b>	<b>2030</b>
	<b>75+ population</b>	<b>16,486</b>	<b>17,200</b>	<b>19,600</b>	<b>25,800</b>
	<b>% change</b>		<b>+4%</b>	<b>+14%</b>	<b>+32%</b>
Estimated Demand based on national benchmarks	Residential Care		1,936	2,156	2,828
	Extra Care		440	490	645
Current provision	Residential Care		1,385		
	Extra Care		270		

14. It is noted that:
  - a. In York, we have been successful in supporting people to continue to live at home and therefore we should not necessarily strive to meet the national benchmark. However, even at our current levels of provision and taking into account planned changes to Council-run homes and growth based on population change, York will need more residential care in the coming years.
  - b. The York Extra Care picture is complex as the majority of provision is not “full” Extra Care but instead is Sheltered Housing with Care. In addition, 65 units of accommodation, at Red Lodge, will soon be taken out of action as the Joseph Rowntree Housing Trust begins to re-develop.
  - c. The number of people in York who have dementia is rising and, as it currently stands, 105 of the 225 bed space in the Council’s OPHs are occupied by a person diagnosed as having dementia. As we plan for future accommodation with care we need to factor in the needs of this citizen group.

## **Moving Forward**

15. It is recommended that the current procurement process is abandoned and we move forward with an amended plan which seeks to address the accommodation needs of older people and which has a greater community focus that can be delivered, in smaller steps, which at least initially can be realised quickly.

### The Current Procurement

16. The current procurement is not affordable.
17. The Council reserved the right within the procurement documentation to terminate the procurement process at any time.
18. Should Members agree to abandon the procurement then we will take the necessary steps to formally inform bidders and close the current procurement.

### Making best use of existing Extra Care Housing

19. Moving forward, our first focus will be on making best use of the existing stock of Extra Care Housing in the city. There are five dedicated sheltered housing with ‘extra care’ services in York

containing 205 units of accommodation. Four of these are Council managed schemes - Marjorie Waite Court, Gale Farm Court, Barstow House and Glen Lodge, whilst the fifth (Auden House) is managed by York Housing Association. All homes in these schemes are to rent.

20. A joint Social Care and Housing review has revealed that best use is not being made of these assets. Overnight care is not available as a matter of course and as a consequence the proportion of residents with care needs is low compared to the national benchmarks. Currently 61% of residents are not in receipt of a care package; a national benchmark would suggest that no more than 30% of residents would have a low care need. Further, only 8% have a high care need against a benchmark of 30%. This means that this resource is being under-utilised as a solution to meeting the accommodation needs of older people with care needs.
21. It is proposed that, subject to approval by Cabinet, we proceed to invest care resources, administrative change and, where necessary, capital in order that best use is made of the existing Extra Care housing in the city. We will work with exiting residents to keep disruption to a minimum. As a result of these changes we anticipate that up to 54 OPH beds can be released from use.
22. York is also provided with specialist accommodation services for older people via the Joseph Rowntree Housing Trust including 65 Extra Care flats at Red Lodge in New Earswick. The Joseph Rowntree Housing Trust have ambitious plans to redevelop Red Lodge and we will closely follow these proposals, learning and helping as we go.

#### Extra Care dementia facilities

23. Extra Care Housing is a very flexible form of accommodation with care for older people and has the advantage that residents remaining living in their own home, which is our stated ambition wherever we can achieve it, while receiving care and social support on site. Extra Care has the capacity to accommodate residents with high care needs and residents with dementia. Dementia focused accommodation is now featuring in many newly built Extra Care facilities where the resident with dementia lives in a “family” setting with others, having their own bedroom and bathroom, etc. but sharing lounge and dining space. This

approach is similar to the “family setting” to care accommodation that we sought from our purpose-built care homes.

24. It is proposed that York builds its first Extra Care dementia facility on land adjacent to Glen Lodge on Sixth Avenue, Heworth, at the same time refreshing the existing building and bringing care levels up to the required ratio in order to address the needs of new residents. This building is in the ownership of the Council and design and procurement of the works will be undertaken in-house. Homes & Communities Agency (HCA) funds will also be sought. We will work with residents to keep disruption to a minimum. We anticipate having the new facilities open for use by 2017, accommodating up to 20 residents with dementia who would otherwise have been accommodated in an OPH.
25. A key advantage of this approach is that the dementia accommodation is community based which means that people may not need to move far in order to be accommodated there, helping with the maintenance of family and friendship ties and independence.
26. Future new build Extra Care schemes will be commissioned with “dementia facilities”.

#### New Extra Care provision

27. York is also under-supplied with Extra Care Housing given the city’s demographics and the anticipated growth in the numbers of over 75s expected over the next decade. Analysis suggests that there will be need for 490 units of Extra Care accommodation by 2020, rising to 645 in 2030, based upon nation benchmarks. There is a need for both Extra Care to rent and Extra Care to buy; currently just one third of the provision in York is to buy despite 81% of York’s older residents owning their own home.
28. The independent sector is beginning to address this need. For example, McCarthy & Stone are currently building 28 new sheltered homes to buy at Smithson Court on Top Lane in Copmanthorpe. Elsewhere in Yorkshire they are beginning to build and provide their Extra Care offer – called Assisted Living – and we would expect that they will continue to provide new accommodation as the market demands.
29. The current Older Persons’ Housing Strategy states that the Council should grow the provision of Extra Care in the city and the

Homes & Communities Agency has identified funds to facilitate this growth, including the recently announced Care and Support Specialist Housing Fund. It is therefore proposed that the Council sets off on this path now, subject to formal approval by Cabinet, with the intention of identifying partners who will be willing to build and run Extra Care in the city, facilitated by HCA grant.

30. It would be expected that the procurement and construction of York's newest Extra Care facility could be completed by 2018, allowing for the accommodation of up to 43 residents who would normally live in/move to an OPH, releasing from use one of the Council's current OPHs.
31. In the longer term the Council should consider targeting the provision of three additional Extra Care schemes by 2025, providing a total of 180 units of accommodation to buy or rent, closing the gap in provision for York. Early indications are that the private and independent sector may be showing interest in developing such schemes in York, subject to land availability.

#### Independent Living

32. York Supported Housing Strategy 2014-2019, published in 2013, and the Clinical Commissioning Group Integrated Operational Plan 2014-19, published in June 2014 together drive our ambition for housing, care and health agencies to work together to deliver services which support independent living. These plans drive this and other programmes.
33. The Housing for Older People programme is linked and complements our intention to work to keep the 'frail elderly' living safely in their own homes for as long as possible so that demand for residential care facilities suitable for people with high dementia and/or physical dependency care needs can be contained within a proportionately smaller estate of homes. Evidence of the success of the Council's re-ablement approach is now clear: admissions to residential care homes has been held steady despite rises in the underlying population.

#### Working with the independent sector to increase supply

34. Since the Council began on the journey to replace its OPHs the private market has begun to change in York. An announcement is expected soon from a private provider who plan to open a 70 to 90 bed care home on the West side of river. This will increase the



quantity of private provision and also adds to the quality of care provided.

35. We will continue to engage with existing residential care home providers to examine what opportunities are available for expansion of specialist dementia care beds in current homes, many of which are already registered for this type of care. Together we will examine the barriers to expansion and the Council will consider the provision of capital loans and grants to facilitate the provision of additional dementia care beds in the city. The provision of loans and grants will need to be assessed against State Aid rules and the terms strictly defined. Even with modest success such as scheme could increase dementia care bed provision by 20 to 40. The Council would be an interested and active purchaser of these beds for existing OPH residents and for new entrants to residential care.
36. Looking towards demand for care beds at 2020 and beyond, the Council will seek to engage with developers who are currently looking at sites in York to explore interest in the provision of care homes (with dementia beds) alongside other homes and services on these sites. By actively promoting interest in care home provision we expect to see a growth in provision in the city.

#### The Burnholme opportunity

37. Cabinet agreed in July 2014 that the Burnholme School site should be developed as a Community Health and Wellbeing Hub which would benefit the community and agreed to seek development partners to progress this vision.
38. To help inform this decision the Council held a consultation event in March 2014 and key messages to emerge were:
  - a. extensive support for sports uses and for activities that young people would find of interest;
  - b. a place to meet and socialise;
  - c. a place to access local services (Council, health, learning);
  - d. general acceptance that some residential use (ideally to include affordable housing) will be required to cross-subsidise other community activity;

- e. preference for re-use of existing buildings and not completely demolishing the school; and
- f. connectivity with Tang Hall and Derwenthorpe via eg green corridor/cycling paths.
39. We have also spoken with a number of key partners who would be interested in joining in with the development of “The Burnholme”, summarised as “an exceptional opportunity to create a place where people want to be: from toddler to centenarian”. The development can accommodate a child-care nursery, an Explore library, a care home, community church, sports areas (both indoor and outdoor), a GP surgery, community spaces for sessional hire, Health services, community retail and homes; things to bring all together.
40. The re-development of this community asset will bring many benefits to the East of the city as well as meeting city wide need for care, health facilities, housing and employment.

	Meeting Community Need	Bringing income to The Burnholme	Delivering health and well being	Meeting City-wide need	Creating Jobs & Enterprise
Explore Library including cafe	✓	✓	✓		
GP medical services	✓	✓	✓	✓	
Pharmacy	✓	✓	✓		✓
Hair dresser	✓	✓			✓
Care Home @ 82 beds	✓	✓	✓	✓	✓
CCG treatment and “step-up; step-down” beds	✓	✓	✓	✓	✓
Sports areas, in- and outdoor	✓	✓	✓		
Community Church	✓	✓	✓		
Community spaces for sessional hire	✓	✓	✓		
Third sector and ‘start up’ rooms to rent	✓	✓		✓	✓
Homes to buy and rent	✓	✓		✓	✓

41. Officers have met with colleagues in NHS England and the Vale of York Clinical Commissioning Group and they have expressed interest in the proposals, describing the concept as “transformational”. NHS England indicate that funding is likely to be available for the capital, and some of the revenue, costs associated with the health elements of the development and a new funding round may be available in the summer of this year. Funds may also be available to support feasibility and business case development.
42. If it is to be deliverable, the project must be financially sound and Members are asked to support the further development of the business case for The Burnholme.

Increasing the variety of accommodation opportunities for Older People

43. It is proposed that the Lowfields site be used for the provision of over 100 new homes including “downsizing” homes to rent and buy for older people as well as starter homes to rent and buy so that younger families can get on to the housing ladder. This mixed use will address a number of housing needs in this part of the city while also freeing up much needed “family homes” as older residents “downsize”. A capital receipt of at least £2m for the land will also be released, as anticipated when Lowfields School moved to the York High site.
44. As stated above, it is also proposed that the facilities for older people originally envisaged as part of the Community Village on the Lowfields site be, instead, provided at a newly built Extra Care and Health Hub which is expected to replace the Oakhaven OPH on Front Street. This central location will be ideal for both the residents of the Extra Care Scheme but also for their neighbours who are out and about in Acomb, able to pop in to use the facilities on site. This would, of course, be subject to approval of business case and funding bids.
45. It is also proposed that we explore the benefits of building additional “downsizing” homes to buy and to rent by older people on the sites of Morrell House, Willow House, Windsor House and Woolnough House when they become vacant, complementing the provision of family homes on these sites and ensuring that vibrant communities used by local people replace what is there at present.

## **Consultation**

46. Whatever, and whenever, the announcement regarding York's Older Persons' Homes it will be important to follow the approach that has served us well throughout the programme: delivering sensitive messages in a careful, well managed sequence:
- a. Briefing key external stakeholders who have been actively involved to date (e.g. Age UK York and York Older People's Assembly).
  - b. Briefing OPH Managers/staff & Care Management colleagues.
  - c. Updating OPH residents/relatives.
  - d. Updating all other stakeholders, including NHS commissioner and provider organisations.
  - e. Media briefing.
47. A key stakeholder at this point is the current bidder in the ongoing procurement process and they have been kept informed of our plans, as highlighted above.

## **Council Plan 2011-2015 Priorities**

48. The proposals work towards achieving the following Council plan priorities:

### Protecting Vulnerable People:

- providing great facilities that support dedicated high quality care for people with dementia and other specialist needs; and
- investing in services to support people in the community.

### Built Strong Communities:

- improving community infrastructure; and
- addressing housing need to ensure that vulnerable people have supply to meet their needs.

## Implications

### Financial

49. A new finance model will be developed and work will continue on this over the coming weeks. It should be noted that not all of the proposals outlined in this report can be delivered within the existing approved budget. Further work is needed to identify any potential additional sources of income from the HCA, health partners and betterment on receipts from the disposal of sites allocated to fund this programme. The full strategic vision outlined in this report can not therefore be delivered without securing this additional funding.
50. Some costs are likely to be able to be funded from capital receipts associated with the project (i.e. the sale of the current OPHsites).
51. As part of business case preparation we will examine the potential to bid into the:
  - a. £120m Homes & Communities Agency Care and Support Specialist Housing Fund which has a closing date of 29<sup>th</sup> May 2015 and an announcement of allocations in October 2015;
  - b. NHS England Primary Care Infrastructure Fund which has £1b of funds to allocated over the next four years with the next call for bids likely to be in the summer of 2015; and
  - c. the Homes and Communities Agency's affordable housing programme which has c£750m to allocate prior to 2020 and where bids can be made at any time.
52. Following competitive procurement we now know that we cannot secure a provider who can meet our detailed requirements and specification with the resources we have available:
  - a. based upon our original intention of commissioning 162 care beds for the exclusive use of the Council the average annual costs were £1.5m greater than budget; and
  - b. further options to bring the costs down were explored but these have not proved possible and all alternatives left a significant funding gap.
53. Since Cabinet approved a budget of £500k on 4 June 2013 to progress the procurement, £330k has been spent to date. This

was primarily on legal, financial and procurement costs. This will need to be funded from within existing revenue budgets.

### **Equalities**

54. In considering this matter the Council must have regard to the public sector equality duty. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:
  - a. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - c. Foster good relations between people who share a protected characteristic and those who do not.
55. The Act explains that having due regard for advancing equality involves:
  - a. Removing or minimising disadvantages suffered by people due to their protected characteristics.
  - b. Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
  - c. Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
56. An Equality Impact Assessment for the Housing for Older programme was produced for the 15 May 2012 Cabinet Report. It particularly highlighted the potential implications of the programme for the health, security and wellbeing of frail residents and also female members of staff who are older and also carers themselves.
57. In response, the council developed and followed a 'Moving Homes Safely' protocol which it followed when (in the first phase of the programme) it closed Fordlands and Oliver House in March 2012, to ensure that residents' moves to their new homes were as well planned and carefully managed as possible. Likewise, careful management of staff change helped to mitigate the impact of

these closures. The approach to the new proposals will be guided by these experiences and careful attention to the needs of the individuals involved.

58. An OPH Wider Reference Group was established to act as a sounding board for the development of plans as the implementation of the programme unfolds. The project team also continues to use established channels to communicate with, and gather the views of, OPH managers and staff, care management staff, and Health colleagues.

### **Property**

#### Existing Older Persons' Homes and proposed OPH sites

59. Our intention is to re-provide accommodation for older people who have care needs so that we are able to close or convert existing OPHs. Two homes have already closed (Oliver House and Fordlands) and the Council is currently reviewing bids to purchase the Oliver House site.
60. The Council currently own and manage seven OPHs: Grove House, Haxby Hall, Morrell House, Oakhaven, Windsor House, Willow House and Woolnough House. The proposals listed above would allow these homes to close in the following order

Year	2016	2017	2018	2019
Number	1	2	2	2

61. The order in which homes should close will be determined following consultation with residents and their family/carers, with staff and with other stakeholders. We will also be guided by property investment decisions such as the condition of the existing building, opportunities for redevelopment of the site subject to any planning constraints and market conditions and demand.
62. York's current OPHs are old (built in the 1960's) and increasingly not equipped to meet modern day needs and expectations; for example, only 31 of the 225 beds have ensuite facilities. Despite best efforts to invest and the dedication of staff, it is right to seek to replace them.

63. While current Care Quality Commission inspections identify satisfaction with current standards it is probable that future changes in standards may make some homes obsolete and/or necessitate significant investment.
64. As a forward thinking authority, it is imperative that we ensure that we have a viable and deliverable programme, which pre-empts the further inevitable decline of these facilities and maintains a quality of service, which our residents rightly expect.
65. A phased replacement of OPHs is proposed with the first to go in late 2016 and some still remaining in use until 2019. It is necessary to keep up with essential maintenance during this period in order to keep homes safe and comfortable. This is to be funded from the existing Adult Social Care Capital Grant.
66. If there is no requirement to reuse vacant OPH sites then the sites will be sold and used to fund the project. If any of the sites are to be reused then either other sites will need to be identified to obtain the capital funding required or an alternative revenue stream will be need to be identified to fund the additional prudential borrowing.

#### Glen Lodge Extension

67. Land beside Glen Lodge on Sixth Avenue was previously occupied by the Heworth Lighthouse project. They have moved out and the site is available for re-development. The site has been assessed as suitable for up to 20 homes (which could be built through the HRA subject to land transfer from the General Fund) or as an extension to the Glen Lodge Extra Care Scheme.
68. If Members agree to the extension of Glen Lodge then the capital costs will be c£2.5m, funded from HCA grant funding. Members have already agreed to transfer the site from General Fund to HRA at the capital value for the site (to be determined by Head of APM) and subject to this strategic review.

#### Burnholme Care and Community Hub

69. No capital receipt is expected from the school site and the Asset & Property Management team are actively involved in the development of the business case for this project.



Lowfields

70. A minimum £2m capital receipt is expected from the site as per the assumed receipt in the capital programme.

The site of Oakhaven Older Persons Home

71. This is an excellent location on a busy main street and would suit alternative use as an Extra Care Home. Planning and site constraints may limit the size and massing of any new development.

**Legal**

The current procurement process

72. It is the view of the legal team that the procurement process has been run correctly to date and that appropriate legal input and advice has been taken at all stages. The dilemma that the Council are currently faced with and which has ultimately led to the withdrawal of two bidders is intrinsically linked to the affordability of the project rather than the procurement process itself.
73. If we receive approval from Members to abandon the procurement process the Council will need to take formal steps to bring the current procurement process to an end.

Opportunities available for delivery

74. The new proposals detailed in this report are permissible and can be summarised as follows:
- a. Procurement of capital works and/or extensions to current Council Sheltered Housing with Extra Care fits within our normal approach to the procurement of capital works and subject to the necessary due diligence on the existing sites and confirmation of title/related property issues is, therefore, considered to be relatively low risk.
  - b. Procurement of new Extra Care facilities in partnership with Housing Association partners and/or developers is permissible given our strategic housing obligations and may be able to be procured via existing procurement routes or frameworks. This will need to be considered in more detail in due course.

- c. The purchase of care beds from independent sector providers reflects current Council practice and it is considered to be relatively low risk.
- d. The use of grants or other support to encourage third sector and independent care providers to increase the supply of residential care facilities suitable for people with high dementia and/or physical dependency care needs is uncharted territory for the Council and will require further investigation before the legal and procurement risks are fully understood.
- e. The development of the Burnholme site is a complex project given the range of partners involved and the outcomes expected. The procurement and legal structures are yet to be determined and will require further consideration. There are a number of different procurement routes available depending on the final structure/details of the scheme and whether or not the additional care facilities are provided for. The various options will need to be subject to further review and scrutiny before a firm decision is made.

### **Human Resources**

- 75. The Human Resources implications of the Housing for Older programme have been considered in previous Cabinet Reports. The key implication is upon the existing staff that run the service.
- 76. The previous plan (to replace OPHs with two newly built care homes) would have seen some staff transferring under TUPE arrangements.
- 77. The proposals within this paper include for a variety of methods of delivery of modernised care for Older Persons within the City, which is appropriate to their needs and enables more independent living. In delivering this programme of change, the Council will need to consult closely with the existing staff and to ensure that, where there are opportunities, they are available to appropriately qualified staff, who wish to stay in employment.
- 78. A workforce plan will be developed to maximise opportunities for existing staff and, where necessary, to offer retraining or redundancy.

### Other Implications

79. There are no specific Crime and Disorder or Information Technology implications arising from this report.

### Risk Management

80. The previous proposal relating to the procurement of two new care homes was identified at the outset as having significant, long term financial implications for the Council. A key risk identified at the time was that there was a risk that the tenders could come back at a higher cost than estimated, resulting in an ongoing budget pressure for the Council. This risk has crystalised and no more funding is available.
81. There was also a risk that the existing sites may not realise the anticipated level of capital receipts included in the financial model. Indications from recent land sales show that this risk is minimal.
82. The new proposals contained in this report have a lower risk profile, primarily because there are several different routes adopted, and they follow, with the exception of the Burnholme development, tried and tested approaches. However, risks will be carefully managed.
83. There remains a significant risk that the proposals outlined in this report can not be delivered within the funding currently available. Should the Council be unsuccessful in identifying and securing alternative sources of funding some elements of the proposals will need to be reviewed and amended in order to keep within the Councils approved budget.

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	<b>Report Approved</b>	✓	<b>Date</b>	23 <sup>rd</sup> February 2015
<b>Specialist Implications Officer(s)</b> Legal – Ruth Barton (Ext 1724) Finance – Debbie Mitchell (Ext 4161) Property – Philip Callow (Ext 3360) and Ian Asher (Ext 3379)				
<b>Wards Affected:</b> <i>List wards or tick box to indicate all</i>			<b>All</b>	✓
<b>For further information please contact the author of the report</b>				

### Background Papers

Care and Support Specialist Housing Fund, Homes & Communities Agency, February 2015.

Primary Care Infrastructure Fund, NHS England, January 2015.

Integrated Operational Plan: 2014-2019, Value of York Clinical Commissioning Group, 2014.

Supported Housing Strategy: 2014-2019, City of York Council.

Positive Ageing, Housing Choices: Older People's Housing Strategy 2011-2015, City of York Council.

**Annexes** – None

Glossary of abbreviations used in the report:

HCA – Homes & Communities Agency

HRA – Housing Revenue Account

NHS – National Health Service

OPH – Older Persons' Home, previously referred to as – Elderly Persons' Homes

RSL – Registered Social Landlord

TUPE - Transfer of Undertakings (Protection of Employment) Regulations 2006



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**Cabinet****3 March 2015**

Report of the Director of City and Environmental Services from the portfolio of the Cabinet Member for Transport, Planning and Economic Development

**York Outer Ring Road Improvement Scheme****Executive Summary**

1. Improvements to seven junctions on the A1237 York Outer Ring Road (YORR) is one of the York projects that make up the programme of schemes to be funded through the West Yorkshire plus Transport Fund (WY+TF). The formal establishment of the fund is to be finally approved. Subject to approval at the Full Council meeting in February an allocation is proposed to be provided within the base budget for 2015/16 to continue development of the WY+TF schemes.
2. The YORR has been identified as a quick-win project, i.e. for delivery by 2020/21 and as such work has commenced on the project. Prior to the formal establishment of the WY+TF progress on the project during 2014/15 has been funded internally via an Economic Infrastructure Fund (EIF) contribution. Until the WY+TF and local funding contribution has been formally agreed, Cabinet is asked to consider a number of options and associated risks for progressing the project.
3. This report has been written on the basis that Full Council approved an additional recurring £500k allocation in the base budget for the progression of the WY+TF.

**Recommendations**

4. It is recommended that Cabinet

Instruct officers to progress Option 1 to continue the delivery of the Outer Ring Road Upgrade using funds allocated in 2015/16

Reason: To maintain progress on the project pending the formalisation of the West Yorkshire plus Transport Fund.

## **Background**

### **West Yorkshire + Transport Fund**

5. The government has changed the way in which local transport major scheme funding is organised from 2015/16 onwards. Local authorities were invited to become members of Local Transport Bodies (LTB). By devolving power and funding for transport major schemes from the Department for Transport (DfT) the LTB becomes the organisation through which scheme prioritisation and funding decisions are made.
6. The Cabinet approved (9 October 2012) the proposal for York to join a West Yorkshire and York LTB subject to detailed Governance arrangements being agreed. The funding allocation for the West Yorkshire and York LTB was confirmed in 2014 as approximately £1bn over 20 years. The first six years contribution from the government is confirmed; the remaining funding is dependant on progress against delivery.
7. The West Yorkshire Combined Authority (WYCA) has still to formally agree with the DfT the programme, processes and borrowing mechanisms to deliver the WY+TF in its entirety before the fund can be formally established.
8. Subject to approval at its meeting in February 2015, it is proposed that the Council will provide a £500k allocation that will form the 2015/16 contribution to the WY+TF if the setting up of the fund is confirmed later in 2015. It is anticipated that a report will be presented to Members in late summer 2015 considering the implications of fully joining the WY+TF.

### **Scheme Development**

9. Following initial approval from each individual district to set up the WY+TF, a number of schemes that could be brought forward in the early years of the fund were identified.
10. The York package of schemes shares the same objectives as the (core) West Yorkshire package, namely the delivery of the maximum net increases in Gross Value Added (GVA) – a measure of economic output - and improving access to employment.

11. Improving the A1237 Outer Ring Road (ORR) was included in the York package of schemes (alongside York Central Access, City Centre public transport improvements and Clifton Moor P&R) and was identified as a 'quick-win' project, i.e. to start delivery on the ground in 2015/16 with completion by 2020/21. The scheme consists of improvements to seven roundabout junctions (Wetherby, Great North Way, Clifton Moor, Wigginton, Haxby, Strensall and Monks Cross). The junction upgrades will be future proofed to enable dualling in the future but dualling of the ORR does not form part of the scheme. In principle the level of upgrade at each roundabout will be similar to the recently upgraded A59 roundabout. Improved walking and cycling facilities, such as subways, will be provided as part of the upgrades where the demand warrants.
12. The WYCA has established and put in place a project management procedure to manage the WY+TF schemes via a gateway approval process. As the project passes through the various gateways, so additional funding is released to proceed to the next gateway. Gateway 1 deals with outline design and feasibility, Gateway 2 relates to detailed design and Gateway 3 enables contractor procurement. All projects must pass through the respective gateways approvals.
13. The ORR project, for all seven roundabout junctions, received Gateway 1 approval in December 2014.
14. It was originally anticipated that planning permission would not be required for all of the roundabouts owing to the minimal requirement for land outside of the highway boundary. Discussions with the Council Planning Team, advice from consultants working on the project (Pell Frischmann) and legal advice secured through Pell Frischmann has identified that it is likely that the cumulative impacts of the project will need to be taken into account through the environmental assessment stage. Subject to the results of a screening opinion an Environmental Impact Assessment (EIA) may be required for the project as a whole. Planning applications would then be submitted on an individual roundabout or project wide basis if required.
15. The need to assess the full environmental impact of the scheme will mean that the completion of the design phase of the project will be delayed. However it is anticipated that the overall completion period will not be affected as the designs will need to be completed at an

earlier stage providing more flexibility to re-programme the construction phase of the project.

### **Costs and Funding**

16. The ORR project allocation in the WY+TF is £36.7m, including design, supervision, construction and risk allowance. Optimism bias is an additional allowance added to a project to take account of tendency of project appraisers to be overly optimistic. The percentage added reduces as the project scope becomes more certain.
17. The cost of progressing the whole project through Gateway 1 and four junctions through to Gateway 2 was identified as £660k in 2014/15. A further £300k is estimated to be required to complete the design stage of all of the roundabouts.
18. As the ORR is identified as a quick-win project the Council secured an additional £208k from the WYCA to complete the Gateway 2 works. This allows the project development to be accelerated to allow an earlier commencement on site. The allocation for design work will need to be paid back to the combined authority if the project is not constructed.
19. It is anticipated that construction of the first roundabout will commence in 2016 with the last roundabout complete in 2020/21. Further work is being undertaken to confirm the programme detail but in principle the scheme will be split into evidence gathering (environmental, utility and topographical survey), concept design, consultation, approvals, detailed design, tender, construction. Early stages of the development of the scheme will be project-wide (i.e. all 7 roundabouts) with later consultation and detailed design focussed on to a smaller number of roundabouts. The project has been programmed to enable a start on site at the most straight forward locations (e.g. Monks Cross) as early as possible. The final order of works has not been decided.
20. The Outer Ring Road scheme is part of the overall WY+TF and budgeted through the fund. The fund consists of Department for Transport Major Scheme funding, contributions from the Local Growth Fund and locally raised contributions. Whilst the council has not formally agreed to the overall programme in the first years the council has agreed to include the following contributions into the fund as follows.



Table 2 - contributions

<b>Year</b>	<b>CYC contribution £000s</b>
2013/14	50
2014/15	452
2015/16	500

21. The funding for the councils contributions in 2013/14 and 2014/15 came from EIF contributions whilst the proposed contribution from for 2015/16 is included in the revenue budget proposals.

### **Consultation**

22. No specific consultation with the public has been undertaken to date pending the completion of the evidence gathering phase. Private landowner discussions will commence first, followed by structured public consultation. It is proposed to commence private landowner discussions as soon as possible with public consultation following the analysis of the environmental surveys – Summer 2015
23. It is proposed to tailor the public consultation process to specific junctions as the project progresses. A single consultation stage is proposed for the simplest junctions e.g. Monks Cross and Wetherby Road. For the more complex junctions a two stage public consultation process will be considered to enable a more collaborative design approach to be progressed. These junctions could be considered separately or packaged to secure time and resource efficiency benefits.

### **Options**

24. Subject to the approval of the £500k contribution within the 2015/16 base budget at Full Council, Cabinet is asked to consider the options for progressing the ORR project in advance of the formal establishment of the WY+TF. The options for Members to consider are:
25. Option 1: Continued progression of the design of the overall project
26. Options 2: Suspension of the project pending the establishment of the WY+TF.

## **Analysis**

### **Option 1 Continued progression of the ORR Upgrade Project**

27. Option 1 would enable momentum to be maintained on the delivery of the project to meet the original completion date of 2020/21. A decision to suspend the project, or focus delivery on one roundabout could be taken at a later date at a logical break point in the development stage such as completion of outline design.
28. The scheme is one of the WYCA quick-win projects and has secured its place in the WY+TF programme on the basis that it could be delivered (in its entirety) within the first six years of the fund. To delay the project, preventing start on site in 2016 and not completing the project by 2020/21 could result in the project slipping back in the WY+TF programme.
29. To date, the Council has progressed development of the project using its internal resources (funded via an EIF contribution) Until such time as the WY+TF and council contribution is formalised, continued progress on the project would be at risk as there is no guarantee that the future funding required to complete the project would be available.
30. If the WY+TF did not progress then alternative sources of funding would need to be obtained to continue the scheme. It is unlikely that the Council could obtain funding to construct the upgrades independently in the timescale required. However outline designs for the roundabouts would be completed and the Council would be in a much better position to bid for funding in the future.
31. The revenue contribution agreed through the budget process could be utilised to continue the project through contractor procurement, however it would not be possible to appoint a contractor and therefore start on site, without securing the construction funding via the WY+TF.
32. Progressing the development of the scheme through consultation without the funding for construction being confirmed may raise false expectations for public that the works will commence shortly.
33. There are a number of risks associated with not continuing to progress the project and these are set out below. The feasibility work undertaken to date to develop the outline designs and establish the outline commercial, financial and business cases all

have a 'shelf life'. Whilst the development work might expect to remain relevant for another two to three years, only requiring minor updates, beyond this time period it is possible that the work would have to be completely redone, making work to date and costs incurred abortive.

34. If the project is significantly delayed so as to not be considered as a quick-win (by government or the WYCA) then the WYCA may require the funding agreed to progress the project to be returned.
35. Additional project management staff will need to be recruited to enable the project to continue through the consultation and detailed design phase. Securing these staff through the WYCA will minimise HR risks and enable redeployment if the project is suspended at a later date.

### **Option 2: Suspend further work on the ORR**

36. Cabinet may decide that no further work should be undertaken on upgrading the A1237 YORR. This option removes the risk of committing further internal resources to the project without the guarantee that external funding will be available later in 2015/16.
37. The design work currently being undertaken by consultants will need to be drawn to a logical point of conclusion so that there are items which can be used for future progression of the scheme.
38. The work undertaken to date has a 'shelf life' of approximate two to three years before updating and repetition of work already completed may be necessary. After which it is likely that there would have been changes to traffic and environmental conditions. There could, therefore be some delay without the current outlay being abortive.

Suspending work may suggest to the WYCA that the Council is not committed to the project which may have an impact on its priority within the overall WY+TF programme and result in the project being reprioritised for delivery, and funding, later within the programme.

### **Overview**

39. A table setting out the advantages and disadvantages of the two options is included below.

Option	Advantages	Disadvantages
<b>Option 1 Continued progression of the ORR Upgrade Project</b>	The project remains on programme	Further expenditure is at risk with no guarantee of scheme delivery if WY+TF is not confirmed
	CYC demonstrates commitment to delivering its WY+TF schemes	
	Maximises value of funding already spent	
	Provides designs for future funding bids if required	
<b>Option 2: Suspend further work on the ORR Upgrade Project</b>	The Council removes risk of continued expenditure without guarantee of future funding through the WY+TF	Project falls behind programme
		WYCA may reprioritise the project within the WY+TF programme, impacting on delivery and access to funding
		Current work has a 'shelf-life' and some work may be abortive
		Additional costs may be incurred at a later date to update existing work
		CYC Staff resources and project knowledge would be lost

## **Council Plan**

40. The recommendation supports the Get York Moving and Create Jobs and Grow the Economy objectives in the Council Plan.

## **Implications**

41. **Financial:** On the basis that the Council approved a recurring £500k towards the WY+TF. This revenue budget is used to contribute to the WY+TF allowing the fund to borrow the sums required to deliver the overall programme along with other contributions from the Local Growth Fund and Devolved Major scheme funding. If Members wish to fully join the WY+TF additional revenue contributions will be required in future years. If the council does not progress with the fund it will need to agree with the WYCA as to the liabilities regarding the initial investment. Given the relatively small levels of spend it is not anticipated that this would be significant.
42. **Human Resources (HR):** Existing staff resource will continue to support the scheme. Additional staff for project management will be obtained through the West Yorkshire Combined Authority.
43. **Equalities:** The project seeks to improve facilities for all modes and impact on equalities will be considered on an individual junction basis as the design progresses. Improved pedestrian and cycling crossing points will be provided at key junctions where the A1237 severs communities.
44. **Legal:** no implications
45. **Crime and Disorder:** no implications.
46. **Information Technology (IT):** no implications.
47. **Property:** Some additional land beyond the highway boundary will be required to deliver the upgrades. The Council will hold private discussions with the relevant parties.

## **Risk Management**

48. If the Council joins the WY+TF then costs of the scheme will be reimbursed and the councils will continue their contributions. The key risk is that the WY+TF does not progress as anticipated or the Council decides not to fully join the fund resulting in abortive

preparatory work having been undertaken. This will leave the Council with development costs of the project to finance. The costs could be mitigated on the basis that the £500k (subject to council) would still be in the council's budget and could, subject to approval, be used to fund such costs.

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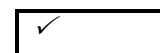
**Report  
Approved**



**Date** 20 February  
2015

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

**All**



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

### Background papers

Annexes - None

Glossary of abbreviations used in the report:

DfT -Department for Transport

EIA – Equality Impact Assessment

EIF - Economic Infrastructure Fund

GVA – Gross Value Added

LTB - Local Transport Bodies

ORR - Outer Ring Road

WYCA - West Yorkshire Combined Authority

WY+TF West Yorkshire plus Transport Fund

YORR - York Outer Ring Road



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**Cabinet****3 March 2015**

Report of the Director of City and Environmental Services and the Director for Customer and Business Support Services from the portfolio of the Deputy Leader and Cabinet Member for Communities

**Yorwaste Limited and Implementation of the Teckal Exemption****Summary**

1. The purpose of this report is to update Cabinet on progress made towards enabling the award of contracts for the provision of waste services to Yorwaste Limited without competitive tender. This is proposed to be achieved by implementing the 'Teckal exemption', and to seek approval to undertake the required actions to facilitate Yorwaste Limited in meeting the conditions required to achieve Teckal status.

**Recommendations**

2. The Council is asked to confirm:
  - (i) The City Council is supportive of the County Council's recommendation to its Executive that the County Council takes the steps necessary to facilitate Yorwaste Limited's obtaining Teckal compliant status.
  - (ii) That delegated authority be given to the Director of Customer and Business Support Services (acting in consultation with the Director of City and Environmental Services and the Assistant Director (Governance & ICT) to:
    - to adopt new articles of association(as a shareholder of Yorwaste Limited) to evidence the control condition;
    - enter into a Shareholders Agreement with Yorwaste Limited and NYCC to evidence the control condition;

- enter into a non binding collaboration agreement with Yorwaste Limited and NYCC and other such documents as necessary;
- take such steps and enter into such documents as necessary to approve the transfer of the shares of SJB Recycling Limited once satisfied that due diligence is complete and legal and financial advice has been provided identifying the most appropriate route;
- take any ancillary steps necessary to meet the control condition or the economic dependence condition required to assist Yorwaste Limited in achieving Teckal compliant status; and
- award future waste management to Yorwaste Limited without the need for a competitive procurement exercise if the tests required to make use of the Teckal exemption have been satisfied.

Reason: In order to facilitate Yorwaste Limited meeting the control condition and the economic dependence condition required to utilise the Teckal exemption thereby enabling the Council to award contracts for future waste management contracts to Yorwaste Limited without conducting a competitive procurement exercise.

### **Background**

3. A previous report was provided to Cabinet on 9 September 2014 in relation to financial close for the long term waste management contract. The report included information about the proposed Teckal arrangements and the impact of such arrangements on the long term waste management contract.
4. If Teckal arrangements are successfully put in place it will allow the Council to award contracts for future waste management services to Yorwaste without a competitive procurement by relying on the 'Teckal' exemption.
5. Entering into contracts with Yorwaste relying on the 'Teckal' exemption provides a number of direct and indirect benefits, as well as significant opportunity to develop partnerships with district



councils and other public sector bodies to reduce risk and help improve efficiencies in delivery of waste services.

6. Such arrangements will mean that future contracts with Yorwaste Limited can be flexible allowing the Council and North Yorkshire County Council to adapt to changes in the market or commercial environment that would not be possible in competitively procured contracts without the risk that changes may be unlawful or give rise to a procurement challenge.
7. The proposed arrangements with Yorwaste Limited will (if successfully implemented) also enable the Council and North Yorkshire County Council to optimise waste delivered to Allerton Waste Recovery Park (“AWRP”). This involves the delivery of commercial waste collected by Yorwaste Limited on behalf of North Yorkshire County Council to AWRP under the long term waste contract with Amey Cespa.

### **Consultation**

8. Consultation has been undertaken with the board of Yorwaste Limited and officers of North Yorkshire County Council.

### **Options and Implications**

9. The Council needs to consider whether it should enter into the arrangements to facilitate Yorwaste Limited (of which the Council is the minority shareholder with a shareholding of 22.27%) becoming a Teckal compliant company.
10. The necessary steps which it is envisaged the Council would need to take are as follows:
  - a. To adopt a new set of articles of association of Yorwaste Limited which evidences that the Council and North Yorkshire County Council retain sufficient control to meet the ‘control condition’ for Teckal exemption.
  - b. Enter into a Shareholders Agreement which evidences that the Council and North Yorkshire County Council retain sufficient control to meet the ‘control condition’ for Teckal exemption.
  - c. Enter into a collaboration agreement initially with NYCC and Yorwaste Limited which will reflect the intended arrangements

and cooperation between the parties to facilitate the collection and disposal of commercial waste and the streamlining of waste management services in the Yorkshire area to, amongst other things, maximise the utilisation of capacity which NYCC and CYC have available to them through the Allerton Waste Recovery Park so as to ensure public money is well spent and presents best value to the citizens of its areas.

- d. Take whatever steps are necessary as minority shareholder to allow for the transfer of SJB Recycling Limited from Yorwaste to the Council and North Yorkshire County Council (retaining the same percentage shareholdings) to allow Yorwaste Limited to achieve the 'economic dependence condition' for Teckal exemption, subject to any such steps not having a negative budgetary impact.
- e. To assess in due course whether the conditions to achieve Teckal status have been met by Yorwaste Limited to allow the Council to award contracts for future waste management to Yorwaste Limited without the need for a competitive procurement exercise.
- f. To take any necessary ancillary steps to assist Yorwaste Limited in achieving Teckal compliant status.

### **Analysis**

- 11. The process of achieving Teckal compliant status is complex and the legal due diligence process is ongoing. As such, the exact detail of certain of the steps to be taken is not yet confirmed.
- 12. An example of the arrangements still under consideration is in relation to SJB Recycling Ltd which is a wholly owned subsidiary of Yorwaste Limited. In order for Yorwaste Limited to meet the 'economic dependence condition' for the purposes of achieving Teckal compliance, the Council and North Yorkshire County Council took legal advice which provided that Yorwaste would need to transfer its shares in its subsidiary to meet the condition.
- 13. There are two possible routes to deal with this transfer.
  - a. A transfer of the shares to the Councils (retaining the same percentage holdings as the Councils' shareholdings in Yorwaste Limited itself) at book value; or

b. A statutory demerger.

Due diligence is ongoing and a final report is awaited from Ernst & Young.

14. North Yorkshire County Council has led the process of facilitating Yorwaste Limited in achieving Teckal compliance.
15. North Yorkshire County Council appointed Ashfords LLP as its legal adviser in connection with the proposed arrangements. Ashfords LLP has recently agreed to extend its duty of care in advising on these proposals to the Council and as such the Council is in a position to rely on the legal advice of Ashfords LLP who consider the proposed approach to be lawful.
16. The intention of the parties is to have taken such steps as are required to facilitate Teckal compliance by 1<sup>st</sup> April 2015 to allow the Councils to award contracts to Yorwaste Limited without competitive procurement. The tests to measure the conditions to achieve Teckal compliance are a matter of fact. The Council will need to be satisfied at the time at which it opts to award any future waste management contracts to Yorwaste that the relevant conditions have been met.

### **Council Plan**

17. AWRP will support the council in its objectives to reduce the reliance of landfilling residual waste and to increase the council's recycling percentages. This proposal is in support of the AWRP project.

### **Implications**

- **Financial**

- There are a number of options currently being considered as to how the transfer of SJB from Yorwaste directly to the councils will occur and the final decision is yet to be taken. The three options currently being considered are

**Option 1** (share transfer) – this involves the transfer of shares from Yorwaste to the Councils. This could be pursued without further approvals although would potentially require an amendment to the capital programme albeit with no funding

implications. This option would be reported through the Council's usual capital monitoring process.

**Option 2** (cash sale) – this involves the Councils acquiring SJB shares from Yorwaste. This would require council approval as it would require a material change to the capital programme.

**Option 3** (no change) – this would have no financial implications although it would make the Teckal status of Yorwaste less certain.

The delegations in this report do not allow for any action that would have a detrimental impact on the council's budgetary position without a further report coming forward to Members.

- **Human Resources (HR)** - *none*
- **Equalities** – *none*
- **Legal** – *as set out in this report*
- **Crime and Disorder** - *none*
- **Information Technology (IT)** - *none*
- **Property** - *none*
- **Other** - *none*

## **Risk Management**

### Legal Challenge

18. The risk to the Council in relation to entering into the arrangements to facilitate Yorwaste Limited's Teckal compliance is the risk that such arrangements are subject to a legal challenge. There is limited case law on the use of Teckal so this risk cannot be discounted entirely.
19. The risk of such legal and/or procurement challenge will not arise until such time that the Council seeks to award future waste management contracts to Yorwaste Limited without a competitive EU compliant procurement process in reliance on the Teckal exemption.

20. Such award will not be made (by the officers to which delegation may have been provided pursuant to recommendation 2(ii) above) until due diligence has been fully completed, a final legal report has been provided and all necessary financial and/or tax advice has been obtained to confirm that the Council may rely on the Teckal exemption.
21. The risk of legal challenge has been mitigated by North Yorkshire County Council seeking appropriate legal advice. As mentioned above, Ashfords LLP now also owes a duty of care to the Council in relation to such advice.
22. As with any decision made by the Council there is ability for the Council's decision making process to be legally challenged. However the Council has ensured through its internal governance processes that its decision making process is rational and based on sound judgement and advice.
23. Such award will not be made (by the officers to which delegation may have been provided pursuant to recommendation 18(ii) below) until due diligence has been fully completed, a final legal report has been provided and all necessary financial and/or tax advice has been obtained to confirm that the Council may rely on the Teckal exemption.
24. The risk of legal challenge has been mitigated by North Yorkshire County Council seeking appropriate legal advice. As mentioned above, Ashfords LLP now also owes a duty of care to the Council in relation to such advice.
25. As with any decision made by the Council there is ability for the Council's decision making process to be legally challenged. However the Council has ensured through its internal governance processes that its decision making process is rational and based on sound judgement and advice.

**Contact Details**

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**Chief Officers Responsible for the report:**

Sarah Tanburn  
Director of City and Environmental  
Services

Ian Floyd, Director of Customer and  
Business Support Services

**Report  
Approved**

**Date** 23.02.15

Ian Floyd  
Director of Customer and Business  
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**Report  
Approved**

**Date** 23.02.15

**Specialist Implications Officer(s)** List information for all

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

**All**

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

**Background Papers:** None

**Annexes** - None



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**Cabinet****3 March 2015**

Report of the Director of Communities & Neighbourhoods  
(Portfolio of the Cabinet Member for Communities)

**Anti-Social Behaviour (ASB) Hub – Update**

(Information report only)

**Summary**

1. This report sets out the City of York Council's (CYC) journey to date in transforming its approach to partnership working with North Yorkshire Police (NYP) and the Police and Crime Commissioner (PCC) to tackle Anti-social Behaviour (ASB) and Nuisance through the creation of a multi-agency Anti-social Behaviour Hub.

**Recommendation**

2. Cabinet are asked to note the progress to delivering on the objectives set out within the November 2013 report.

**Reason:** To ensure that the council actively addresses the issue of ASB on our communities.

**Background**

3. In November 2013 Cabinet agreed to the establishment of a multi-agency ASB Hub and the development of a Neighbourhood Enforcement Officer role which would include accredited powers from the Chief Constable under the Community Safety Accreditation Scheme (CSAS) being awarded to the post holders.
4. Following Cabinet approval a significant amount of development work has been undertaken across both CYC & NYP to develop an integrated approach to dealing with ASB & Nuisance behaviour within the city.
5. Critical to the success of the new ways of working was ensuring that a new partnership team was put in place bringing together existing

staffing resources and where appropriate look to augment existing resources. This new team comprises the councils Neighbourhood Enforcement Officers (previously called Street Environment Officers), the Housing Tenancy Enforcement Function and NYP Police Officers. In March 2015 the Council's domestic noise nuisance function will transfer into the team with their role being integrated into the Neighbourhood Enforcement Officer role.

6. A key part of the development of the new ways of working was the integration of council and police resources into a single co-located team. In May 2014 NYP reorganised its operational policing model for York which resulted in 6 Police Officers being dedicated to working on ASB / Nuisance and they relocated to West Offices to work as part of the hub under the day to day direction of the Council's Neighbourhood Safety Manager.
7. Working in partnership with NYP and the PCC we have been successful in two bids for funding from the Police Innovation Fund (PIF) totalling £440k. In addition to this a successful bid into the council's Delivery & Innovation Fund (DIF) for £115k over two years has also being successful, giving a grand total of additional funding to support this work of £555k. This funding is being used to deliver:
  - Additional 4.5 fixed term Neighbourhood Enforcement officers (fixed term to 31<sup>st</sup> March 2016)
  - Training
  - Mental Health Co-ordinator (fixed term to 31<sup>st</sup> March 2016)
  - Integrated IT system
  - Transport costs
  - Legal costs
  - Community Inclusion Projects
  - Interim & Final Evaluation

### **Current Approach**

8. The main focus of the new way of working is that all reports of ASB / Nuisance behaviour are reviewed daily and then on a risk basis tasked to the appropriate officer. Medium to high risk cases are allocated to the appropriate officer from the hub to take the lead and ensure a coordinated response to the complainant. Medium to low risk cases are tasked to either the Neighbourhood Enforcement Officers, Estate Manager or Police & Community Support Officer (PCSO) dependant on who is the most appropriate officer.



9. On a weekly basis a wider partner meeting takes place including Trouble Families, Youth Offending Team, Housing Services and Legal Services to ensure that a holistic approach is taken to any emerging themes.
10. As a result of the additional funding to support the Neighbourhood Enforcement Officer capacity we have been able to develop an operational shift pattern for this role to ensure that officers are able to address the instances of ASB / Nuisance behaviour at the time they happen. The current proposed shift pattern (expected to start in April) has officers working standard 9am – 5pm Monday – Wednesday, until 8pm on a Thursday and Friday and until 3am on a Friday and Saturday.
11. Once all the Neighbourhood Enforcement Officers are in place and trained (April 2015) the officers will be able to utilise both Local Authority and authorised CSAS Powers to deal with the following types of ASB incidents.
  - Parking offences
  - Abandoned vehicles \*
  - Cycling on the footpath \*
  - Power to deal with begging \*
  - Causing harassment alarm & distress \*
  - Knowingly giving false alarm of fire
  - Drinking in a designated public area \*
  - Fly Tipping
  - Fly Posting
  - Graffiti\*
  - Littering \*
  - Dog Fouling
  - Powers to seize tobacco & alcohol from young people \*
  - Traffic management, including stopping vehicles for testing and traffic control.
  - Noise Complaints
  - ASB in parks and open spaces \*
  - Fireworks offences \*
12. Those areas marked with an asterisk denote an overlap with current PCSO powers.
13. From a customer perspective, the expected outcome from the new ways of working would be a joined up approach to ASB resolution

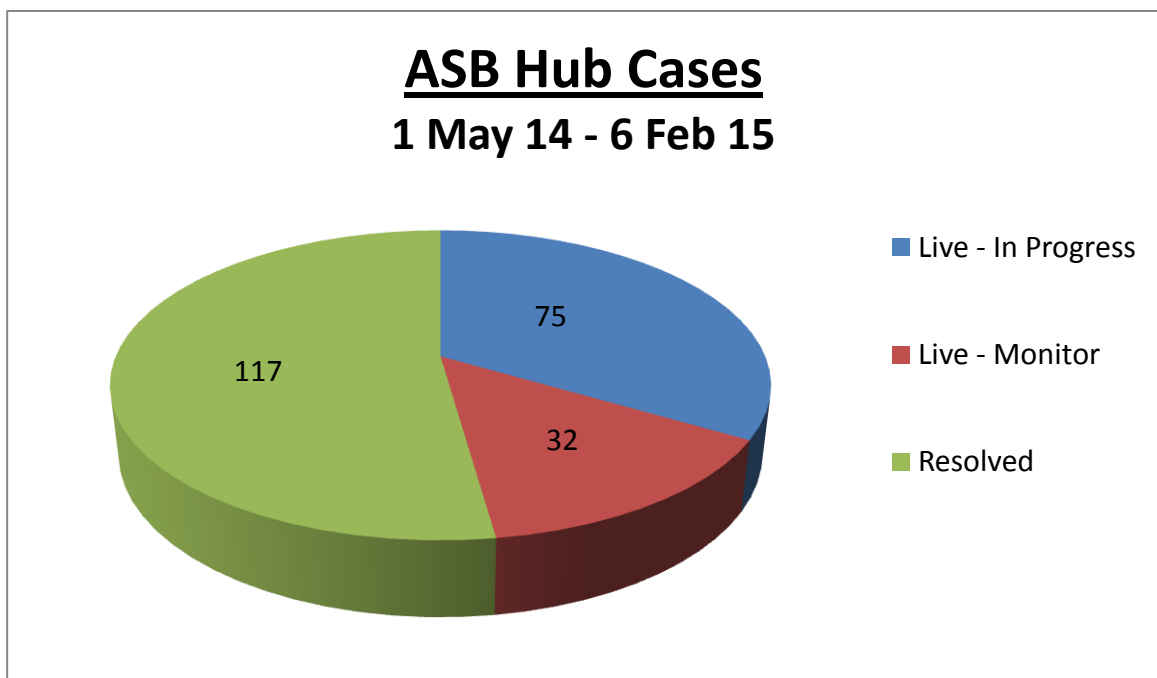
resulting in the right officer with the right powers being tasked to deal with the complaint.

### Options

- 14. This report is for information only.

### Analysis of the ASB Hub

- 15. Since the ASB Hub started working in May 2014, 224 cases have been dealt with by the York ASB Hub. Cases are stored in 3 categories, live in progress, live monitor and resolved, the breakdown as at 6<sup>th</sup> February 2015 is:



- 16. When considering the interventions that the ASB Hub has taken or is ongoing, enforcement action has been taken in relation to 61 cases. Initiatives to deal with issues such as Beggars and Street Drinkers are also underway. Injunctions have also been utilised to tackle both anti social behaviour across all housing tenures.
- 17. Non legal interventions have also been utilised, such as serving a Notice of Seeking Possession, service of Warning Notices or Harassment Information Notices, which in a number of cases have been sufficient to stop further incidents of Anti Social Behaviour. The ASB Hub carry out joint visits and let perpetrators know that incidents reported to either agency will be shared where relevant and that a joined up approach will be used to tackle further problems. The co-

location of the Police and Local Authority has enabled visits and warnings to be given to perpetrators quicker than previously, which allows for a swifter response and prevents further problems in the future all resulting in a better outcome for those individuals suffering ASB.

18. Possession proceedings have also been progressed for a number of council tenants which has led to a number of evictions, some tenants have also terminated their tenancies before the eviction has taken place.
19. The New Anti Social Behaviour legislation is currently being applied in the City, Criminal Behaviour Order applications are being made by the ASB Hub and also Public Spaces Protection Orders are being considered and progressed through the Council. Community Protection Notices should be in use for both Council and Police Officers imminently.

### **Next Steps**

20. It is essential that the success of the approach taken is properly evaluated to ensure that it is an effective use of scarce resource and delivers effective outcomes for communities. As part of the PIF bid an external evaluation was included at both an interim and final stage.
21. The interim evaluation was undertaken independently by York University between September and December 2014 when the Hub had been up and running for 4–6 months. As was expected, a number of teething problems were identified linked to the development of new ways of working and integration of resources from different organisations. A number of recommendations were proposed as part of the evaluation, the majority of which have already been implemented. The key findings of the interim evaluation are attached at Annex 1.

### **Council Plan**

22. The ASB Hub approach strongly supports a number of priorities with in the Council Plan.
  - Building Strong Communities – Addressing the impacts of ASB in our communities will have a positive impact supporting this priority. A key action within the Building Stronger Communities section of the Council Plan was the link between the out of hour's noise nuisance function and NYP. With the noise nuisance

function integrated into the new Neighbourhood Enforcement Officer role, this will deliver on this priority as the services would be integrated with the local Safer Neighbourhood Area's.

- Protecting vulnerable people – It is often the most vulnerable in society who become victims of ASB. Developing improved approaches to addressing ASB helps ensure the most vulnerable are supported.
- Protect the environment – ASB takes many forms which impact on the environment, the establishment of the Neighbourhood Enforcement Officer will enable the council to directly impact on those types of ASB in particular fly-tipping and graffiti.

### Implications

23. This report is for information only and therefore has no implications.

### Risk Management

24. This report is for information only and therefore has no associated risks.

### Contact Details

**Author:**

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Assistant Director – Housing & Community Safety

**Chief Officer Responsible for the report:**

**Sally Burns**

Director – Communities & Neighbourhoods

**Report  
Approved**



**Date**

13 February 2015

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

**All**

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

### Annexes

**Annex 1** – Key findings from the Interim Evaluation of the ASB Hub by York University

Glossary of abbreviations used in the report:

ASB – Anti Social Behaviour

CSAS - Community Safety Accreditation Scheme

CYC – City of York Council

DIF – Delivery & Innovation Fund

NICHE -

NYP – North Yorkshire Police

PCC – Police & Crime Commissioner

PCSO - Police & Community Support Officer

PIF - Police Innovation Fund

SNT - Safer Neighbourhood Teams

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## **A BRIEF EVALUATION OF THE YORK ASB HUB**

**Sharon Grace and Lisa O'Malley  
Department of Social Policy and Social Work  
University of York**

**December 2014**

***Progress on recommendations added by  
Steve Waddington  
Assistant Director – Housing & Community Safety  
City of York Council  
February 2015***

## EXECUTIVE SUMMARY

This brief evaluation took place during September to December 2014 when the ASB Hub had been running for just 4-6 months. It necessarily focuses on early issues – with a view to informing both the next stage for the Hub and the longer evaluation which will take place over the next year and report in March 2016.

The Hub has been received positively by the majority of staff and other departments and agencies associated with its work, and there is generally a shared vision for the Hub revolving around better services for victims and a more holistic approach to dealing with ASB within the City. There is also evidence that the Hub is already making a difference to how the partner agencies deal with ASB, particularly in relation to information sharing and appropriate responses. The main goals of the initial stages of the Hub have been realised and there is strong evidence of commitment and support for the Hub to continue. There is also evidence that the Hub could provide the basis for best practice in dealing with ASB across North Yorkshire.

### Positive messages

- Respondents clearly felt that the co-location of agencies within the Hub had significantly improved the quality and speed of information sharing which had led to earlier, more appropriate and effective interventions.
- Hub members felt they were starting to see results even in long term, intractable cases.
- Both ASB police and housing officers felt that they benefited from joint visits and had gained knowledge and perspective on managing ASB from working with one other.
- The systematic daily overview of ASB cases across the city was particularly appreciated by senior management who felt they had a better understanding of the nature and patterns of ASB cases.
- The introduction of the weekly interagency meeting was viewed as a highly successful initiative improving the efficiency and effectiveness of responses.
- The reallocation of responsibility for ASB to the Hub had allowed Safer Neighbourhood Teams (SNT) to focus on crime.



- Whilst there were still some teething problems there was general consensus between frontline staff and management about what these problems were and an understanding of what was required going forward.

#### Barriers to success

- The lack of an adequate IT system created cumbersome and time-consuming data inputting which drew officers away from casework.
- Communication between ASB Hub police officers and wider police force was not satisfactory for either party leading to confusion about where responsibilities for managing ASB cases lay.
- The implementation of the Hub, and efforts at staff engagement by senior management has not reduced uncertainty or anxiety among some staff about their roles or future.
- Frontline staff felt under-managed and desired closer specialist supervision and support. There was also a lack of administrative support.
- The accommodation in West Offices is inadequate and inappropriate and had led to concerns about a lack of confidentiality when dealing with sensitive material.
- Many interviewees identified poor connections with mental health services as a significant gap in developing an effective response to ASB cases.
- The overlap between ASB and crime led to some confusion about responsibilities and limitations of remit amongst frontline staff.

#### Recommendations

- That better accommodation is allocated to the Hub which is for Hub staff only and which allows for conversations and data to be shared without risk of breaches of confidentiality.

**Update – As part of the review of accommodation within West Offices alternative locations for the ASB Hub are being considered that would address the perceived confidentiality issues**

- That if such a room is not available, a confidentiality agreement for non-Hub staff members sharing accommodation should be developed.

**Update – Dependant on above**

- That better communication channels are developed between the Hub and the wider police force which can lead to a greater understanding about ownership of cases.

**Update – A meeting has taken place between the ASB Hub, CYC staff and SNT's to further develop communication channels. This included discussions on regular problem solving workshops so teams can build an understanding of each others roles**

- That systems for feeding in local knowledge from SNTs officers should be established which can lead to better recording of good quality information and a greater understanding of the role of the Hub.

**Update – It has been agreed that Neighbourhood Enforcement Officers will attend the daily SNT briefings to ensure information is shared.**

- That an ASB Hub flag should be included on NICHE.

**Update – ASB flag has been included on NICHE**

- That a mental health link worker and a victims' link worker be recruited to the Hub.

**Update - A mental health link worker has been procured through the Together York project and final contracts are being put in place. The worker is to start in the Hub March 2015. We are working with the PCC to establish a victim support link for ASB cases.**

- That consideration is given to the development of a single reporting function directly connecting complainants to the Hub.

**Update - This has been discussed by the partners and whilst a single reporting number sounds attractive, current NYP and CYC reporting methods would not be able to support the introduction of this at this time. There are also concerns that this may lead victims to inadvertently ring the single number instead of 999 where emergencies occur. This recommendation will not be implemented but will be kept under review.**



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**Cabinet**

**3 March 2015**

**Report of the Chief Executive from the portfolio of the Cabinet Member for Economic Development**

**Economic Infrastructure Fund**

**Report Summary**

1. This report sets out a proposal for funding to be approved from the Economic Infrastructure Fund (EIF) to support the creation of the Business Improvement District. Members are recommended to consider and approve this allocation.

**Recommendation**

2. It is recommended that Cabinet approves £25,000 of EIF funding to be used to fund work to create a Business Improvement District in the City Centre of York.

Reason: To unlock significant investment and to support the Council Plan priorities of creating jobs and growing the economy.

**Background**

3. The Economic Infrastructure Fund (EIF) is a £28.5m fund that was created to enable projects of strategic importance to the city's ambitions for creating jobs and growing the economy. So far investment from the fund approved to date from previous Cabinets is £28.2m.
4. Projects are considered first by officers through internal programme management arrangements which bring together Chief Officers with responsibility for areas of activity related to this agenda, and by extension the aims of the EIF.

## **Bid to Facilitate the Creation of a Business Improvement District**

5. A bid for £25,000 of the EIF to be used to create a Business Improvement District in York has been put forward. The full bid is included in Annex A and has been considered by officers.
6. As outlined in the BID, the £25,000 will be used to supplement the funding of a Business Improvement District Manager. The City Team already have funding for this post until April. EIF funding is sought to ensure that this post is funded until the Autumn to ensure that an effective prospectus is produced in consultation with all city centre businesses.
7. A Business Improvement District (BID) is an initiative based on a discrete geographical area in which a prospectus, developed by a BID company made up of local businesses, is voted on by businesses in the area. Business Improvement Districts are well established and exist across around 190 locations across the UK, predominantly on high streets.
8. A successful Business Improvement District will deliver additional services as outlined in the prospectus to be funded by an additional levy on businesses in scope. Under current proposals the Council will collect this levy through the business rates collection and transfer funds to the BID company. This could be used to support promotion of the city, additional security, new events and festivals.
9. The City Team are currently leading this work based on a proposal to include all businesses within the inner ring road. To create a Business Improvement District, consent is required from a majority of all city centre businesses (rateable value and numbers of voters). If successful, this would be the largest Business Improvement District in the country.
10. As outlined in Annex A, evidence from other business improvement districts has shown that a successful BID can lead to improved spend and sales, improvements to physical surroundings, improved competitiveness as a city, more effective marketing activity and improved safety and security.
11. The funding bid outlines that the Business Improvement District would leverage significant additional funding for the city centre of around £4 million over five years. The initiatives this funding would be used to

invest in would be completely within the control of the businesses within the improvement district.

12. Officers have considered the merits of this bid and propose that Cabinet approve funding from the EIF. This is because a successful Business Improvement District will unlock significant investment to support the growth of the city centre economy. Given the importance of a successful city centre to York's overall economy and other objectives including public safety.
13. Given the importance of this scheme, it is important that all potential sources of funding are sought and businesses in the city have adequate information to allow them to evaluate the effectiveness of the BID. We know that BIDs in other parts of the country have had some difficulty in effectively evaluating their success. Therefore, in return for receiving this funding, we would like the City Team and Make it York to (a) provide information that will support an evaluation of the effectiveness of the Business Improvement District (this could take the form of anonymous sales data for a number of city centre businesses) and (b) that they seek further funding to support the creation of the BID from non City of York Council sources. This could include the Government loan scheme for BIDs (<http://www.britishbids.info/our-services/the-bid-loan-fund/>).

### **Council Plan**

14. This paper is central to the Create Jobs and Grow the Economy council priority and has been discussed and agreed at the Create Jobs and Grow the Economy Priority Board.

### **Financial Implications**

15. The recommendations in this paper will have a financial cost of £25,000. It is recommended that this is funded from the Economic Infrastructure Fund as proposed in the Paper.
16. The available EIF balance for investment prior to this bid is £337.5k. If the BID allocation were to be approved then the remaining balance would be £312.5k

## Human Resources (HR)

17. This paper does not have human resources implications for the City of York Council.

## Equalities

18. The proposal for a BID has the potential for significant improvements which would have positive equalities implications. To ensure that these are realised, a Community Impact Assessment will be undertaken as the detailed proposals are developed. This should include consultation across communities with clear actions to maximise the positive opportunities and mitigate any detrimental impacts.

## Legal

19. The funding for the Business Improvement District is conditional on further advice that this does not violate regulations around State Aid.

<b>Author:</b>	<b>Chief Officer responsible for the report:</b>			
<b>Author's name</b> Phil Witcherley	Kersten England Chief Executive, City of York Council			
<b>Dept Name:</b> Office of the Chief Executive	<b>Report Approved</b>	√	<b>Date</b>	20 February 2015
<b>Tel No.</b> 553343				
<b>Wards Affected:</b> <i>The decision required from this paper affects all wards within the city walls including Guildhall, Micklegate and Fishergate.</i>				<b>All</b>

## Annex A: Business Case for the Business Improvement District Bid

Glossary of Abbreviations used in the report:

BID – Business Improvement District

DCLG – Department for Communities and Local Government

EIF – Economic Infrastructure Fund

ERDF – European Regional Development Fund

GVA – Gross Value Added

NDBR – Non Domestic Business Rates

ONS – Office for National Statistics

REM – Regional Economic Model

<b>NAME OF PROJECT</b>	York Business Improvement District
<b>TOTAL EIF FUNDING SOUGHT</b>	£25,000
<b>PROPOSAL SUMMARY</b>	
<p>The reducing financial resources available to CYC has brought about a need to find alternative means of investing in those areas which are non-statutory in nature yet essential for driving the city forward and achieving the council's goals. Work with the businesses in the city, working within the City Team (of which CYC has both Member and Officer representation at Director level), has seen the proposed development of a Business Improvement District or BID which is a well-established initiative across some 190 other UK towns and cities. The BID is an initiative based on a discrete geographical area in which a prospectus, developed by a BID Company made up of local businesses, is voted upon by all the businesses in the area (in this proposal all those within the scope of the Inner Ring Road). A successful BID then delivers services in its area paid for by a levy on the businesses therein – typically additional janitorial services, promotion of the city, additional security, new events and festivals etc.</p> <p>This would be the largest BID in the UK.</p> <p>The £25,000 is sought to employ a BID Manager on a temporary contract to :</p> <ul style="list-style-type: none"> <li>- Compile the BID proposal document/prospectus in preparation for a ballot</li> <li>- Consult with the businesses in the designated area</li> <li>- Prioritise improvements for the area and area services</li> <li>- Lead a 'hearts and minds' campaigns to win widespread support for the BID</li> <li>- Consult a number of partners on how the BID will be managed and operated</li> <li>- Ensure the ballot is conducted in accordance with all legal requirements.</li> </ul> <p>Once successful, the BID company can leverage in funds from other areas and the typical benefits to businesses include :</p> <ul style="list-style-type: none"> <li>- Spend and sales</li> <li>- Improvements to physical surroundings</li> <li>- Improved competitiveness as a city</li> <li>- More effective joint activity ie marketing and procurement</li> <li>- Safety and security</li> <li>- City wide promotional activities ie festivals etc</li> <li>- Or any service or project the BID company deems beneficial to traders and the city.</li> </ul> <p>Typical BID areas in other cities have reported :</p> <p>Increased footfall Improved staff retention Business cost reduction Better area promotion Facilitated networking opportunities with neighbouring businesses Assistance in dealing with the Council, Police and other public bodies</p>	

<b>STRATEGIC FIT: Outline how the project meets identified economic priorities for the city and the Council</b>	
<p>Fits within Council Plan Obj 1 : Create Jobs and Grow the economy</p> <p>A strong and resilient city centre is essential to attracting investment, providing jobs and developing the city's reputation to a quality equal to other cities in the top rank of European destinations.</p> <p>Fits with the City Action Plan – Enabling Growth and creating the environment to foster partnership working and collaboration. It will also contribute significantly to the Councils efforts around creating a safe vibrant evening economy.</p>	
<b>RATIONALE FOR NEED: Outline why there is the need for funding from EIF, specifically...</b>	
How it addresses market failure	The BID has largely been welcomed by the city and this appointment is the next step in creating a city centre partnership for growth and enhanced services. There is a clear need to pump-prime a management function to unlock the investment that businesses are willing to make in their city. Such investment will not happen without a partnership and collaborative approach
How it offers additionality	A successful BID in the city would raise over £800k of new private sector investment which can be used to lever further funds requiring 'clean' resources. This can effect change in the city centre without further CYC input. A typical BID once going is likely to leverage in an additional one and a half times its primary levy income.
Evidence of demand for what the project provides in terms of product / service	An Initial survey has revealed support for the BID levy from city centre businesses who welcome the construct which legally requires initiatives to be delivered according to Prospectus. . The York BID is likely to be the largest in the country and it is imperative that we seize the initiative and capitalize on the current level of confidence the city businesses have for the BID. If we were to lose the current momentum it is unlikely that we get another opportunity in the near future.
Other options of funding / delivery explored	£10k of DCLG Town Team funding will also be used for this post and development of the BID. Other options have been explored such as funding through British BIDs, but this has been rejected due to concerns over uncertainty of funding and significant delays in the development of the BID.



<b>OUTCOMES: Detail the anticipated economic and wider (social / environmental) outcomes the investment will deliver. Where possible these outcomes should be SMART</b>		
<p>The immediate outcome is the employment of a BID Project Manager to develop the BID proposal leading to the BID ballot. If adopted it is the first step for a sustainable funding, investment and development model. The model will allow the private sector to attract further investment to the city centre providing a minimum £4m over a five-year period and potentially more. The benefits would be increased investment in the city centre by those who operate businesses and an improved city centre environment in terms of public realm, security, increased footfall, events and cleanliness. It will also foster better promotion of York as a visitor destination and location for new investment. Greatly improved communication links between public and private sector, resulting in enhanced relations with issues affecting local companies being resolved more quickly and opportunities for improvements being realized at greater speed. We should also see lower levels of crime, antisocial behavior and more competitive property values through offering a higher quality environment and improve image for the city.</p>		
<b>Projected contribution to headline economic targets</b>		<b>Year(s) delivered (e.g. 2016/17 onwards)</b>
Direct jobs created	1 job created directly	
Indirect jobs created	Potential for other job creation in the retail sector when the BID is adopted	
Direct Economic (GVA) Growth (£)	No direct GVA impact	
Indirect Economic (GVA) Growth (£)	The growth potential for the retail sector of approx 1% above normal growth rate.	
<b>Outline how the figures and targets in this section have been calculated or projected, and any key assumptions made</b>		
<p>It is assumed that the BID will generate additional value to the business base in the local area and will be monitored by overall retail figures.</p> <p>Anecdotally, other BIDs in the country have experienced an increase in footfall, sales and wages alongside a reduction in crime and antisocial behaviour. NE1 , the Newcastle BID, run a number of initiatives including:</p> <ul style="list-style-type: none"> <li>-Coordinated extended retail opening hours across the week to 8pm</li> <li>-Free car parking in the Council's multi-storey car parks, subsidized by NE1</li> </ul>		

- A series of highly commercially successful events including Newcastle
  - Fashion Week, Restaurant Week, Monument Movies and Monument Live
  - Bar, café and restaurant offers aimed at extending dwell times
  - Additional early evening bus services
- These types of activity are not dissimilar to activities the York BID may develop as they contribute significantly to the evening economy. The impact from these have been;
- a 8.8% increase in after 5pm evening footfall
  - in the first year of the added activities they estimate the additional values to the city was £106M
  - The Monument Movie festival leveraged an additional £70K from commercial advertisers and associated partners.

All of the BID companies I contacted have had a positive impact on the local area but can only provide anecdotal evidence other than NE1.

#### **Outline how the deliverables and targets will be measured, monitored and evaluated**

Annual surveys of business levy payers within the BID area can monitor new job creation, job safeguarding and new investment undertaken by local businesses as a direct result of the programs run by the BID company.

The BID manager will also monitored government data produced by the ONS and REM projections.

#### **DELIVERABILITY + PROGRESS TO DATE**

##### **Progress and project planning that has taken place to date**

- The City Team, through its Executive, has undertaken work to research a BID for the city –
- Selecting a potential BID area
- Developing a list of businesses as potential levy payers
- Undertaken initial research into the needs of businesses
- Scoped out a program of work towards a ballot in Autumn 2015
- Opened a dialogue within CYC with those departments who will be involved in the development and delivery of a BID as the local authority: electoral services, income services and legal
- Developed an indicative budget
- In the process of recruiting a BID Manager to further develop and progress the proposal

<b>Major project stages</b> (e.g. planning, implementation, evaluation)			
Stage	Period	Products delivered in this stage	Associated EIF investment sought
Recruitment	Immediately	BID Manger	£25,000
BID proposal developed	Mar to Aug	BID Prospectus	Nil
Ballot to City	October	Ballot vote and BID adoption if successful	Nil
<b>Project structure</b> (e.g. governance and project team)			
<p>Development of a delivery team carrying out the ‘hands-on’ work to produce documents, plans and materials required by law before a BID can proceed to ballot stage</p> <p>A management team overseeing the delivery team which can report to: The City Team and its Executive on progress towards key milestones</p> <p><b>Likely Reporting structure</b></p> <pre> graph TD     A["BID Board 11 members (Voluntary unpaid)"] --&gt; B["BID Chair"]     B --&gt; C["BID Operations Director"]     C --&gt; D["BID Staff &amp; Contracts"] </pre>			
<b>Key risks and how these will be managed</b>			
<p>The immediate risk is not obtaining the funding for the initiative to progress. If this happens it may take a further year to rebuild the momentum, raise the finance and proceed with the proposal. A further risk is that a ballot of 1,800 local businesses will prove unsuccessful in achieving an overall ‘yes’ vote.</p> <p>This risk will be mitigated by careful planning, good preparation and high-quality surveying and engagement of the business community with regular reviews and milestones.</p>			
<b>The plan for sustainable delivery / planned exit beyond the EIF funding</b>			
<p>Provided the BID is successful, provision will be made within income from the levy to pay an ongoing admin cost over the 5-year lifetime of the BID. The BID company will also be eligible for funding from other sources and likely to leverage additional funds in the lifetime of the BID</p>			

After 5 years a new prospectus must be written for the next 5 years but by this stage the BID company will be fully self-sufficient.

**FINANCIAL PROJECTION** Please attach as annex a budget spreadsheet detailing projected income and expenditure per annum for the life of the proposal

**Funding summary (assume all capital)**

Source	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Total
EIF		25k	0	0	0	0	25k
Private		15k	800k	800k	800k	800k	3.200m
Public		10k	0	0	0	0	010k
<b>Total</b>		45k	800k	800k	800k	800k	3.245m

**Projected recycled return on investment to the fund (£)**

£25k over 5 years through admin collection fees to the Councils NDBR team

**Projected return on invest to the Council through other income (e.g. business rates) / delivery of savings (£)**

£0k

**Where not self-evident, outline how financial projections have been made, and any key assumptions made**

The estimated return to the BID Company by the annual levy is circa £800k pa.

**Detail of leverage of additional funding / in kind (confirmed / projected):**

BIDs are able to lever additional income from ERDF etc. typically up to three times their levy income. At present these have not been fully identified but this is a process the new BID manager will undertake. **A good example is the NE1 BID attracting a further £3M from the Regional Growth Fund to refurbish the marina.**

Named contact person for communication with regards to the proposal	
Name	Charles Storr
Organization	City of York Council
Position	Manager Local Economy and Employment
Phone Number	01904 555 901
Email address	charles.storr@york.gov.uk

**CONFIDENTIALITY:** Administration of the Fund will be carried out in an open and transparent fashion. Please indicate any aspects of your proposal that you believe to be commercially confidential.

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**Cabinet**

**3 March 2015**

**Report of the Director of Customer and Business Support Services**

**Portfolio of the Leader of the Council**

**Leeds City Region Governance Arrangements – Business Rates Pool**

**Summary**

1. The Leeds City Region Business Rates Pool was officially designated by the Department for Communities and Local Government on 14<sup>th</sup> December 2012 and came into being on 1<sup>st</sup> April 2013. The Business Rates Pool is made up of seven authorities: the City of Bradford Metropolitan District Council, Calderdale Council, Harrogate Borough Council, Kirklees Council, Leeds City Council, Wakefield Council and the City of York Council.
2. The Pool exists to further economic development activities within the region and allows Business Rates “levies” that would otherwise be paid over to central government to be retained locally.
3. The governance arrangements for the Pool are set out in a “Final Proposal” which was agreed by each member authority in November 2012 and which forms part of the Department of Communities and Local Government designation. Under the Proposal, the Pool is led by a sub-committee of the Leeds City Region Leaders’ Board which comprises the leaders of the seven member authorities. Leeds acts as lead authority for the Pool.
4. With the establishment of the West Yorkshire Combined Authority, the Leaders’ Board, a joint committee appointed by the Leeds City Region authorities to discharge economic development functions, is being wound up. Consequently the Business Rates Pool sub-

committee, which was appointed as a sub-committee of that joint committee, cannot continue in its present form. It is therefore proposed that the sub-committee is replaced by a new joint committee of the seven Pool authorities.

5. It is also proposed that the terms of reference of the new joint committee should be broadened to make explicit that pool receipts can be used to further economic growth and regeneration across the Pool area.
6. This report seeks Cabinet approval to the new arrangements. Similar approvals are to be sought from the executives/cabinets of the other six Pool authorities.

### **Recommendations**

7. Members are requested to:
  - agree to appoint the Leader of the Council to a new joint committee in relation to the Leeds City Region Business Rates Pool from 1<sup>st</sup> April 2015 until the 2016 Annual Meeting such joint committee to consist of the Leader of each Pool authority, and to have the terms of reference set out in Annex 1;
  - approve the revised governance agreement for the Business Rates Pool as set out in Annex 2 ;

**Reason:** To enable appropriate governance arrangements to be in place following the winding up of the Leader's Board.

### **Background**

8. The current Business Rates Retention scheme was introduced in April 2013. Under the scheme business rates receipts are shared equally between central and local government. However, receipts of business rates in each individual local authority area may or may not match the amount the government believes the authority needs to spend, so, at the outset of the scheme, amounts were equalised through a system of "tariffs" and "top-ups". Authorities that collect more than the government believes they need to spend pay over a "tariff" to government and those that collect less receive a "top-up" to make up the difference.



9. Tariff authorities that are successful in growing their rates are also liable for “levies” which scale back the rewards of growth – by as much as 50% in some cases. Levies are used to help fund “safety-nets” to other authorities that would otherwise see reductions in their retained rates income of more than 7.5%.
10. The Business Rates Retention scheme allows groups of authorities to join together to form business rates pools. Pooling is seen by government as a useful tool to encourage collaborative working, but for a group made up of “tariff” and “top-up” authorities there can be direct financial advantages in that levy payments can be retained locally rather than paid over to government. This is the case for the Leeds City Region Pool which has three “tariff” authorities (Harrogate, Leeds & York) and four “top-ups” (Bradford, Calderdale, Kirklees and Wakefield).
11. Thus far, the Leeds City Region Pool has operated successfully, with £1.532m being retained locally for 2013/14, although York did not make any contribution. The projected totals for 2014/15 and 2015/16 are £3.9m in both years, of which York is expected to contribute around £1.3m in 2014/15 and £1.5m in 2015/16. If the Pool had not been created these sums would have been paid to central government as “levies”.
12. The Leaders’ Board Business Rates Pool sub-committee has to date agreed to use £1m of retained levies to support the Grand Départ and in 2015/16 funds are being allocated to support economic development and promotional activities across the region, including the proposed Tour of Yorkshire.
13. **Governance Arrangements for the Pool**
14. The governance agreement for the Pool which formed part of the Department of Communities and Local Government official designation provided that the Pool should be led by a sub-committee of the Leeds City Region Leaders’ Board comprising the leaders of the seven Pool members.
15. With the formation of the West Yorkshire Combined Authority, the Leaders’ Board (joint committee) is being wound-up and will be formally dissolved on 31<sup>st</sup> March 2015 (see the related item on this Agenda). It follows, therefore, that the sub-committee which was appointed as a sub-committee of the joint committee, will also be

dissolved and can no longer provide leadership for the LCR Pool. In order to ensure continuity, it is proposed that the seven Pool authorities agree to set up a new, single-purpose joint committee that will have specific responsibilities for decision-making in as specified in the proposed terms of reference set out in Appendix 1. The new joint committee will have the same membership as the Sub Committee it replaces i.e. the leaders of the seven Pool authorities.

16. The existing designation of the Pool by the Secretary of State will not be affected. However, the change of arrangements will require amendments to be made to the governance agreement. In essence, this means deleting the references to the “sub-committee of the Leaders’ Board” and replacing them with the “Leeds City Region Business Rates Pool Joint-Committee” plus minor consequential changes to the wording.
17. Section 4.2 of the current governance agreement states that “Any excess income arising from reductions in levy payments will, after allowing for agreed expenses, be allocated to the Investment Fund established by the Leeds City Region”. However, section 5.1 allows the sub-committee to make “changes to the purposes for which the income received by the Pool should be used...” and the sub-committee has used this provision to provide support for the Grand Départ, and for a range of planned economic development and regeneration activities including the Tour of Yorkshire.
18. The use of funding to support economic growth and regeneration is consistent with Government guidance which states:

“Under the business rates retention scheme local authorities are able to come together, on a voluntary basis, to pool their business rates, giving them scope to generate additional growth through collaborative effort and to smooth the impact of volatility in rates income across a wider economic area.”<sup>1</sup>

and

“Moreover, pooling the rates income from growth across a wider and economically coherent area ensures that all authorities can benefit from economic growth across the wider area.”<sup>2</sup>

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<sup>1</sup> Pooling Prospectus 2015-16, DCLG, July 2014; Page 4.

<sup>2</sup> Ibid; Page 5.

19. It is therefore proposed that the governance agreement be amended to make the use of Pool receipts to fund activities that support economic growth or regeneration more explicit.
20. The revised governance agreement (with the proposed amendments highlighted and underlined), is attached as Annex 2.

### **Options**

21. Cabinet may accept or reject the proposal. If the proposal is rejected and the Joint Committee is abolished there would be no means to administer the business rates pooling arrangement after 31<sup>st</sup> March.

### **Analysis**

22. The analysis is contained in the body of the report.

### **Consultation**

23. As the governance agreement formed part of the Department of Communities and Local Government designation, that department has been consulted about the proposed changes. Although they have asked to be kept informed, they take the view that the governance agreement and how funding is used are internal matters for the Pool members and that once a Pool is established no further Government approvals need be sought unless or until a re-designation is required to accommodate a change in membership.
24. Similar reports to this one are being considered by the six other Pool members. No further consultation or engagement is considered appropriate.

### **Council Plan**

25. The report has no specific implications for Council plan priorities

### **Implications**

26. The implications are:
  - Financial – none flowing directly from the report. The impact of the pooling system is, however, described in the body of the report
  - Equalities - none

- Legal - The pool has been designated by the Secretary of State under Schedule 7B of the Local Government Finance Act 1988. Leeds City Council is the lead authority in accordance with the existing designation and will remain as such under the proposed arrangement. The proposals would not affect the operation of the Pool itself.

The revised agreement will need to be approved by each member authority individually, including York. As matters relating to the Pool are all executive functions the appointment of the Joint Committee is also an executive function and, in York, falls to be determined by the Cabinet.

### **Risk Management**

27. The report makes recommendations about the Pool that are essentially administrative in nature. The membership will be unchanged and there are no specific risk implications.

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**Chief Officer responsible for the report**  
**Ian Floyd**  
**Director of Customer and Business**  
**Support Services**  
**Tel No. 01904 551100**

**Report**  
**Approved**



**Date** 20 February 2015

**Wards Affected:**

**All**



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

### **Background Papers:**

None

### **Annexes**

Annex 1 - Terms of Reference

Annex 2 - Revised Governance Agreement January 2015

**Annex 1**

**Terms of Reference**

Leeds City Region Business Rates Pool Joint Committee

The Leeds City Region Business Rates Pool Joint Committee is authorised to:

- Allocate any excess income arising from reductions in levy payments in accordance with the Leeds City Region Business Rates Pool governance agreement;
- Determine any changes to the purposes for which any such excess income should be applied, subject to the principle that no authority should receive less than they would if treated individually;
- Determine the expenses to be deducted by the lead authority administering the Pool;
- Consider any applications for other authorities to join the Pool;
- Determine any variations to the membership of the joint committee; and
- Determine any other matters relating to the administration and governance of the Pool including replacement of the lead authority.

The Joint Committee will elect a chairperson.

The Joint Committee will meet as and when required but no less than twice each year.

The quorum for meetings of the Joint Committee will be no less than 5 members. Members will be able to nominate substitutes.

Members will have equal voting rights and voting will be by simple majority. In the event of a tie, the chair of the meeting will have a casting vote.

**LEEDS CITY REGION BUSINESS RATES POOL – REVISED  
GOVERNANCE AGREEMENT JANUARY 2015**

**1 Title**

1.1 The Leeds City Region Business Rates Pool.

**2 Membership**

2.1 **City of Bradford Metropolitan District Council**, Calderdale Council, Harrogate Borough Council, Kirklees Council, Leeds City Council, Wakefield Council and City of York Council.

**3. Commencement**

3.1 This governance **agreement came** into force on 1<sup>st</sup> April 2013 and will continue until any one of the members formally leaves the Pool (see “Dissolving the Pool”, below).

**4. Rationale and Objectives**

4.1 The LCR Pool exists to benefit the individual members and to further the aims of the Leeds City Region as a whole as set out in the Regions City Deal “Unlocking our Economic Potential”.

4.2 The income received by the Pool will be shared out so that each member authority receives the same amount that they would if they were treated individually under the Business Rates Retention scheme. The only exception to this is set out in Section 8, below. Any excess income arising from reductions in levy payments will, after allowing for agreed expenses, be allocated **to activities that support economic growth and regeneration across the Pool area.**

- 4.3 Any variation to the arrangements set out in 4.2, above, will require the formal agreement **of the Leeds City Region Business Rates Joint Committee**.

## 5. Leadership and Accountability

- 5.1 The Pool will be led by a **joint committee**. The **joint committee** will comprise of the leaders of the councils making up the Pool. The **joint committee** shall be responsible for:

- Allocating any excess income arising from reductions in levy payments as set out in 4.2 above
- any changes to the purposes for which the income received by the pool should be used, but the principle that no authority should receive less than they would if treated individually, shall be maintained;
- agreeing the expenses to be deducted by the lead authority administering the Pool;
- considering any applications for other councils to join the Pool;
- any variations to the membership of the **joint committee**;
- and
- any other matters relating to the administration and governance of the Pool including replacement of the lead authority.

- 5.2 **The members of the joint committee will elect a chairperson .**

- 5.3 The **joint committee** will meet as and when required but no less than twice each year.

- 5.4 The quorum for the meetings will be no less than 5 members. Leaders will be able to nominate substitutes.

- 5.5 Members will have equal voting rights and voting will be by simple majority. In the event of a tie, the chair of the meeting will have a casting vote.

- 5.6 The **joint committee** will be supported by officers drawn from the lead authority.

5.7 The **joint committee** may establish any sub-groups or any officer forums that they believe to be appropriate.

5.8 Minutes of **joint committee** meetings will be published **as required by law**.

## 6. **Lead Authority**

6.1 The initial lead authority responsible for the administration of the Pool shall be Leeds City Council.

6.2 The lead authority will normally act as such for a full year and may only be replaced at the year end. A lead authority wishing to relinquish the role at the year end must give a minimum of four months notice.

6.3 Each member of the Pool will be jointly and severally liable for any payments required to the Department for Communities and Local Government but, notwithstanding that, the lead authority will take responsibility for all matters in relation to the administration of the Pool including (but not limited to):

- all liaison with DCLG and other government departments including the completion of all forms and returns associated with the Pool;
- administration of payments to and from the Pool and all calculations relating to the collection fund for the Pool;
- producing an annual report showing how income has been distributed and preparing periodic monitoring reports for Pool members;
- calculation of the costs of administering the Pool which are to be deducted from the rewards of the Pool. If the excess income generated by the Pool was insufficient to cover the administrative costs of the Pool in any year, then the shortfall would be shared between the Pool members in proportion to their spending baselines;
- The lead authority will ensure that the pooling arrangements, annual reports and other financial information is published and is freely available on the LCR website or elsewhere as appropriate.



## **7. Dissolving the Pool**

- 7.1 If any member decides to leave the Pool the regulations require that the Pool will be dissolved. Pools can only be dissolved at the end of a year.
- 7.2 Any authority seeking to leave the Pool should inform DCLG and all other members of the Pool as soon as possible. Once the Pool has been established, this must be by 30<sup>th</sup> September in any year, to allow the remaining members time to seek designation of new pool for the following year (see 7.4, below).
- 7.3 The Lead authority will make the necessary calculations and submit the required returns associated with the dissolving of the Pool.
- 7.4 The remaining members of the Pool may choose to form a new Pool and, if they wish, include new members for the following year (subject to new designation by DCLG).

## **8. Treatment of Potential Losses in Income**

- 8.1 Authorities that suffer large reductions in business rates income from year to year (more than 7.5%) will be entitled to safety net payments. If such an authority is a member of a business rates pool, the safety net payment could be lost because the loss across the pool may not be as much as the 7.5%/10% threshold. Indeed, if growth across the rest of the pool was weak, it could be that the loss of safety net payments could be greater than the amounts gained from paying reduced levies and the pool could be in deficit for the year.
- 8.2 Authority(s) that would otherwise have qualified for safety net(s) will have their share of pool proceeds calculated in a way to include what they would have received as a safety net payment. The loss in income to the Pool from the safety net(s) foregone in any year will be met from the income generated from other authorities within the pool not having to pay levies in that year. If that levy income is insufficient, then the net loss from the safety net foregone will be shared amongst all the members of the Pool (including those that would have otherwise qualified for a safety net payment) in proportion to their spending baselines for the year to which the safety net(s) would have applied.

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**Cabinet**

**3 March 2015**

**Report of the Director of Customer and Business Support Services (Portfolio of the Leader of the Council)**

**Leeds City Region Leaders' Board**

**1. Summary**

- 1.1 The West Yorkshire Combined Authority is not currently represented on the Leeds City Region Leaders' Board, a joint committee appointed by authorities within the Leeds City Region to discharge economic development and regeneration functions. This will pose operational difficulties from 1 April 2015, when the Combined Authority will begin to act as the principal accountable body for funding relating to City Region economic development and regeneration activities.
- 1.2 The Leaders' Board at its meeting on 12 December 2014 considered a report setting out options relating to City Region governance arrangements, and endorsed a proposal to dissolve the Leaders' Board on 31 March 2015, and for the Combined Authority to establish an advisory Leeds City Region Partnership Committee.
- 1.3 The Combined Authority at its meeting on 29 January 2015 resolved to appoint a City Region Partnership Committee to be established from 1 April 2015, with the terms of reference set out in the attached Annex 1 to this report. Its functions include acting as a consultative forum and advising the Combined Authority on its role as accountable body for funding received for the Leeds City Region.
- 1.4 In view of the operational difficulties referred to above, and given that the Combined Authority have resolved to appoint a

Partnership Committee, this report proposes that the Cabinet resolves to dissolve the Leeds City Region Leaders' Board on 31 March 2015.

## **2. Recommendations**

Cabinet is asked to:

- 2.1 Note that the Leeds City Region Leaders' Board endorsed the proposal to dissolve itself on 31 March 2015, and that the West Yorkshire Combined Authority has resolved to appoint a Leeds City Region Partnership Committee to be established on 1 April 2015
- 2.2 Agree to dissolve the CITY REGION Leaders' Board on 31 March 2015
- 2.3 Delegate authority to the Assistant Director of Governance and ICT to take all necessary steps to dissolve the Leeds City Region Leaders' Board

**Reason:** To enable revised governance arrangements to take effect for the Leeds City Region.

## **3. Background**

- 3.1 The Leeds City Region Leaders' Board was established in 2007 as a joint committee to carry out economic development and regeneration wellbeing functions across the Leeds City Region.
- 3.2 Eleven authorities are represented on the Leaders' Board. These are Barnsley Metropolitan Borough Council, City of Bradford Metropolitan City Council, Borough Council of Calderdale, Craven District Council, Harrogate Borough Council, Kirklees Metropolitan Council, Leeds City Council, North Yorkshire County Council, Selby District Council, City of Wakefield Metropolitan District Council and City of York Council.

3.3 Leeds City Council is the support services authority for the Leaders' Board, and acts as the accountable body for grants and loans made through the Leaders' Board.

3.4 The West Yorkshire Combined Authority was established on 1 April 2014, with concurrent economic development and regeneration functions to those of the West Yorkshire authorities.

#### **4. Main issues**

4.1 The West Yorkshire Combined Authority is not represented on the Leeds City Region Leaders' Board. Therefore, there is no direct mechanism for the Leaders' Board to delegate to Combined Authority officers, nor for the Combined Authority to act as the support services authority for the Leaders' Board. This will present major operational difficulties from 1 April 2015 when

- officers currently employed by Leeds City Council and sitting within the City Region team will be transferring to the Combined Authority and
- the Combined Authority will become the principal accountable body for relevant City Region funding streams to be received from central government.

4.2 In addition, central government have issued consultation about a Legislative Reform Order, which, if it became law, would enable the City Region and Combined Authority geographies to be more closely aligned.

4.3 On 12 December 2014, the Leaders' Board received a report outlining the following options for developing Leeds City Region governance arrangements for the new financial year 2015/16:

Option 1: to expand the Leaders Board to include the Combined Authority represented by the Local Enterprise Partnership Chair.

Option 2: to dissolve the Leaders' Board, and for the Combined Authority to appoint a City Region Partnership Committee.

- 4.4 The Leaders' Board endorsed option 2, and (subject to each authority resolving to dissolve the Leaders' Board), delegated authority for approving the joint committee's accounts for 2014/5 to Leeds City Council, as its support services authority.

### **The Leeds City Region Partnership Committee**

- 4.5 The Combined Authority at its meeting on 29 January 2015, resolved to appoint a City Region Partnership Committee to be established from 1 April 2015. The City Region Partnership Committee is an advisory committee to the Combined Authority, not a joint committee with decision making powers. The Partnership Committee will provide a forum for bringing together representatives from City Region authorities, and facilitate direct collective engagement with the Combined Authority.
- 4.6 The governance arrangements for the new committee are set out in the report considered by the Combined Authority. The terms of reference for this committee are attached for information to this report as Annex 1.
- 4.7 The Leader, Councillor Williams has been appointed to the Committee (in his capacity as Combined Authority Member).
- 4.8 Recommendations made by the Partnership Committee (for example, to approve funding for specific projects) may be referred to the Combined Authority, or implemented under Combined Authority officer delegated authority. Such decisions of the Combined Authority will not generally need to be subsequently endorsed by each Council individually, since the decisions will be made by the Combined Authority in its capacity as accountable body for the City Region Local Enterprise Partnership.

### **Transfer of Leaders' Board assets/accountable body responsibilities**

- 4.9 The current Leaders' Board agreement may be brought to an end or varied on 31 March in any year. Any agreement to do so must set how its assets, liabilities and obligations will be dealt with.
- 4.10 Leeds City Council, is currently the accountable body for City Region funding, both in terms of grant agreements received from central government, and delivery, grant or loan agreements entered into behalf of City Region authorities with third parties. Some of these agreements will run beyond 31 March 2015.
- 4.11 If the Leaders' Board is dissolved, it is proposed that most of these agreements (and the assets to which they relate, such as loans) should be transferred to the Combined Authority. Some assets held by the Leaders' Board at 31 March 2015 will need to be allocated to Leeds City Council to support City Region commitments for which it retains responsibility.

## **5. Conclusions and analysis**

- 5.1 For the reasons set out above, it is not tenable to retain current Leaders' Board arrangements as they are.
- 5.2 It is important that there is a framework for decision making across the City Region. However, resources invested in re-establishing joint committee arrangements may be disproportionate to the length of time such arrangements may be in place, given the likelihood of legislative changes in the near future.
- 5.3 Dissolving the Leaders' Board would streamline City Region decision making, and the proposal to do so should be considered in the context of the new Partnership Committee which brings together representatives from City Region authorities, and will facilitate direct collective engagement with City Region issues.

## **6. Consultation**

- 6.1 The Leaders' Board have endorsed the proposal for the Board to be dissolved.

## **7. Options**

- 7.1 Cabinet may accept or reject the proposal. If the proposal is rejected it will create operational difficulties and urgent consultation would be required with the other partner authorities.

## **8. Council Plan**

- 8.1 The report has no specific implications for Council plan priorities

## **9. Implications**

- 9.1. The implications are:

Financial – none.

Equalities - none

Legal - Each authority represented on the Leaders' Board must resolve to dissolve the current arrangements. If the Leaders' Board is dissolved the current Business Rates sub-committee of the Leaders' Board would have to be re-appointed as a joint committee by the authorities in the business rates pool, including City of York Council. Details of the proposed arrangements are contained in a separate report on the agenda.

Similarly, the partnership agreement relating to the Revolving Investment Fund currently requires the Leaders' Board to authorise applications to proceed to the detailed due diligence stage. If the Leaders' Board is dissolved, the partners to the agreement would need to amend the agreement to provide for alternate provisions. This aspect of the Funds' arrangements is currently subject to review.

## **10. Risk Management**

- 10.1. There are no specific risk implications.



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**Chief Officer responsible for the report**  
**Ian Floyd**  
**Director of Customer and Business**  
**Support Services**  
**Tel No. 01904 551100**

**Report**  
**Approved**



**Date** 20 February 2015

**Wards Affected:**

**All**



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

**Background Papers:** None

**Annexes**

Annex 1 – Terms of Reference for Partnership Committee

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## Terms of Reference

### Leeds City Region Partnership Committee

The Leeds City Region Partnership Committee is authorised to

- 1) act as a consultative forum in relation to any matter referred to it by the Authority<sup>1</sup>; and
- 2) advise the Authority in relation to:
  - any function of the Authority relating to its role as accountable body for funding received for the Leeds City Region<sup>2</sup>;
  - the Authority's duty to co-operate in relation to the planning of sustainable development; and
  - appointments to the Leeds City Region Enterprise Partnership (the LCR LEP)<sup>3</sup>.

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<sup>1</sup>This may include a matter raised (through the Chair of this committee) by any LCR authority or the LCR LEP Board.

<sup>2</sup> The Leeds City Region consists of the areas of those local authorities in the LCR LEP

<sup>3</sup> including any of the LCR LEP's supporting Boards and Panels

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3 March 2015

## **Cabinet**

**Report of the Director of Communities and Neighbourhoods from the portfolios of the Cabinet Members for Leisure, Culture and Tourism, Transport and Economy and the Leader of the Council**

**Delivering Marketing, Culture, Tourism and Business Development – MAKE IT YORK.**

### **1. Summary**

- 1.1. This report follows reports to Cabinet in November 2013, July and October 2014, and January 2015 from which members agreed the need to develop a new approach to delivering marketing, culture, tourism and business development in the city. Later members agreed the business case for the new organisation, and the outline and financial elements of the Business Plan.
- 1.2. This report asks Cabinet to agree the governance and legal framework prior to the company trading in April 2015

### **2. Recommendations**

- 2.1 Members are recommended to agree the legal framework and governance.

Reason: To finalise the new approach to delivering marketing, culture and tourism and business development in the city and to enable the company to trade from 1 April 2015.

### **3. Background**

- 3.1. Objectives for this new way of working are:
  - To achieve a stronger co-ordination and promotion of the city's profile and cultural offer.
  - To deliver greater inward and indigenous investment from business, and thus market share for York and its key growth

sectors, particularly life science-related industries, high-tech industries and business services.

- To increase the value of the visitor economy through promoting innovation and higher quality in the existing offer, encouraging high value visitor economy investment and attracting higher spending visitors.

### 3.2. Specific outcomes sought are:

- Develop a National/International profile of high quality cultural events
- Increase in business investment in the city – as measured by growth in existing business and inward investment by companies locating into the city
- Increase in spend by tourists – as measured by increase in average length of stay and average spend per visitor
- Increased profile for the city as a destination for living, visiting, studying, and doing business

### 3.3. Progress since the Cabinet in January includes:

- Work has been underway to establish the legal framework for the wholly owned company.
- The chair is working with CYC to establish a new board of directors; the directors will be drawn from the relevant sectors.
- Work is well underway to establish the new team at 1 Museum Street.
- The Managing Director of the new company has been in post since January 2015.
- The Shareholder body has met as a shadow body twice.

## 4. **Development of the governance and legal framework**

4.1. The high level specification for commissioning the new company was agreed at Cabinet in July 2014. A process has been underway led by the Chairperson of the new organisation to develop a business plan. Further work has been underway in relation to the legal framework

4.2. Make it York” is a Company limited by shares and the sole Shareholder is the Council. The Articles of Association reserve important decisions to the Council, such as the appointment and dismissal of Directors, borrowing and loans, and changing the nature of the Company.

5. **Governance**

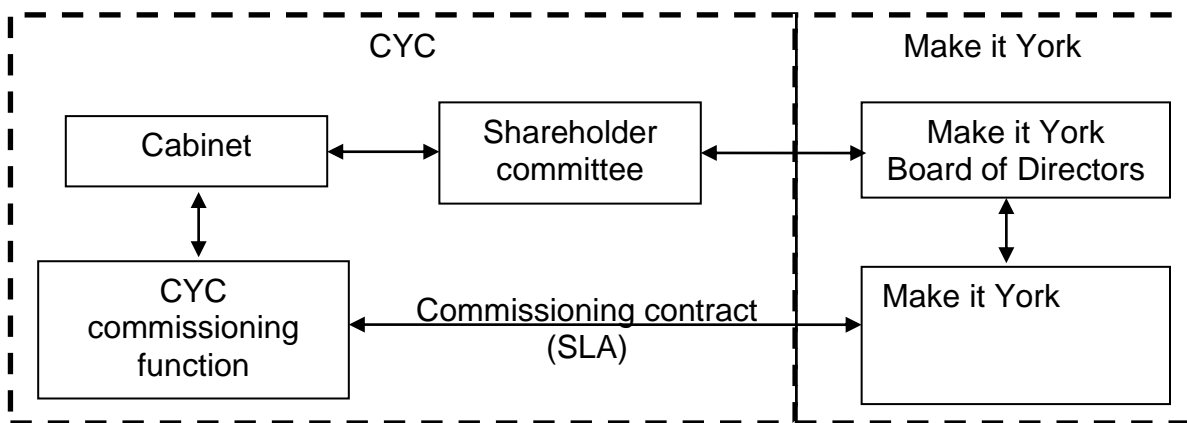
5.1 A governance structure is in the process of being set up for Make it York. This consists of the Make it York Board of Directors and a Shareholder Committee.

5.2 It is proposed that Make it York will have a Board of 12 directors. Two of these directors will represent City of York council. These representatives will be:

- The Leader of the Council
- The Chief Executive

The other directors are the Chair, the Managing Director of Make it York and eight individuals that operate in different key sectors in the City.

5.3 The Shareholder Committee is a body that represents the council’s interests as the sole shareholder. The Shareholder Committee provides a simple mechanism with which the Shareholder, in this case the council, can engage with the Board of Make it York. This is in order to maintain an element of control of the business without affecting the operational management. The diagram below shows the relationships between the Make it York board and the Shareholder committee.



5.4 The key roles of Shareholder Committee will be to:

- Liaise with the Make it York Board on the direction of travel of Make it York
- Scrutinise the affairs and performance of Make it York.

- Liaise with the company on the appointment of Directors including pay packages
- Make recommendations to the Make it York Board on operational matters where appropriate.
- Make recommendations to Cabinet on strategic matters where appropriate.

## 6. **Legal framework**

- 6.1 The work to put the legal framework in place ready for Make it York to trade from the 1<sup>st</sup> April is in train.
- 6.2 City of York council are developing a Service Level Agreement that will act as the commissioning document for services that City of York are commissioning Make it York to deliver. This will be a legal agreement between the two parties and will feed into the final business plan that is in development by the Managing Director of Make it York.

## 7. **Legal Risks**

- 7.1 It is important that when the company opens for business it is 'Teckal' compliant. This will allow for the Council to contract with the company without following normal procurement processes. The Council's legal advisers are satisfied that it will be possible to establish the company in such a way that the two Teckal tests relating to the degree of control which the Council can exercise over the company and the proportion of work undertaken by the company for the Council can be met. The work to achieve this is ongoing and is part of the due diligence referred to in section 14 of this report.

## 8. **Finances**

- 8.1 Cash Flow – Work is required to detail the cash flow of the organisation and agreement will need to be made regarding when payments from the council / company are made. This can be mitigated by means of when the council contributions are paid.

## 9 **Council Plan**

- 9.1 The new agency will bring together a number of services, organisations, and partners and will work at arms length across the wider York area to improve the delivery of Marketing, Culture, Tourism and Business Development. This supports achieving the ambitions set by the Council Priority 'Create Jobs and Grow the Economy'.



## 10 **Implications**

## 11 **Financial**

- 11.1 The financial elements of the business plan were reported to Cabinet in January 2015. There are no further financial implications arising from the issues in this report

## 12 **Human Resources**

- 12.1 Since his appointment, the Make it York Managing Director has met with all City of York staff on an individual basis to discuss the development of the Make it York organisation and has given due consideration to their feedback.
- 12.1 Formal consultation on the proposed transfer of City of York staff in to the Make It York organisation is on going with staff and their trade union representatives. The transfer will be implemented in accordance with Council policies and guidelines.
- 12.2 Senior Management is undertaking formal consultation on the proposed transfer of Science City York staff in to the Make It York organisation, which will be in line with their policies and procedures.
- 12.3 Visit York is undertaking formal consultation with their staff on the proposed merger with the Make It York organisation.

## 13. **Equalities**

- 13.1 A Community Impact Assessment has been completed and is kept under review as part of the progress. The new agency is expected to play a role in the delivery of city wide equality priorities.

## 14. **Legal.**

- 14.1 Legal due diligence work is still being undertaken and along side this Legal Services are working with external Solicitors on the preparation of a number of documents in readiness for the operation of the new company. These include the Articles of Association, Terms of Reference for the Shareholder Committee, Services Agreement, Services Support Agreement, Business Transfer Agreements for Visit York and Science City York, Contract Novation Agreements, and property documents for the Company premises.

**Contact Details**

**Author**

**Chief Officer Responsible for the report:  
Chief Officer Sally Burns  
Title Director of Communities and  
Neighbourhoods**

**Report  
Approved**

**Date** 20 February 2015

**Specialist Implications Officer(s)** *List information for all*

*Financial*

*HR*

*Patrick Looker*

*Janet Neeve*

*Finance Manager*

*HR Business Manager*

*Tel No.01904 551633*

*Legal*

*Glen McCusker*

*Deputy Head of Legal Services*

*Tel No. 01904 551048*

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

**All**

Annexes - None



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**Cabinet**

3 March 2015

Report of the Assistant Director Governance and ICT

**Recommendations of the Local Plan Working Group - Wheldrake Village Design Statement and Strensall with Towthorpe Village Design Statement**

**Summary**

1. This report presents the recommendations from a meeting of the Local Plan Working Group (LPWG) held on 29 January 2015 in respect of the Wheldrake and Strensall with Towthorpe Village Design Statements and asks Members to consider the advice given by the Group in their capacity as an advisory body to the Cabinet, in relation to these Design Statements.

**Background**

2. Under the Council's Constitution, the role of Working Groups is to advise the Cabinet on issues within their particular remits. To ensure that the Cabinet is able to consider the advice of the Working Groups, it has been agreed that recommendation from Groups' meetings will be brought to the Cabinet. In accordance with the requirements of the Constitution, the recommendations of the Local Plan Working of 29 January 2015, in relation to these Village Design Statements are presented with this report at Annex A.

**Consultation**

3. No consultation has taken place on the attached recommendations, which have been referred directly from the Working Group. It is assumed that any relevant consultation on the items considered by the Group was carried out in advance of their meetings.

## Options

4. Options open to the Cabinet are either to accept or to reject any advice that may be offered by the Working Group, and / or to comment on the advice in relation to the Village Design Statements.

## Analysis

5. The LPWG at their meeting on 29 January 2015, considered both the Wheldrake and the Strensall with Towthorpe Village Design Statements. These would, following approval, become draft Supplementary Planning Documents to the emerging Local Plan and form a material planning consideration when considering applications for development with the Village Design Statement area. Cabinet are firstly asked to consider the recommendations in respect of the Wheldrake Village Design Statement set out below and in the attached draft minutes at Annex A (minute 20 refers):

*‘That, in accordance with Option 1, Cabinet be recommended to:*

- (i) Approve Wheldrake Village Design Statement, as attached at Annex A of the report, as a draft Supplementary Planning Document to the emerging Local Plan.*
- (ii) Delegate to the Director of City of Environmental Services in consultation with the Cabinet Member, the making of any incidental changes to the Village Design Statement as a result of the recommendations of Cabinet.*
- (iii) Delegate to the Village Design Statement group and officer the final graphic design.*

*Reasons: (i) Wheldrake Village Design Statement follows in the footsteps of other previous examples that have been agreed; observing the general guidance and principles required in their production, whilst successfully defining the individual qualities of the villages and bringing forward appropriate Design Guidelines.*

- (ii) So that changes recommended as a result of discussions at this meeting can be made, in liaison with the Village Design Statement group.*

- (iii) *To allow changes to the final graphics/layout as required e.g. improved photo quality, or number of pages to meet print specifications.'*

6. Secondly, in respect of the Strensall with Towthorpe Village Design Statement, Supplementary Planning Document, Members are asked to consider the following recommendations contained in the attached draft minutes at Annex A (minute 21 refers):

*'That, in accordance with Option 1, Cabinet be recommended to:*

- (i) *Approve Strensall with Towthorpe Village Design Statement, as attached at Annex A of the report, as a draft Supplementary Planning Document to the emerging Local Plan.*
- (ii) *Delegate to the Director of City and Environmental Services in consultation with the Cabinet Member the making of any incidental changes to the Village Design Statement as a result of the recommendations of Cabinet.*
- (iii) *Delegate to the Village Design Statement group and officer the final graphic design.*

*Reasons: (i) Strensall with Towthorpe Village Design Statement follows in the footsteps of other previous examples that have been agreed; observing the general guidance and principles required in their production, whilst successfully defining the individual qualities of the villages and bringing forward appropriate Design Guidelines.*

- (ii) *So that changes recommended as a result of discussions at this meeting can be made, in liaison with the Village Design Statement group.*
- (iii) *To allow changes to the final graphics/layout as required e.g. improved photo quality, or number of pages to meet print specifications.'*

7. As previously agreed, Chairs of Working Groups attend meetings of Cabinet when the recommendations of their Working Group are considered; an invitation has been extended to Councillor Merrett, as Chair of the Local Plan Working to attend the meeting for consideration these minutes.

### **Council Plan**

8. The aims in referring these minutes accord with the Council's recognition that to achieve the priorities set out in the Council Plan it needs to Build Strong Communities and Protect the Environment.

### **Implications**

9. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider the minutes and determine their response to the advice offered:

- **Financial**
- **Human Resources (HR)**
- **Equalities**
- **Legal**
- **Crime and Disorder**
- **Property**
- **Other**

### **Risk Management**

10. In compliance with the Council's risk management strategy, there are no risks associated with the recommendations of this report.

### **Recommendations**

11. Members are asked to note the recommendations in the minutes attached at Annexe A and to decide whether they wish to:
  - a. Approve the specific recommendations made by the Local Plan Working Group in respect of the two Village Design Statements, as set out in paragraphs 5 and 6 above, and/or;

- b. Respond to any of the advice offered by the Working Group.

Reason: To fulfil the requirements of the council's Constitution in relation to the role of Working Groups.

**Contact details:**

**Author:**

Jill Pickering  
Democracy Officer  
01904 552061  
email:  
jill.pickering@york.gov.uk

**Chief Officer Responsible for the report:**

Andrew Docherty  
Assistant Director Governance and ICT

**Report** ✓ **Date** 18 February 2015  
**Approved**

**Specialist Implications Officer(s)** None

**Wards Affected:**

All

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

**Annexes**

Annex A – Draft minutes of the Local Plan Working Group relating to the Wheldrake and Strensall and Towthorpe Village Design Statements, 29 January 2015.

**Background Papers**

Agendas and associated reports for the items - available on the Council's website here

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=128&MId=8896&Ver=4>

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City Of York Council

*Extract of Draft Committee Minutes*


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Meeting	Local Plan Working
Date	29 January 2015
Present	Councillors Merrett (Chair), Ayre, Barnes, D'Agorne, Funnell, Healey, Horton, Orrell (Substitute), Simpson-Laing, Steward (Vice-Chair) and Warters
Apologies	Councillor Reid

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### 17. **Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda.

Councillor D'Agorne declared a personal non prejudicial interest as a member of York Environment Forum.

Councillor Healey declared a personal non prejudicial interest as a member of York Environment Forum.

Councillor Merrett declared personal non prejudicial interest as a member of York Environment Forum.

### 18. **Minutes**

Resolved: That the minutes of the Local Plan Working Group held on 17 December 2014 be approved and signed by the Chair as a correct record, subject to the following amendment:

Councillor Warters requested that his comment that 78% of overall growth in York's population during the period 2013 to 2037 is a result of net international migration be included in the minutes.

**19. Public Participation**

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

There had been five registrations to speak on the agenda items as follows:

Mr Parish had registered to speak on behalf of Strensall Parish Council. He advised that he was in attendance to answer any questions and to thank Officers for their hard work on the Strensall and Towthorpe Village Design Statement documents. The Parish Council had raised the money to have the document published and the document attached to the agenda was a draft and a visually higher quality final document would be produced in due course. The Chair thanked Mr. Parish and those working on other design statements for their involvement.

Philip Crowe spoke on behalf of York Environment Forum in relation to safeguarded sites. He advised that community groups do not wish to see development on safeguarded sites and suggested that developers must include sufficient infrastructure within the allocations to deal with the adjoining safeguarded sites as need to ensure that the safeguarded sites are sustainable . He suggested that the Council may wish to consider Option 3 to revisit the proposed allocations and to impose higher densities and replace a number of safeguarded sites. He closed his submission by posing a question to Members asking does York want growth at any price?

Alan Charlesworth spoke to raise concerns, that in his view, a decision on safeguarded land was being made on incomplete information. He referred to the legal opinion sought in July 2014 by community groups and the fact that the opinion of that Counsel had been reiterated to Members in an open letter. He considered that Mr Hobson QC had advised on a narrow set of assumptions, with no assessment of need and had not been supplied with the specifics of safeguarding. He suggested that the Earswick site had been singled out for distinct treatment as the only safeguarded sites where concerns over access and sustainability had been raised, that it could be brought forward in years 1-15 of the Plan and was therefore a 'back-door' allocation. It was his contention that all safeguarded sites should be removed from draft Local Plan.

Tony Fisher spoke to advise that he was pleased that the Council was taking the time to re-draft and reconsider the Local Plan. He referred to community groups own consultations and recommended further sensitivity testing for housing need and the opinion on backlog and shortfall. He advised that groups were awaiting the new Communities and Local Government figures before making a challenge to the housing need figures. He called into question the robustness of the plan and asked the council to suspend drafting to allow for further work to be carried out. He advised that he was representing residents through the York Alliance who are willing to work with the council to ensure a proper draft.

Julian Sturdy MP had registered to speak on firstly the Village Design Statements. He commended the volunteers that had worked on the VDS in Strensall and Towthorpe and in Wheldrake but also for the work on the Neighbourhood Plans that are also coming forward. He referred to the safeguarded land issue and the impact safeguarded land has on rural communities. He considered that the wording is confusing and it should be named 'reserved land' but that this was an issues for Government to resolve. He referred to discussions in Parliament and that Ministers have reiterated that there is nothing in government planning policy that would require planning past 15 years. He felt that there was no willingness in York to protect the rural setting. He asked Members to re-think the issue of safeguarded land.

**20. Wheldrake Village Design Statement/Supplementary Planning Document**

Members considered a report which presented a summary of the responses received following a consultation on Wheldrake Village Design Statement (VDS). A number of amendments were proposed as a result of the consultation. Subject to Members' views, it was intended that the amended document became draft Supplementary Planning Document (SPD) to the emerging Local Plan. The document would thus be a material planning consideration when considering applications for development within the designated Village Design Statement area.

Officers outlined both of the reports for the Wheldrake and the Strensall and Towthorpe VDS and advised that both draft VDS went to consultation in summer 2014. Responses to the consultation were outlined in annex B of the report. As a result of the consultation a number of amendments had now been made and the final VDS were being presented to Members.

Officers asked Members to note that the whist the textual element of the documents was complete and being presented for Members consideration, the visual design of the documents would be completed at a later stage. Officers also wished to record thanks to the groups who had worked in conjunction with the Council to produce the documents.

Members noted the work ongoing in the city on VDS but also on Neighbourhood Plan documents and welcomed such work. Some Members queried the weight which can be afforded to these documents when they are used at Planning Committees. Officers confirmed the plans are material planning considerations and should be considered accordingly.

The Chair also thanked the groups involved in producing the document.

Recommended: That, in accordance with Option 1, Cabinet be recommended to:

- (i) Approve Wheldrake Village Design Statement, as attached at Annex A of the report, as a draft Supplementary Planning Document to the emerging Local Plan.
- (ii) Delegate to the Director of City of Environmental Services in consultation with the Cabinet Member, the making of any incidental changes to the Village Design Statement as a result of the recommendations of Cabinet.
- (iii) Delegate to the Village Design Statement group and officer the final graphic design.

Reasons: (i) Wheldrake Village Design Statement follows in

the footsteps of other previous examples that have been agreed; observing the general guidance and principles required in their production, whilst successfully defining the individual qualities of the villages and bringing forward appropriate Design Guidelines.

- (ii) So that changes recommended as a result of discussions at this meeting can be made, in liaison with the Village Design Statement group.
- (iii) To allow changes to the final graphics/layout as required e.g. improved photo quality, or number of pages to meet print specifications.

**21. Strensall with Towthorpe Village Design Statement/Supplementary Planning Document**

Members considered a report which presented a summary of the responses received following a consultation on Strensall with Towthorpe Village Design Statement (VDS). A number of amendments were proposed as a result of the consultation. Subject to Members' views, it was intended that the amended document became draft Supplementary Planning Document (SPD) to the emerging Local Plan. The document would thus be a material planning consideration when considering applications for development within the designated Village Design Statement area.

Recommended: That, in accordance with Option 1, Cabinet be recommended to:

- (i) Approve Strensall with Towthorpe Village Design Statement, as attached at Annex A of the report, as a draft Supplementary Planning Document to the emerging Local Plan.
- (ii) Delegate to the Director of City and Environmental Services in consultation with the Cabinet Member the making of any incidental changes to the Village Design

Statement as a result of the recommendations of Cabinet.

- (iii) Delegate to the Village Design Statement group and officer the final graphic design.

- Reasons:
- (i) Strensall with Towthorpe Village Design Statement follows in the footsteps of other previous examples that have been agreed; observing the general guidance and principles required in their production, whilst successfully defining the individual qualities of the villages and bringing forward appropriate Design Guidelines.
  - (ii) So that changes recommended as a result of discussions at this meeting can be made, in liaison with the Village Design Statement group.
  - (iii) To allow changes to the final graphics/layout as required e.g. improved photo quality, or number of pages to meet print specifications.

Cllr D, Merrett Chair

[The Meeting Started At 5.00 pm And Finished At 7.25 pm].



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**Cabinet****3 March 2015**

Report of the Director for City &amp; Environmental Services

**York Flood Risk Management Strategy****Summary**

1. Following the flooding of 2007, which affected over 55,000 homes and businesses across the UK and caused £3 billion worth of damage, the Flood and Water Management Act 2010 (FWMA) was introduced to provide legislation for the management of risks associated with flooding and coastal erosion. This gives City of York Council major new responsibilities as the Lead Local Flood Authority (LLFA) for its area, with a range of new local flood risk management duties.
2. Section 9 of the FWMA requires LLFAs to “develop, maintain, apply and monitor a strategy for local flood risk management in its area”. Local flood risk is defined as flood risk from surface runoff, groundwater and ordinary watercourses flooding. Due to the interactions between flood risks from a variety of sources, our strategy looks at all flood risks in the Council area.
3. The final strategy is included in full in Annex 1 of this report for approval. Comments and recommendations for its content and approaches were subject to a six week public consultation period running from 5<sup>th</sup> November to 17<sup>th</sup> December 2014, an overview of the consultation responses and resulting changes to the Strategy are detailed in Annex 2 of this report.

**Recommendations**

4. Cabinet is recommended to approve the Strategy at Annex 1.

Reason: To ensure the Council is compliant with its duties in the Flood and Water Management Act (2010) and to ensure that we

have a Local Flood Risk Management Strategy that can drive future flood risk investment needs.

## **Background**

5. We have a long association with flood risk and future risks are predicted to increase due to climate change. It is essential that we continue to develop ways to minimise current risks and ensure future development is managed to ensure that risk is not increased. Our work in this area to date means we are already recognised as a leading council in the delivery of our flood risk role. Flooding is a natural process and while it is not technically, economically or environmentally feasible to prevent all flooding, a risk based approach targets resources to those areas where they can have the most beneficial effect in reducing its impact. Several bodies have responsibility for flood risk management and historically it has been difficult to take a coordinated or strategic approach in its management, particularly at a local level.
6. We already have a good level of understanding of flood risks from our Strategic Flood Risk Assessment and Surface Water Management Plan, both form the core evidence that the Strategy draws upon and references. The aim of the strategy is to clarify understanding of flood risk from all sources in the city, reduce its likelihood and impact on residents and visitors and take the opportunity to improve the city environment. It is a living document which will provide an ongoing comprehensive framework for managing York's flood risk. As new technical information associated with flood risk management evolves, and real events occur, it will need to change to take this new information into account.
7. The York Flood Risk Management Strategy comprises a collection of six guidance documents which aim to advise and direct the reader to further information to increase knowledge and understanding of flood risk management. These are bound together by the Policy Framework and Strategic Action Plan sections.

## **Consultation**

8. The Strategy consultation draft underwent a public consultation process between 5<sup>th</sup> November and 17<sup>th</sup> December 2014, the document was made available on the council website, libraries and



Explore Centres. Several interviews were held with print and broadcast media and a double page feature was printed in the York Press. 40 responses have been received either by post (1), to the [FRM@york.gov.uk](mailto:FRM@york.gov.uk) email address (4) or via the on-line questionnaire (35). A consultation summary document is included at Annex 2, the report details the changes that have been made to the Strategy as a result of the consultation comments.

9. The Strategy will be published following Cabinet approval and reviewed in line with the six year Flood Risk Regulations cycle. It is intended that changes and updates to the individual guidance notes (Sections 3-8) would be agreed and endorsed through the relevant committee, scrutiny or member decision making session. Any changes or updates to the Policy Framework or Strategic Action Plan would be brought to Cabinet for approval. The Strategy and its action plan will be monitored by the North Yorkshire Flood Risk Partnership.

### **Options**

10. We have a duty under the Flood and Water Management Act to develop and maintain a Local Flood Risk Management Strategy. The Strategy is presented at Annex 1 for councillors to make comment on its content and format prior to publication.

### **Analysis**

11. Advantages – the strategy delivers the Councils duty as part of the Flood and Water Management Act (2010) and forms an important tool to identify and attract future flood risk funding.

Disadvantages – the form and content of the Strategy is partly fixed by the requirements of the Act and its supporting guidance, wider opportunities for input through the consultation process will be sought.

### **Council Plan**

12. Through the safeguarding of existing and protection of future communities, the strategy supports the following priorities:
  - Create jobs and grow the economy
  - Build strong communities

- Get York Moving
- Protect the environment

## Implications

13.

- **Financial** – The Strategic Action Plan at Section 2 of the strategy includes estimated costs for interventions. This is a needs based assessment based on varying existing investment programmes from a range of partners. Delivering the individual interventions will require formal funding bids and assessments to be developed by all partners. Individual appraisal studies will be commenced to take these forward.

Flood Defence Grant in Aid funding will be unlikely to fully fund all required schemes and partnerships and funding strategies will need to be formed, these may look towards the capital and revenue budgets of the Council and others in the public and private sector in the Council area or beyond – Local Enterprise Partnership / EU funding.

- **Human Resources (HR)** – none.
- **Equalities** - none.
- **Legal** – The realisation and delivery of the range of flood risk management interventions is underpinned by a range of flood risk legislation and guidance. This is detailed in Section 5 of the strategy and all individual appraisals and studies will be progressed within this legislative context.
- **Crime and Disorder** – none.
- **Information Technology (IT)** – none.
- **Property** – Failure to safeguard and enhance the levels of protection in the Council area will lead to an increased flood risk to a wide range of Council property and assets, mainly (but not exclusively) in the city centre. Future defence improvements are reliant on the delivery of investment programmes of all risk management authorities and the Strategy will be a key tool to support their delivery.
- **Other** – none.

## Risk Management

14. The strategy deals with a range of responsibilities, permissive powers and partnership delivery, the detailed responses and interventions to be carried out by all Risk Management Authorities will be at the scrutiny of their own decision making processes. The actions are needs based and accept that there may be some interventions that cannot be justified or supported.

### Contact Details

<b>Author:</b>	<b>Chief Officer Responsible for the report:</b>
<b>Steve Wragg</b>	<b>Neil Ferris</b>
<b>Flood Risk and Asset Manager</b>	<b>Assistant Director for Transport, Highways and Fleet</b>
<b>Highways</b>	
Tel No. 01904 553401	<b>Report Approved</b> <input type="checkbox"/>
	<b>Date 20 February 2015</b>

### Specialist Implications Officer(s)

Financial  
Patrick Looker  
Finance Manager CANS & CES  
01904 551633

**Wards Affected:** All

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

### Background Papers:

#### Annexes

**Annex 1 – York Flood Risk Management Strategy**  
**Annex 2 – York Flood Risk Management Strategy Consultation Report**

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**Annex 1**



CITY OF  
**YORK**  
COUNCIL

**City of York Council**

**Flood Risk Management Strategy**

This is a pre consultation draft of the strategy for consultation with internal and external partners.

On receipt, and review of comments a formal consultation document will be drafted

### Glossary and Terminology

Acronym	Definition
CFMP	Catchment Flood Management Plan
Defra	Department for Environment, Food and Rural Affairs
EA	Environment Agency
FMfSW	Flood Map for Surface Water
FWMA	Flood & Water Management Act 2010
IDB	Internal Drainage Board
LDF	Local Development Framework
LLFA	Lead Local Flood Authority
LPA	Local Planning Authority
LRF	Local Resilience Forum
NPPF	National Planning Policy Framework
PFRA	Preliminary Flood Risk Assessment
RBD	River Basin District
RMAs	Risk Management Authorities
SAB	SuDS Approving Body
SEA	Strategic Environment Assessment
SFRA	Strategic Flood Risk Assessment
SuDS	Sustainable Drainage Systems
SWMP	Surface Water Management Plan
YWS	Yorkshire Water Services
YRFCC	Yorkshire Regional Flood and Coastal Committee

Term	Definition
Annual Exceedance Probability (AEP)	The chance of a flood of a given size happening in any one year e.g. a flood with a 1% AEP will happen, on average, once every 100 years
Catchment	A catchment is the total area draining into a river or other drainage system
Chance of flooding	The chance of flooding is used to describe the frequency of a flood event occurring in any given year, e.g. there is a 1 in 100 chance of flooding in this location in any given year. This can also be described as an annual probability, e.g. a 1% annual probability of flooding in any given year. (See AEP)
Climate Change	A long term change in weather patterns, climate change is predicted to produce more frequent and severe rainfall events.
DG5 Register	A Water and Sewerage Company (WaSC) held register of properties which have experienced internal sewer flooding due to hydraulic overload, or properties which have a risk of flooding in the following categories:  once in every ten years twice or more in every ten years once in every twenty years
Exceedance flows	Excess flow that appears on the surface once the capacity

	of the underground drainage system is exceeded.
Floods Directive (2007)	The EU Floods Directive is designed to help Member States prevent and limit the impact of floods on people, property and the environment.
Flood Risk Regulations (2009)	Legislation that transposed the European Floods Directive into UK law in 2009.
Fluvial (River) Flooding	Flooding that occurs when a river or stream cannot cope with the water draining into it from the surrounding land – for example, when heavy rain falls on ground that is already waterlogged.
Groundwater flooding	Flooding that occurs when levels of water in the ground rise above the surface. It is most likely to happen in areas where the ground contains aquifers. These are permeable rocks that water can soak into or pass through.
Local Flood Risk	The risk of flooding arising from ordinary watercourses, surface water and groundwater.
Main River	Main Rivers are watercourses marked as such on a main river map. Generally main rivers are larger streams or rivers, but can be smaller watercourses in critical locations.
Ordinary watercourse	An ordinary watercourse is any other river, stream, ditch, cut, sluice, dyke or non-public sewer which is not a Main River. The local authority or IDB has powers to manage such watercourses.
Pluvial (surface water) flooding	Flooding that occurs when rainwater does not drain away through the normal drainage system or soak into the ground, but lies on or flows over the ground instead. This type of flooding can be difficult to predict and pinpoint, much more so than river or coastal flooding.
Riparian owners	A riparian owner is someone who owns land or property adjacent to a watercourse. Riparian owners have a duty to maintain the watercourse and allow flow to pass through their land freely.
Sewer flooding	Flooding that occurs when sewers are overwhelmed by heavy rainfall or when they become blocked. The chance of flooding depends on the capacity of the local sewerage system and amount of rain that falls. Land and property can be flooded with water contaminated with raw sewage as a result. Rivers can also become polluted by sewers that overflow.
Sustainable Drainage Systems (SuDS)	A sequence of management practices and control measures designed to mimic natural drainage processes by allowing rainfall to infiltrate and by attenuating and conveying surface water runoff slowly, compared to conventional drainage.
Water Framework Directive (2000)	The European Water Framework Directive (WFD) became part of UK law in December 2003. It requires member states to plan and deliver a better water environment, focussing on ecology. The WFD sets environmental and ecological objectives for all inland and coastal waters in the UK. The EA are the lead organisation for WFD.

## Key Contact Details

### City of York Council

01904 551 550

[www.york.gov.uk/](http://www.york.gov.uk/)

[FRM@york.gov.uk](mailto:FRM@york.gov.uk)

### Environment Agency

[www.gov.uk/government/organisations/environment-agency](http://www.gov.uk/government/organisations/environment-agency)

### Floodline

0845 988 1188

### Met Office

[www.metoffice.gov.uk](http://www.metoffice.gov.uk)

### Yorkshire Water

0845 124 24 24

[www.yorkshirewater.com](http://www.yorkshirewater.com)

### Ainsty (2008), Foss (2008) & Ouse and Derwent Internal Drainage Boards

York Consortium of Drainage Boards

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### Kyle & Upper Ouse Internal Drainage Board

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## Introduction

### 1.1 Background to the Strategy

1.1.1 Flood risk is predicted to increase due to climate change and development needs to be managed to ensure that risk is not increased. Flooding is a natural process and while it is not technically, economically or environmentally feasible to prevent all flooding, a risk based approach targets resources to those areas where they can have the most beneficial effect in reducing its impact. Several bodies have responsibility for flood risk management and historically it has been difficult to take a coordinated or strategic approach in its management, particularly at a local level.

1.1.2 Following the flooding of 2007, which affected over 55,000 homes and businesses across the UK and caused £3 billion worth of damage, the [Flood and Water Management Act 2010](#) (FWMA) was introduced to provide legislation for the management of risks associated with flooding and coastal erosion. This gives City of York Council major new responsibilities as the Lead Local Flood Authority (LLFA) for its area, with a range of new local flood risk management duties.

1.1.3 Section 9 of the FWMA requires LLFAs to “develop, maintain, apply and monitor a strategy for local flood risk management in its area”. Local flood risk is defined as flood risk from surface runoff, groundwater and ordinary watercourses flooding.

1.1.4 Responsibility for the management of flood risk from main rivers, the sea and reservoirs remains with the Environment Agency (EA). The EA has published its national flood risk management strategy for England, which outlines its responsibilities for the management of flood risk from these sources.

1.1.5 However, as the cause of flooding is often not straightforward, the Strategy deals with risks from all sources and the Council will work in partnership with the EA and other flood Risk Management Authorities (RMAs) in the delivery of the measures detailed in the Strategic Action Plan.

### 1.2 The National Strategy

1.2.1 The [National Strategy](#) sets out principles for how flood risk should be managed, providing strategic information about the various kinds of flood risk and the organisations responsible for their management.

The Strategy’s guiding principles are:

- Community focus and partnership working
- An approach based on catchment cells, working with neighbouring authorities

- Sustainability – taking into account potential future risks and remaining adaptable to climate change
- Proportionate, risk based approaches which allot resources where they have the greatest effect
- Added benefits including regeneration and socio-environmental benefits as well as reducing the risk to people and property
- Beneficiaries should be encouraged to invest in local risk management

The Flood and Water Management Act 2010 requires RMA's (local authorities, internal drainage boards, sewerage companies and highway authorities) to act consistently with the National Strategy in carrying out their flood and coastal erosion risk management functions. The York Local Flood Risk Management Strategy principles have been developed in line with the principles of the National Strategy.

### **1.3 The York Local Flood Risk Management Strategy**

#### 1.3.1 Principles of the Strategy

The principles which inform the Councils overall approach to flood risk management are:

1. Flooding is a natural process that will occur despite all efforts to prevent it. Therefore the most effective approach is risk management.
2. Improving the level of knowledge and maintaining an accurate database about flood risk is a vital process which needs to be continued.
3. As well as focussing on measures to protect from flooding it is important to manage the disruption when it does happen, and afterwards.
4. Effective flood risk management can reduce long-term flood damage costs and is a worthwhile investment for both the public and private sector.
5. Flood risk management can provide other environmental benefits, such as improving or creating new wildlife habitats.
6. Decisions on where local resources are focused should be evidence-based and made against clear criteria.
7. No single organisation can effectively manage flood risk alone and co-operation is needed from public agencies, the private sector and households, including via the planning process.
8. Flood risk management contributes to the Council's priorities for York.
9. An effective communications strategy will be required, raising public and business awareness of risks and potential remedies and opportunities.

### 1.3.2 Aim of the Strategy

The aim of the strategy is to understand flood risk from all sources in the city, reduce its likelihood and impact on residents and visitors and take the opportunity to improve the city environment. It is a living document which will provide an ongoing comprehensive framework for managing York's flood risk. As new technical information associated with flood risk management evolves, and real events occur, it will need to change to take this new information into account.

The strategy has drawn on existing plans and knowledge to form an understanding of the various flood risks in the City, what management is already in place and where risk remains a concern. As the principal document for managing York's flood risk it:

1. Explains current understanding of all flood risk affecting the Council's area.
2. Refers and links to key documents.
3. Outlines the legislative framework.
4. Specifies the responsibilities of the Risk Management Authorities in York and their functions.
5. Provides a basis for co-ordinating flood risk management activities.
6. Contributes to securing and prioritising investment.
7. Explains how flood risk management can contribute to environmental objectives.
8. Explains how flood risk management can contribute to the Council's priorities for York.

The strategy seeks to achieve this aim through the following objectives:

- 1) Ensure that there is an accurate, comprehensive and clearly documented understanding of flooding and flood risk in York
- 2) Work with our partners to identify the areas of focus and priority for flood risk management in York and communicate it to those at risk
- 3) Work to secure, prioritise and deliver investment in mitigating flood risk to deliver social, economic and environmental benefits
- 4) Ensure that planning decisions properly address all aspects of flood risk and that surface water flows are managed and controlled in a sustainable manner
- 5) Maintain drainage infrastructure and watercourses to ensure that their operation maximises effectiveness

The Strategic Action Plan details the measures required to deliver these objectives

### 1.3.3 Structure of the Strategy

The York Flood Risk Management Strategy comprises a collection of six guidance documents which aim to advise and direct the reader to further information to increase knowledge and understanding of flood risk management. These are bound together by the Policy Framework and Strategic Action Plan sections. The York Local Flood Risk Management Strategy comprises the following elements:

**Section 1 Policy Framework**

The need for and aspirations of our strategy

**Section 2 Strategic Action Plan**

The programme of actions and measures, for all Risk Management Authorities, that are required to deliver the aims of the strategy

**Section 3 York Flood Risk Overview**

A summary of the key flood risk issues in York

**Section 4 Incident Review Protocol**

The way in which we will investigate future flood events to identify effective solutions to reduce their impacts

**Section 5 Legislative Framework**

Summary of Flood Risk Management legislation and guidance

**Section 6 Risk Management Authorities and their Functions**

Overview of all Flood Risk Management Authorities and their key responsibilities and functions

**Section 7 Development Management**

An overview of the legislation and documentation which ensures that developments are built in a manner which is resilient and resistant to flooding

**Section 8 Community Action and Resilience**

Information on how individuals and communities can be prepared for flooding and take action to reduce its impacts

The strategy can be read as a complete document or the individual guidance document sections used individually as a resource.

#### **1.4 Next Steps**

1.4.1 Following publication in 2015 the strategy will be fully reviewed in line with the six year Flood Risk Regulations cycle.

1.4.2 It is intended that changes and updates to the individual guidance notes (Sections 2-6) would be agreed and endorsed through the relevant committee, scrutiny or member decision making session, any changes or updates to the Policy Framework or Strategic Action Plan would be brought to Cabinet for approval.

1.4.3 All RMAs in the Council area work closely together as part of the North Yorkshire Flood Risk Partnership, the Strategy and its action plan will be monitored through the work of this group.

## 2. Strategic Action Plan

### 2.1 Aim

2.1.1 The aim of the strategy is to understand flood risk from all sources in the city, reduce its likelihood and impact on residents and visitors and take the opportunity to improve the city environment. It is a living document which will provide an ongoing comprehensive framework for managing York’s flood risk. As new information associated with flood risk management evolves, and real events occur, it will need to change to take this new information into account.

2.1.2 The Action plan will be reviewed annually with a full review carried out in parallel with the six year review cycle defined in the Flood Risk Regulations. The plan will also be revised in line with the investment plans and actions of all flood risk management authorities work in and around York. The North Yorkshire Flood Risk Partnership will provide a mechanism for all partners to monitor and review all strategies and plans.

<b>2.1 Objectives</b>	<p>To achieve this, the strategy has identified the following objectives:</p> <ol style="list-style-type: none"> <li>1. Work with our partners to identify the areas of focus and priority for flood risk management in York and communicate it to those at risk</li> <li>2. Work to secure, prioritise and deliver investment in mitigating flood risk to deliver social, economic and environmental benefits</li> <li>3. Ensure that planning decisions properly address all aspects of flood risk and that surface water flows are managed and controlled in a sustainable manner</li> <li>4. Maintain drainage infrastructure and watercourses to ensure that their operation maximises effectiveness</li> </ol>
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<b>2.1 Outcomes</b>	<p>This will result in:</p> <ul style="list-style-type: none"> <li>• A clear understanding of the actions and investment priorities needed to manage flood risk in York.</li> <li>• An understanding by those at risk.</li> <li>• Development that is sustainable and appropriate.</li> <li>• Drainage infrastructure that is properly maintained and fit for purpose.</li> </ul> <p>Progress towards meeting the targets in the York Council Plan.</p>
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## **2.2 Measures Proposed to achieve the Objectives**

2.2.1 This section sets out the actions that the Council has identified to achieve the objectives. This will be subject to consultation with internal and external partners and the public.

2.2.2 In proposing these actions, the following points have to be taken into account:

- There is an increased risk of flooding due to climate change, together with ever increasing financial pressures. This means that schemes and funding need to be looked at very critically, and different ways of working need to be investigated to maximise opportunities and value for money.
- Risk Management Authorities have permissive powers with regard to watercourse management, therefore there is no obligation for any organisation to provide flood defence or mitigation schemes to residents or businesses at risk of flooding. However where appropriate and suitable solutions are identified, and funding can be allocated, the Council will work with partners and local communities to achieve protection.
- New developments must be designed to be resilient to flooding and will not receive any government support for flood mitigation schemes in the future.

## **2.3 Action Plan**

2.3.1 With reference to the objectives identified above this section sets out:

- What we plan to do
- How we are planning to do it
- When action is likely to happen
- Who is likely to take the lead

Funding for individual programmes and schemes is likely to be from a variety of sources, Section 2.3.4 highlights potential funding mechanisms which may contribute to delivery of actions.

All actions are linked to the measures identified in the EU Floods Directive and the Flood Risk Regulations. This will ensure that all partners are developing actions that can be measured and monitored in their delivery of this primary flood risk legislation. It is similarly expected that an action plan, aligned with primary legislative drivers and objectives, will support a more effective investment bid for schemes and programmes within the action plan.

2.3.2 The following terms, from the EU Floods Directive, are used to group and describe the kind of actions that can be pursued:

- **Prevention of risk:** for example, by not building homes in areas that can be flooded we can prevent risks from arising in the first instance.
- **Protection from risk:** for example, by delivery of formal flood defences schemes or property level protection such as using water proof boards over doors and airbricks to protect properties from the damages of flood water.
- **Preparing for risk:** for example, by improving awareness of flood risk, or by providing warning and forecasting for floods, people can take precautions to safeguard themselves and their valuables.
- **Recovery and Review of risk:** for example, by improving access to tradesman and other services, recovery after flooding can be improved.

2.3.3 The actions will take varying timescales to achieve and are dependent on securing funding. The action plan will be reviewed as funding is secured, but the actions have initially been placed in one of the following three categories:

- Short term – up to two years
- Medium term – two to five years
- Long term – over five years

2.3.4 Potential sources of funding that have been identified are:

- City of York Council revenue
- City of York Council capital

The Flood Risk Management Team is funded to ensure essential investigation and maintenance of waterways and highways is carried out to prevent flooding. Strong funding cases are required to ensure the continued provision of revenue monies and capital schemes are, like all other schemes, supported where need is greatest within the funding available to the Council.

- Planning Gain - Community Infrastructure Levy (CiL), S106

Section 106 (S106) 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 landowner / developer in association with the granting of planning permission. The obligation is termed a Section 106



Agreement. These agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms and often refer to off-site infrastructure works such as highway improvements or new facilities such as play areas or local education improvements.

The use of Section 106 agreements will largely be replaced by the Community Infrastructure Levy. This is a new tariff based system, depending on the scale of the development, which local authorities in England and Wales will charge on new developments in their area. The Council is currently developing its approach to CiL, which is due for consulting circa September 2014.

The Environment Agency monitors and administers the delivery of funding and overall programmes are developed and endorsed through the Yorkshire Flood and Coastal Committee and its sub area based Flood Risk Partnerships (York is part of the York & North Yorkshire Flood Risk Management Partnership).

The Yorkshire RFCC are the gatekeeper for all FDGiA and local levy in Yorkshire.

- Defra Partnership Funding

Partnership funding is a way of allocating capital funding to flood and coastal erosion risk management projects for all RMAs in the form of Flood Defence Grant in Aid (FDGiA). Partnership Funding allocates an element of FDGiA to all schemes according to their benefit realisation, where the FDGiA allocation can only part fund a scheme contributions need to be identified to allow it to progress. It is expected that all schemes, even where they can be 100% FDGiA funded, seek contributions to enable the oversubscribed national FDGiA funding to realise wider benefits.

Schemes are assessed according to the number of households receiving an improved standard of protection from flooding or coastal erosion, the overall economic benefits of the investment programme and important environmental outcomes, such as creating new habitats to compensate for those lost when defences are built to protect people and property.

- Yorkshire Regional Flood and Coastal Committee Local Levy

The c. £2M local levy money raised each year by direct levies on all 14 Lead Local Flood Authorities in Yorkshire is used as contributions to Partnership Funding schemes or to fully fund schemes that do not fit the criteria required to attract FDGiA Funding. Local levy funding allows some innovative and marginal schemes to be developed.

- Environment Agency Revenue

EA revenue funds the delivery of flood forecasting, warning and informing, development control and enforcement and the delivery of mapping, modelling and investigations to underpin future flood alleviation scheme delivery. EA revenue is essential in the delivery of all asset management practices from inspection, monitoring, operation and maintenance of existing defences and river channels and large scale replacement and renewal of key flood risk management assets. All EA revenue monies are allocated in a prioritised basis according to risk.

- Water Industry

YWS, as the water and sewage company in the Council area, works to five year funding cycles or Asset Management Plan periods. They have compiled a needs based assessment of all funding for the 2015-20 period and some flood risk management spending requirements were included. Sewer flooding events are categorised according to OFWAT DG5 register regulatory guidelines, in general those areas with a sewer flood risk of 1 in 20 year or greater are supported with funding to deliver interventions. Other funding is available to allow YWS to work with all RMA's to investigate, model and deliver flood risk management operations. There is little resource allocated to deal with sewage flooding external to properties.

- Internal Drainage Board (IDB) revenue and grant

IDB expenditure is predominantly funded by the local beneficiaries of the water level management work that they provide through collection of drainage rates. Each IDB sets a budget for its planned work in the forthcoming year and any investments it needs to make for wider projects. As a RMA, the IDB has to assess and mitigate flood risks within its area.

- Other

'Core' flood risk management funding is dependant on contributions as required by Partnership Funding, similarly funding available to RMAs can only be used to address flood risks to existing beneficiaries (where constructed prior to 2012 as there is a presumption that recent developments were built resilient and resistant to flooding) and regeneration economics cannot normally be considered.

Key funding streams from Local Enterprise Partnerships, EU Structural Investment Funds or other non 'core' funders are essential to enable flood risk management interventions to play a role in good place making and the facilitation of sustainable developments.

## 2.4 Monitoring Delivery

2.4.1 The action plan will be monitored by the North Yorkshire Flood Risk Partnership, all RMA's attend the partnership and the delivery of actions and investment needs will be measured through its work. The partnership is one of four across Yorkshire that identifies sub regional flood risk priorities and feeds them into the wider work and investment planning of the Yorkshire Regional Flood and Coastal Committee.

**The proposed measures in the following tables indicate those required, at this moment in time, to deliver against the identified need and funding is that which is required to deliver this.**

**All funding sources listed in section 2.3 require detailed assessments of costs and benefits to identify which needs based schemes can be approved for inclusion on future funding programmes. Further work is often then required to confirm formal approval of funding from the programme for the identified measures.**

The following colour coding is used to indicate the status of the funding needs indicated in section 2.3:

**Need Identified – but works not in a current funding program**

**Need Accepted – in a current funding programme but funding is not allocated**

**Need Supported – approved funding allocation / works in progress**

## 2.5 Proposed Measures

	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Prevention	Surface Water, Ground water and Fluvial (SW, GW, F)	2/3	<p>Ensure that planning decisions properly address all aspects of flood risk and that surface water flows are managed and controlled in a sustainable manner.</p> <p>Development of sustainable places better adapted to manage flood risk.</p> <p>Identification of planning gain opportunities to deliver support flood risk management infrastructure delivery – CiL, S106 etc</p>	Short Term / ongoing	CYC - Local Planning Authority	Environment Agency (EA), Internal Drainage Boards (IDB), Yorkshire Water Services (YWS)	<p>Core part of delivery with no capital cost, may require periodic capital costs to develop detail and understanding</p> <p>£5k - £10k per study</p>
	SW, GW, F	2/3	<p>Input into strategic planning and strategic development sites to identify sustainable flood risk and drainage solutions.</p> <p>Input into the emerging Local Plan, development of policies – FR1Flood Risk, FR2 Sustainable Drainage</p>	Short Term	CYC - Local Planning Authority	EA, IDB, YWS	£5k - £10k per study

	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Prevention	SW	2/3	Develop processes and guidance to deliver Schedule 3 of the Flood and Water Management Act following commencement by Defra. All new developments will incorporate sustainable drainage systems unless exemptions apply.	Short Now likely in 2015	CYC	EA, IDB, YWS	£100k per annum
	SW/F	2/3	Working with Local Enterprise Partnership and EU funders to identify strategic sites where flood prevention work can act as an enabler to regeneration and development.  York Central site has identified support from the Local Growth Fund and work continues to identify European Structural and Investment Funds opportunities.	Short / ongoing  Short	CYC	EA, IDB, YWS, Network Rail  EA, IDB, YWS, Network Rail	Site dependant £25-£100k  £85k study 14/15  £2.5M capital costs 15/16
	SW/F	1/2	Flood Risk Management Partners will work together to create integrated sub catchment models based on principal watercourses and drainage network (YWS Drainage Area Plans).  Opportunities for habitat and ecology improvements will be sought in line with Water Framework Directive (WFD) and the Local Plan  The Council will work with the EA to attract funding for studies through the Local Levy and Flood Defence Grant in Aid and with wider partners such as the LEP for wider funding (i.e.	Short	CYC	EA, IDB, YWS	£50-£100k per study  £500k for full YWS Drainage Area Plan review in York

			York Central / Holgate Beck study).				
	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Protection	SW/GW/ F	2	Develop, maintain and review a prioritised programme (6 year) of projects, to include Local Levy, for submission and consideration by the Yorkshire Regional Flood and Coastal Committee (RFCC)  Contributions from stakeholders and beneficiaries will be sought in line with Defra Partnership Funding requirements	Ongoing / annual	CYC	EA, RFCC, North Yorkshire Flood Risk Partnership	£25k
	SW/GW/ F	1/2	Deliver a programme of flood risk management projects to reduce the impacts of local flooding	Ongoing	CYC	EA, IDB, YWS	TBC following catchment modelling work
	F	1/2	City of York Flood Defence Improvement Strategy and works arising to all existing defences  Close working between EA and CYC, likely need for similar levels of funding in contributions to enable works to progress	Short – strategy  Medium / long -  Delivery	EA	CYC	£250k  £25M - £5M p.a. from 2016
	F	1/2	Foss Barrier Upgrade	Short	EA	CYC, IDB	£2M
	F	1/2	Burdyke / Holgate Pumping Station appraisal and Replacements	Short	EA	CYC	£3.5M
	F	1/2	Clifton Ings Barrier Bank Restoration	Short	EA	CYC	£1.5M

	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Protection	F	1/2	<p>Develop and deliver a range of measures to reduce the impacts of flooding in the unprotected areas of York – Bishopthorpe, Acaster Malbis, Fulford, Clementhorpe, Naburn, Kings Staith/Tower Street, Nether Poppleton</p> <p>Close working and coordination is require between EA and CYC, property level resilience measures are likely to be the optimal solution. Work with residents and businesses to deliver collectively funded protected measures.</p>	<p>Short – Medium – long</p> <p>Dependant on issue, solution and funding</p>	EA	CYC, YWS	£5M
	F	4	<p>Delivery of EA maintenance programme to ensure optimal, safe and effective operation of all defences and Main River watercourses and assets in the CYC area and upstream management in the NYCC area</p> <p>Review and scrutiny by the North Yorkshire Flood Risk Partnership and the RFCC, lobbying and pressure from CYC officers and members</p>	Ongoing - annual	EA	CYC, IDB	<p>£476k p.a.</p> <p>Needs based assessment, actual approved budgets may be less</p>
	F	4	<p>Delivery of IDB maintenance programme to ensure optimal, safe and effective operation of all IDB managed watercourses and assets in the CYC area</p> <p>Review and scrutiny by the North Yorkshire Flood Risk Partnership and the RFCC, lobbying and pressure from CYC officers and members</p>	Ongoing - annual	IDB	CYC, EA	<p>£670k</p> <p>Council paid Special Levy to support IDB flood risk works in our area</p>

	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Protection	SW, GW, F	4	<p>Delivery of CYC maintenance programme to ensure optimal, safe and effective operation of all CYC managed watercourses in the CYC area</p> <p>The CYC Surface Water Management Plan identified that a minimum of £5M of investment was required to investigate and remedy defective drainage and highways issues across the CYC area. Ongoing investigations and maintenance of wider watercourses and drainage networks are required to satisfy the CYC role as a Lead Local Flood Authority</p>	Ongoing - annual	CYC	EA, YWS, IDB	<p>£200k p.a. highways investigation / remediation</p> <p>£100k p.a. watercourse maintenance</p> <p>£25k p.a. reservoir management</p>

	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Preparedness	SW, GW, F	1/2	Create Management Catchment Plans for Flood Risk Regulations – providing a high level assessment of flood risk and risk management actions/measures for each catchment within CYC and neighbouring NYCC authority area	Short	EA	CYC, NYCC	£50k
	SW, GW, F	1/2	Work with neighbouring LLFAs to provide input to Management Catchment Plans for those catchments which cross into other authority areas – NYCC to ensure collaborative upstream actions and ERYC regarding the River Derwent	Short	CYC, NYCC	EA, IDB, YWS	£20k



	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Preparedness	SW, GW, F	1/4	Work with the North Yorkshire Local Resilience Forum (NYLRF) and CYC Emergency Planning Unit to support community resilience work such as creation of Community Emergency Plans and public education programmes as set out in the Community Resilience Action Plan, increase flood warning uptake and input into the CYC River Flood Emergency Plan	Ongoing	CYC Emergency Planning Unit	CYC, all professional partners	
	F, SW, GW	1	Work with residents, businesses and insurance providers in the city and lobby Government to ensure affordable and effective flood risk cover is attainable  Delivery of workshops with key stakeholders and insurance providers in the Council area	Short	CYC	EA	£10k
	F, SW, GW	1	Develop, improve and maintain the CYC website flood pages to provide an effective resource for residents and businesses wanting information of flood risk management.	Short	CYC		£2k p.a.
	F, SW, GW	1	Develop a communications strategy to ensure the delivery of effective media messages and campaigns to enable residents and businesses to become more resilient to flood risk	Short - ongoing	CYC		

	Source	Local Flood Risk Strategy Objective (Section 2.1)	Action	Timescale	Lead Organisation	Support Organisation(s)	Estimated Cost
Recovery & Review	SW, GW, F	1/4	<p>Deliver investigations in accordance with Section 19 of the Flood &amp; Water Management Act and deliver all necessary post flood remedial works and actions</p> <p>Working with public &amp; businesses to raise awareness of flood risks and to identify community led solutions</p>	Short - ongoing	CYC	EA, IDB, YWS, all professional partners	£100k p.a.
	SW, GW, F	1/2/4	Develop and improve existing Flood Risk Geographical Information Systems data and databases.	Short	CYC	EA	£5k
			Install a localised network of rain gauges to monitor current events and support event investigations.	Short / Medium	CYC	EA, NYCC, ERYC, YWS  (links will be formed with others existing networks)	<p>£30k</p> <p>Installation</p> <p>£5k p.a.</p> <p>Maintenance</p>
	SW, GW, F	1/2/4	Develop remote access and input capabilities for flood risk management usage and data entry in the field to support drainage investigation work, SuDS Approving Body role and flood response actions	Short	CYC	EA	<p>£25k</p> <p>£2k p.a. licences</p>

## **3. Flood Risk in York**

### **3.1 Introduction**

3.1.1 The city of York is located in the Vale of York on the confluence of the rivers Ouse and Foss. Centred on this urban core, the administrative area extends to include villages of varying sizes and largely rural land with the River Derwent forming the eastern boundary. While these main rivers drain two separate catchments they are both included in the area covered by the EA's River [Humber Basin Management Plan](#).

3.1.2 The York Local Flood Risk Management Strategy takes a catchment wide approach to addressing the risks of flooding for the York area. The strategy covers the risk of flooding from the Rivers Ouse, Foss and Derwent as well local flood risk from minor watercourses and surface water.

3.1.3 Predictions indicate that the country will experience warmer, wetter winters and hotter, drier summers resulting in more extreme rainfall events. As a result, flooding of greater magnitude and frequency from all sources is expected.

3.1.4 This section provides an overview of the sources of flood risk affecting the council's area, based on the range of documents that have been produced both by the Environment Agency and the Council.

### **3.2 Flood Risk from Rivers**

#### **Flood Risk from Main Rivers**

3.2.1 Being on the confluence of the Rivers Ouse and Foss, York is well known for flooding from those rivers, with approximately 3400 homes and businesses at risk. The EA leads in the management of flood risk from this source.

3.2.2 Although the upstream Yorkshire Dales rivers Swale, Ure and Nidd, which form the Ouse, rise and fall rapidly, by the time the flows reach York the river is meandering and slower flowing. The EA's well established catchment wide monitoring enables warnings for York to be issued approximately 14 hours ahead of the peak flood level through the city. River flood events are therefore predictable, and rises in river levels are relatively slow and always affect the same areas. This allows a consistent and effective multi-agency response to be provided in accordance with the Council's Emergency Flood Plan and also a post event recovery operation targeted at known areas.

3.2.3 Many areas in the City benefit from flood defences constructed following flooding in 1978. This event triggered a defence building programme and the first scheme to be constructed, protecting the Leeman Road area, was completed in the early 1980's. This successfully protected many of the 225 properties flooded in 1978 against flooding in March 1982, the highest since 1947 but significant wave action on

Clifton Ings required the defences to be raised. Subsequent defences were built to protect other areas of the City and now a total of approximately 1,000 properties are defended to the same standard. Although originally designed for a 1% or 1 in 100 year event, the current standard of protection has now fallen to 2% or 1 in 50. It is widely accepted that this standard of protection will further reduce over time due to increases in flood risk from climate change.

3.2.4 The EA is responsible for the flood walls, gates, embankments and River Foss Barrier flood defences.

The City's flood defences include:

- The Foss Barrier, built in 1986/7, a gate which when lowered in place, cuts the Foss off from the Ouse stopping water from passing back upstream. Flow from the Foss is pumped through the barrier into the Ouse.
- North Street: a series of flood gates and walls installed in 1992/3,
- Lower Ebor Street: concrete flood walls with valves to isolate sewage,
- Holgate Beck: Upstream tributaries of the beck were diverted to empty directly into the Ouse, and a pumping station was installed to pump flows into the Ouse,
- Lower Bootham: a 650m earth flood bank and 280m concrete flood wall,
- Acomb Landing: a reinforced retaining wall was added to existing embankments after the 1982 floods to protect York's drinking water abstraction at this point,
- Clifton Ings: modified natural flood-plain which can hold 2.3 million cubic metres of water - impounding within raised flood banks can lower the peak flood level in the city by almost six inches.
- Leeman Road: A flood bank was built in the early 1980's, following the 1978 floods, and raised in 1982, following further floods. The defences have now been upgraded again in a £4 million project that has included raising the banks further and adding a flood wall at Water End.

3.2.5 Further significant floods occurred in 2000, and 2012 in September, November and December. The September level equalled that reached in 1982. The defences performed successfully with no property flooding directly from the cities rivers within the defended areas, but approximately 50 – 60 properties in unprotected areas were affected. Several areas were affected from linked drainage systems which had compromised capacity and discharges due to high river levels.

3.2.6 All of the areas protected from the Rivers Ouse and Foss are susceptible to floodwater by-passing the defences, both through the sewerage system via combined sewage overflows working in reverse, and by surface water outfalls. To manage this, each protected area has a pumping station on the sewerage system, and penstocks to close off the flows from the river. These are closed as the river rises, and the stations are switched on, pumping flows forward to a point outside the protected area. These are owned and operated by YWS.

3.2.7 The protection of these areas is reliant on co-ordinated action by the Council, EA and YWS as the river rises.

3.2.8 The eastern boundary of the Council's area is formed by the River Derwent which drains the North York Moors. It is also a slow rising and falling river, and the village of Elvington is the only significant settlement in the City of York Council boundary which can be affected by this river. Works carried out in 2009 provide protection to a standard of 1 in 100 (1%). This includes a pumping station, operated by the Ouse and Derwent IDB, which pumps flows from the Elvington Beck catchment to the River Derwent at times of high level.

3.2.9 The urbanised lengths of Blue Beck, Burdyke and Holgate Beck, tributaries of the River Ouse, and Tang Hall Beck and Osbaldwick Beck, tributaries of the River Foss, are also main rivers. Holgate Beck and Burdyke have pumping stations, owned and operated by the EA, near their confluences with the River Ouse, which prevent the river flooding areas remote from the river in Holgate and Clifton.

### **Flood Risk from Ordinary Watercourses**

3.2.10 The majority of ordinary watercourses in the Council's area are in the management of four Internal Drainage Boards which have responsibility for a defined network of watercourses within their districts, all of which extend well beyond the CYC boundary into adjoining authority areas. These are:

- [Ainsty \(2008\) IDB](#) covering the west and south west of York, extending into the Harrogate Borough and Selby District Council areas, with the River Ouse as its eastern boundary. It includes Holgate Beck upstream of the length designated as main river.
- [Foss \(2008\) IDB](#) covering an area centred on the River Foss north of York extending into the East Riding of Yorkshire area. It includes Tang Hall and Osbaldwick Becks upstream of the lengths designated as main river, and also non-main river watercourses Westfield Beck and part of South Beck.
- [Kyle and Upper Ouse IDB](#) covering the north west of York extending into the Hambleton District Council area with the River Ouse as its western boundary. It includes Burdyke and Blue Beck upstream of the lengths designated as main river.

- [Ouse and Derwent IDB](#) covering an area south and east of York extending into the Selby District Council area with the River Ouse forming its western boundary and the River Derwent its eastern boundary. It includes non-main river watercourses Elvington Beck, Germany Beck and Tunnel Drain.

3.2.11 The Council is the land drainage authority for the areas not in IDB districts. Although the EA has powers to maintain the main rivers within this and IDB districts, its routine maintenance regime only includes the cleaning of trash screens at culvert inlets. Responsibility for any watercourse remains that of the riparian owners to ensure that flows are not obstructed. This remains largely the Council's responsibility as the majority owner of land through which these watercourses pass.

3.2.12 The risk of flooding from ordinary watercourses is not currently well understood. However, there is not considered to be any spare capacity for runoff from future development and individual catchment surface water management plans are required to increase understanding and inform future development.

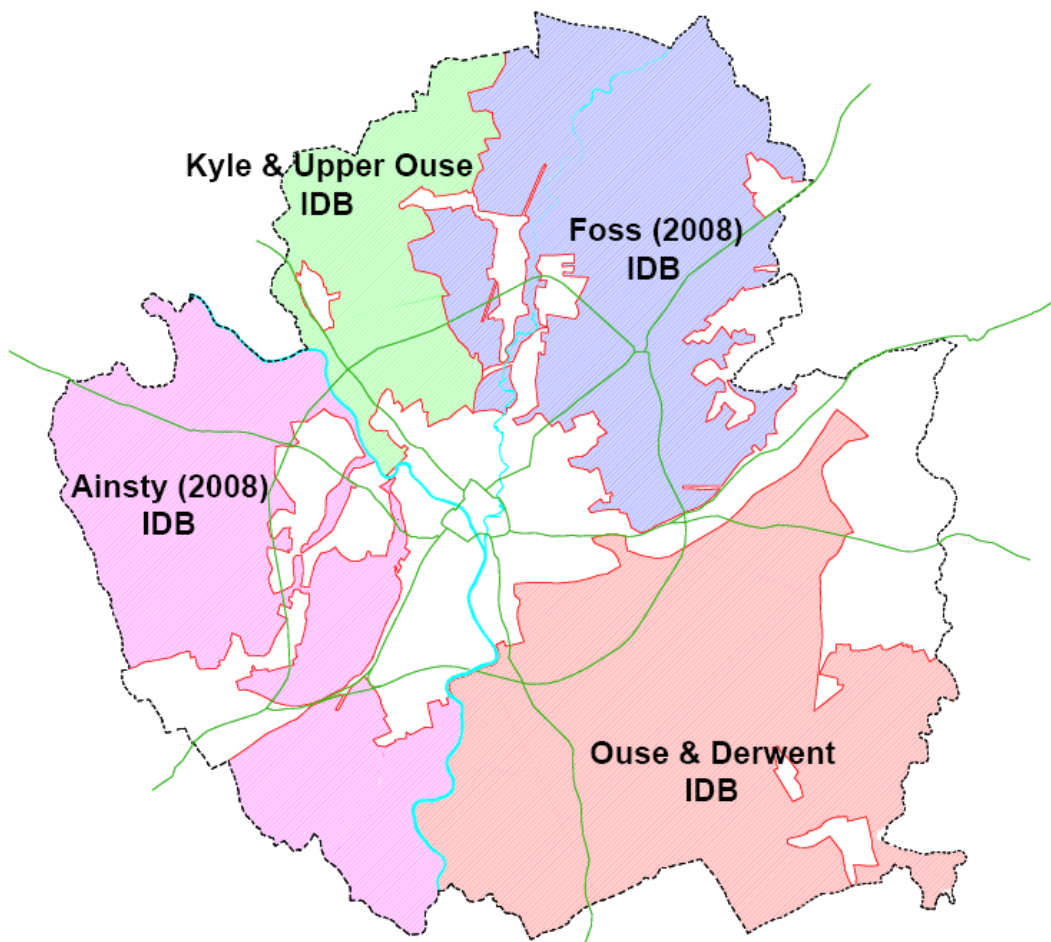


Figure 3.1: Internal Drainage Boards Districts Within York Boundary

### **3.3 Flood Risk from Local Sources**

3.3.1 Local flood risk is defined as flooding from ordinary watercourses, surface water and groundwater. The Council, as LLFA, is responsible for the management of flood risk from these sources.

3.3.2 The York [Preliminary Flood Risk Assessment](#) (PFRA) was the first assessment of this, undertaken in 2011 in response to the Flood Risk Regulations 2009. It is a high level screening exercise to compile information on 'nationally significant' local flood risk from past and predicted future floods using available information about historic flooding, and the Flood Map for Surface Water (FMfSW) mapping provided by the EA for potential future flooding from these sources. It concluded that York does not exceed the nationally defined flood risk threshold and therefore has no local flood risk area for further investigation under the regulations.

3.3.3 On the basis of past flooding data, the PFRA also concluded that no historical local flood events are considered to have had "significant harmful consequences" (following the definition laid down in the EU Floods Directive). Future events will be added to the existing database to support future PFRAs and this Strategy.

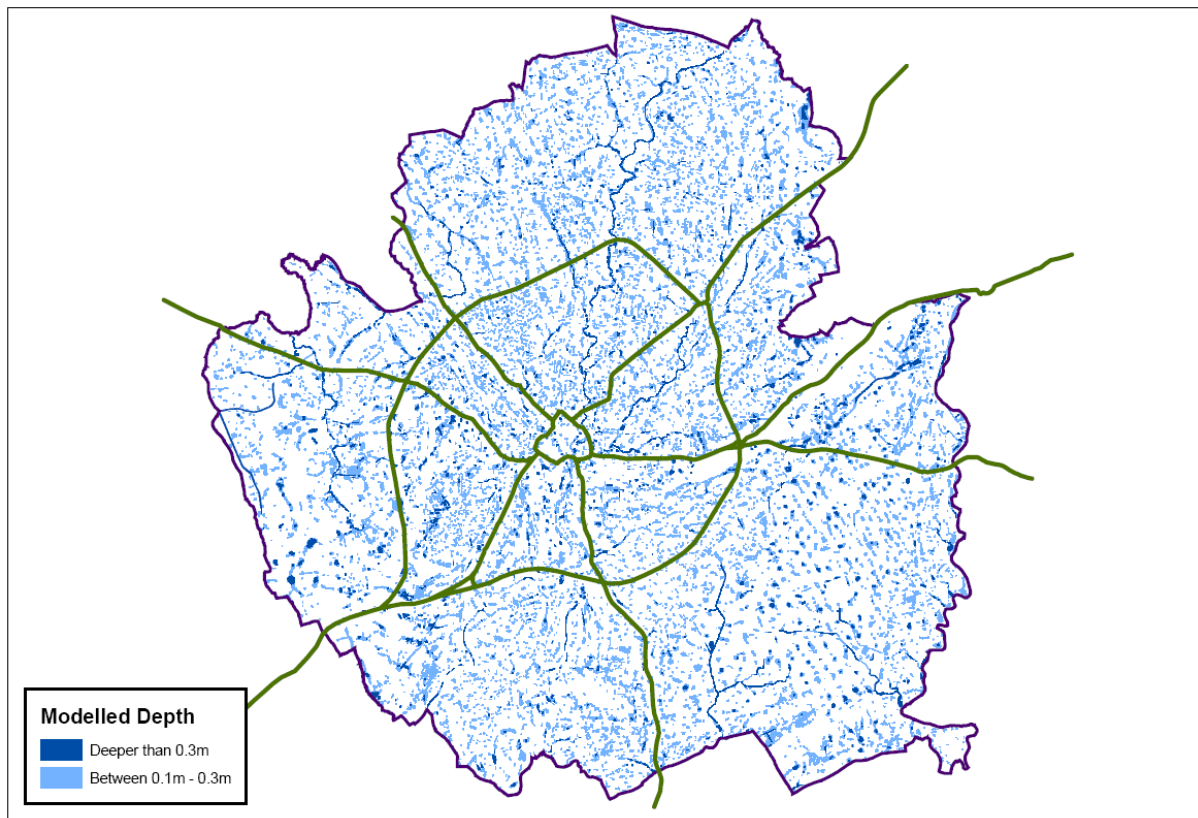
3.3.4 The PFRA also concluded that the FMfSW provides the best available overview of the future flood risk from surface water across York, and is considered to be the most appropriate source of information for this purpose.

#### **Flood risk from Surface Water**

3.3.5 Surface water flooding occurs when rainfall exceeds the capacity of piped systems or cannot soak into the ground. It typically occurs as a result of high intensity rainfall and can be aggravated by pipe or channel blockage.

3.3.6 Detailed knowledge of the effects of surface water flooding in York is limited. Such flooding is difficult to predict and record due to its very localised effects and usually brief duration. The effect of events that have been recorded, notably in the summer of 2007, 2012 and 2013, are of localised flooding at various locations, different on each occasion, across the city. This pattern is typical in the Council's area as a whole and is considered to be due to the flat topography which does not cause rapid runoff on a large scale.

3.3.7 The EA produced the Flood Map for Surface Water (FMfSW) to assist LLFAs in assessing surface water flood risk for their PFRAs. This shows modelled predicted flood effects of two events (1 in 30 annual chance and 1 in 200 annual chance) and two depth bandings (greater than 0.1m and greater than 0.3m). The mapping shows no areas of concentrated flood risk in any specific area.



**Figure 3.2: Flood Map for Surface Water 1 in 200 Year Event**

3.3.8 Using the FMfSW, the number of properties at risk of surface water flooding in the York area has been estimated by the EA. For a rainfall event with a 1 in 200 annual chance of occurring, 11,500 properties, dispersed throughout the area, are estimated to be at risk from flooding to a depth of 0.1m and 1,700, again dispersed throughout the area, are at a risk of flooding to a depth of 0.3m. It is extremely unlikely that this number of properties would be affected simultaneously as the rainfall that causes this type of flooding is usually very localised. Similarly, the likelihood of a 1 in 200 year storm occurring anywhere in the Council area is very limited. On the basis of observed events, it has been found that the FMfSW is a reliable indicator of surface water flood risk locations.

3.3.9 The Council's [Surface Water Management Plan](#) (SWMP) is the key evidence base document underpinning the Strategy. Analysing information from investigations at known flood locations, the EA mapping and site specific modelling, it established that there is a lack of knowledge of the location, extent and condition of surface water drainage infrastructure throughout the Council's area. It identified that minimal maintenance has resulted in major problems with blocked drains, compounded by the adverse effect of development on natural flow paths and the flatness of the Council's area, all of which increases local surface water flood risk. It also concluded that the areas that have been affected by surface water are unconnected with those suffering fluvial flooding and that, throughout the Council's area, there is not



considered to be a link between the two types of event. Surface water flooding in 2012 and 2013 further confirmed this conclusion.

3.3.10 The site specific modelling carried out for the SWMP has enabled the accuracy of the FMfSW to be checked. It is considered that, while it indicates potential locations of surface water flooding, the mapping may currently over-estimate the number of properties at risk. However, this will be reviewed as further editions of the mapping are published and understanding is improved. It is not currently proposed to carry out any further site specific modelling but as extreme rainfall events occur in the future the effects will be recorded and modelled if it is considered to be of benefit in understanding the cause.

### **Flood Risk from Sewers**

3.3.11 Rainwater falling on impermeable surfaces in developed areas drains into either surface water or combined sewers (which convey both surface water and sewage). Until approximately eighty years ago the use of combined sewers was standard practice, with excess flow in times of storm discharged through combined sewer overflows to an adjacent watercourse. A large part of the central core of the city of York is drained in this way. Post 1930s development is largely drained by separate sewerage systems with surface water sewers ultimately discharging to local watercourses. Flooding can result when the sewers are overwhelmed by intense rainfall and this can be aggravated by inadequate capacity or blockage.

3.3.12 Yorkshire Water Services (YWS) is the water and sewerage company serving the York area. Overall the sewerage system has remained largely unchanged over the years, but at some locations schemes have been implemented to address local flooding issues. An example of this is the storage tank at Union Terrace where a number of properties have experienced flooding from the combined sewer network during times of extreme rainfall. A 15 metre diameter storage tank has been built between 83 and 93 Union Terrace to store flows which is pumped back into the sewerage system when there is sufficient capacity.

3.3.13 Reduced hydraulic capacity from siltation is a particular problem in York due to the flatness of the area and the difficulty in designing sewerage systems that are self cleansing i.e. provides sewer flow velocities sufficient to pick up and disperse solids. This is also the case with piped and open systems in other ownerships and has been highlighted in the SWMP.

### **Flood Risk from Groundwater**

3.3.14 Groundwater flooding occurs as a result of water rising up from the underlying aquifer or from water flowing from abnormal springs. This tends to occur after long periods of sustained high rainfall, and the areas at most risk are often low-lying where the water table is more likely to be at shallow depth. Groundwater flooding is

known to occur in areas underlain by major aquifers, although increasingly it is also being associated with more localised floodplain sands and gravels.

3.3.15 The EA has produced mapping of Areas Susceptible to Groundwater Flooding which suggests that there may be a potential for groundwater flooding in the south of the Council's area, as noted in the PFRA. However, there is no experience of flooding from this source and it is considered to be a very low risk.

3.3.16 Due to the predominance of clay across the area, drainage of land is often very poor, and there are many areas where standing water is evident after prolonged rainfall. This is not groundwater flooding, but a characteristic of the geology of the area where water cannot soak into the ground from above.

## 4. Investigation of Flooding Incidents

### 4.1 Overview

4.1.1 CYC as the LLFA has a responsibility to record and report flood incidents as detailed within Section 19 of the FWMA:

<p>Section 19</p> <p><b>(1)</b> On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:</p> <p>(a) which risk management authorities have relevant flood risk management functions, and</p> <p>(b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.</p> <p><b>(2)</b> Where an authority carries out an investigation under subsection (1) it must:</p> <p>(a) publish the results of its investigation, and</p> <p>(b) notify any relevant risk management authorities.</p>
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### 4.2 Section 19 Investigation Triggers

4.2.1 The decision as to whether a flood event is significant and merits a formal investigation or not is at the discretion of the LLFA. Following reports of flooding, an initial response will highlight the issues and where the following two criteria are met a formal investigation will be initiated under these powers:

- The incident resulted in internal flooding of the habitable area of a property or of a business premises
- There is ambiguity surrounding the source or responsibility of the flood.

The investigation will bring all relevant information together to identify those authorities with relevant flood risk management functions and what actions they have taken and propose to take.

The report will provide the details of the conditions leading to the flooding, the impacts of the flooding, and the roles and responsibilities of all operating authorities in the area. Recommendations and conclusions will be given in full cooperation with all relevant risk management authorities and other partners.

4.2.2 Following approval by the Council the report on the investigation will be published on our website.

The Section 19 report does not compel all involved to take action and is no guarantee that similar issues will not occur again in future. All recommendations will be subject to funding and priority consideration by each responsible authority. It is recommended that the reports are considered by the North Yorkshire Flood Risk Partnership to enable recommendations to be included in formal funding programmes as necessary.

4.2.3 Two previous S.19 reports have been produced and published at:

- Badger Hill / Hull Road
- Leeman Road

### **4.3 Informal Investigations**

4.3.1 Many drainage problems and minor flood events will be of a localised nature or they may be of a recurring nature from a well known source of flood risk. In such cases the Section 19 report trigger may not be relevant and a formal report may not be initiated.

4.3.2 The day to day work of the CYC Flood Risk Management team and the flood risk management functions of all Risk Management Authorities will be called upon in such situations to assess the impacts of an event and to ensure the issues are understood, prioritised and acted upon as necessary.

## **5. Legislative Framework and Context of the Strategy**

### **5.1 Introduction**

5.1.1 This section provides a guide to the legislative context of the strategy and how it fits in the Council's corporate strategy.

### **The Legal and Regulatory Framework**

#### **5.2 The Pitt Flooding Review (June 2008)**

5.2.1 In June 2008, Sir Michael Pitt published his report "Learning Lessons from the 2007 Floods", which called for urgent and fundamental changes in the way the country is adapting to the increased risk of flooding. The report includes 92 recommendations, of which 21 are specifically designated to local authorities.

5.2.2 The report identified that there were significant gaps in the powers held by various bodies in trying to reduce and respond to the risk of flooding. The Government response to the Pitt Review was the [Flood and Water Management Act 2010](#) which is the principal legislation overseeing flood risk management in England.

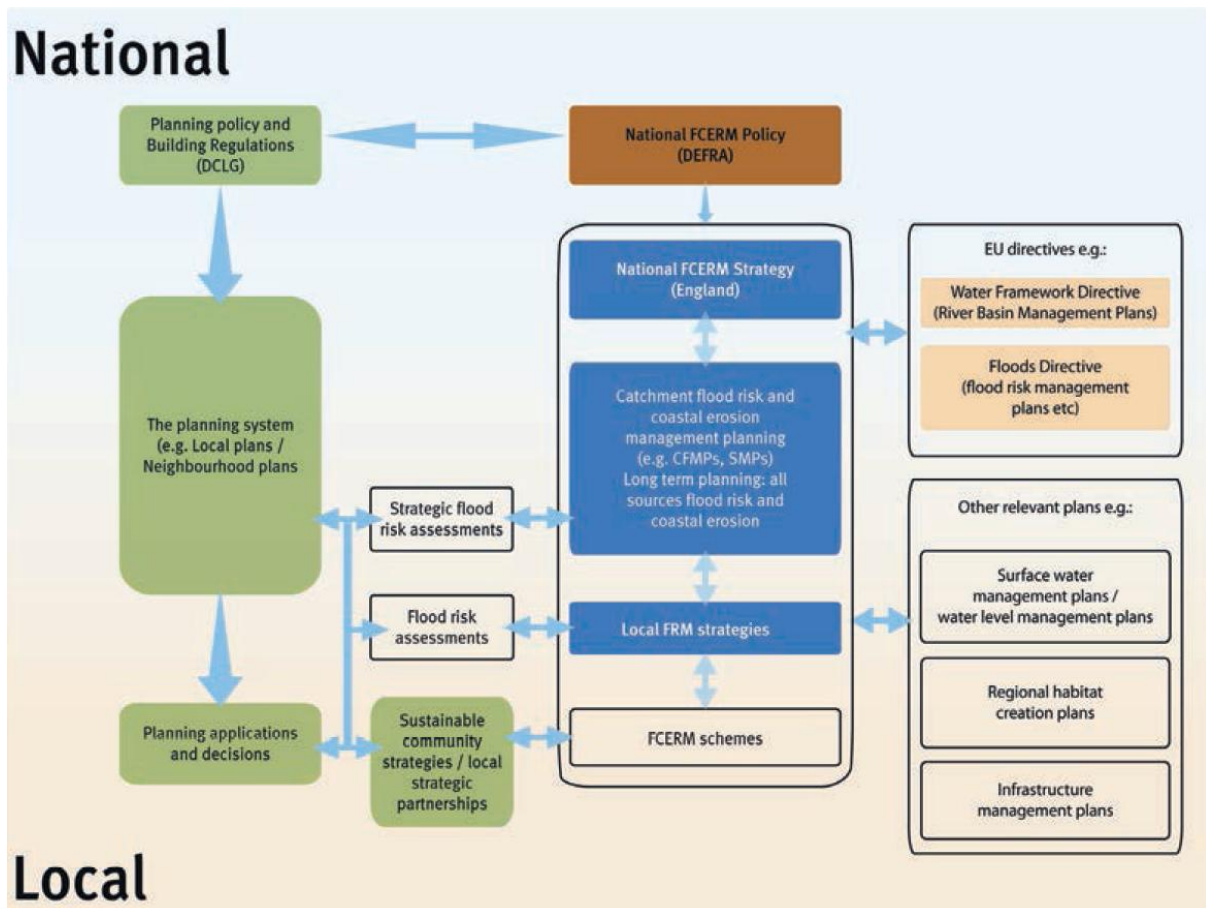
#### **5.3 The Flood and Water Management Act 2010**

5.3.1 The Flood and Water Management Act 2010 (FWMA) requires flood risk to be managed by a National Strategy for England and Wales, prepared by the EA, with Local Strategies prepared by LLFAs.

5.3.2 LLFAs have significant new roles and responsibilities to manage and reduce flood risk in a co-ordinated way by:

- Defining who is responsible for managing the various sources of flood risk.
- Enabling effective partnerships to be formed.
- Encouraging more sustainable forms of drainage in new development.

5.3.3 The Relationship between the various laws, directives, regulations, assessments and plans is shown in the following diagram.



## 5.4 The National Flood Risk Management Strategy for England (2011)

5.4.1 The FWMA requires the EA to “develop, maintain, apply and monitor a strategy for flood and coastal erosion risk management in England”. Accordingly the Agency has published the [National Flood and Coastal Erosion Risk Management Strategy for England 2011](#) (The National Strategy).

5.4.2 The National Strategy sets out strategic aims and objectives for managing flood and coastal erosion risks and the measures proposed to achieve them. It states that Government will work with individuals, communities and organisations to reduce the threat of flooding and coastal erosion by:

- Understanding the risks of flooding and coastal erosion, working together to put in place long-term plans to manage these risks and making sure that other plans take account of them
- Avoiding inappropriate development in areas of flood and coastal erosion risk and being careful to manage land elsewhere to avoid increasing risks

- Building, maintaining and improving flood and coastal erosion management infrastructure and systems to reduce the likelihood of harm to people and damage to the economy, environment and society
- Increasing public awareness of the risk that remains and engaging with people at risk to make their property more resilient
- Improving the detection, forecasting and issue of warnings of flooding, planning for and co-ordinating a rapid response to flood emergencies and promoting faster recovery from flooding

5.4.3 The FWMA requires Local Strategies to be consistent with the National Strategy. Principally, this refers to consistency with the overall aims and objectives, and in particular with the six “guiding principles” :

- Community focus and partnership working
- A catchment cell approach working with neighbouring authorities
- Sustainability, taking into account potential future risks and remaining adaptable to climate change
- Proportionate, risk-based approaches which allot resources to where they will be most effective
- Helping deliver broader benefits by working with natural processes where possible and seeking to provide environmental benefit.
- Beneficiaries should be encouraged to invest in local risk management

5.4.4 The FWMA also requires risk management authorities (local authorities, IDBs, water and sewerage companies and highway authorities) to act consistently with the National Strategy in carrying out their flood and coastal risk management functions.

## **5.5 Local Flood Risk Management Strategies**

5.5.1 The FWMA designates CYC as the Lead Local Flood Authority (LLFA) for its area. This gives it duties and powers to lead the co-ordination of flood risk management as well as the specific role of managing flood risk from local sources, which are identified as:

- Surface water
- Ordinary watercourses
- Groundwater

5.5.2 The EA is responsible for managing the risk of flooding from the main rivers and reservoirs. YW owns and manages the public sewer network and is responsible

for managing its flood risk. Ainsty (2008), Foss (2008), Kyle and Upper Ouse, and Ouse and Derwent IDBs are responsible for managing flood risk within their defined districts. Further information is in Sections 3 and 6.

5.5.3 The FWMA places a duty on all risk management authorities to act in accordance with the relevant local flood risk management strategy when carrying out their flood risk management functions. These functions are subject to scrutiny in accordance with the LLFA's democratic processes.

5.5.4 The FWMA gives CYC new responsibilities as a LLFA:

- Maintain a register of drainage and flood assets
- Investigate flooding incidents
- Prepare a local flood risk management strategy
- Establish an approval body for sustainable drainage systems (SuDS)
- Power to designate flood risk management structures
- Power to undertake works
- Consenting to works on ordinary watercourses

5.5.5 The powers are permissive and can be used at the discretion of the LLFA.

## **5.6 The EU Floods Directive and the Flood Risk Regulations 2009**

5.6.1 The Flood Risk Regulations 2009 came into force on 10 December 2009, transposing the EU Floods Directive into UK law. They require the EA to assess, map and manage flood risk from the sea, main rivers and reservoirs, and require LLFAs to do so for other flood risks. The key provisions of the regulations are:

- to give responsibility to the EA to prepare Directive deliverables – preliminary flood risk assessments, maps and plans - for floods from the sea, main river and reservoirs
- to give responsibility to lead local flood authorities (unitary and county councils) to do the same for all other forms of flooding (excluding sewer flooding which is not caused by precipitation)
- preliminary flood risk assessments (PFRAs) identifying areas of significant flood risk to be prepared by the Environment Agency and LLFAs by December 2011.
- flood hazard and risk maps to be prepared by 22 December 2013 for identified areas of significant flood risk



- flood risk management plans to be prepared by 22 December 2015 for the same areas
- all assessments, maps and plans to be reviewed and updated every six years

5.6.2 The PFRA is a high level screening exercise bringing together information on past and future significant local flood risk based on readily available information, it identifies significant flood risk areas. The Council's [PFRA](#) concludes that York does not exceed the national local flood risk threshold and therefore no further action is required in the current cycle.

5.6.3 The EA are preparing Flood Risk Management Plans for main rivers and the sea as part of the requirements of the Flood Risk Regulations. The Council is cooperating with the EA in the preparation of plans for the Humber River Basin District to ensure flood risks from local sources are included in the plans. Shared action plans will be developed and early actions from the Flood Risk Management Plan have been included in the Strategic Action Plan in Section 2 of this report. The consultation phase of the Flood Risk Management Plan will align with the consultation phase of this plan, the finalised plans will be further aligned before publication in 2015.

## **5.7 National Planning Policy Framework**

5.7.1 The [National Planning Policy Framework](#) (NPPF) was introduced in 2012 by the government to make the planning system less complex and more accessible. It has simplified the number of policy pages about planning, but requirements relating to flood risk remain virtually unchanged from the earlier Planning Policy Statement 25. Further detail on flood risk management requirement in planning policy and delivery can be found in Section 7: Development Management.

## **5.8 Emergency Flood Planning**

5.8.1 Emergency planning and incident management are vital to reduce the impact of flooding on people and property. Appropriate and timely action can minimise its consequences and can have a positive effect on the wellbeing of individuals and the resilience of communities.

5.8.2 The Civil Contingencies Act 2004 is the main piece of legislation governing emergency planning which includes flooding. It formalises duties on local authorities, the emergency services and other organisations.

5.8.3 The Council River Flood Emergency Plan provides a co-ordinated multi-agency response to river flooding with the aim of minimising its impact on the public and key infrastructure. It is prepared, maintained and updated by the Council's Emergency Planning Unit and is updated annually.

5.8.4 This plan does not cover surface water flooding, as it is not possible to plan action due to the unpredictable nature of such events.

## **Land Drainage and Water Quality**

### **5.9 Land Drainage Law and Regulation**

5.9.1 The Land Drainage Acts 1991 and 1994 give CYC permissive powers to maintain the flow in ordinary watercourses within the City boundary and to ensure they are free from obstruction. The Council can require landowners to carry out work to remove obstructions and maintain flow. It can also carry out works on ordinary watercourses and undertake works on private land to prevent flooding. The IDB has similar powers within its districts in York. The EA also has similar powers in respect of ordinary watercourses and main rivers.

5.9.2 Although CYC and the EA have permissive powers relating to the maintenance of flow in watercourses they are only legally responsible for the physical maintenance of the watercourses where they themselves are the landowner.

### **5.10 Riparian Ownership**

5.10.1 Owners of land or buildings next to a watercourse, or with a watercourse running through their land or buildings are defined as riparian owners under common law. The EA's publication "[Living on the Edge](#)" provides guidance to riparian owners' responsibilities and rights. In summary, these responsibilities relate to the upkeep of watercourses and allowing water to flow unhindered and free from pollution.

5.10.2 RMA's will seek to ensure riparian owners carry out appropriate works to ensure they deliver their responsibilities, however, there will be times where this is not possible and in such occasions permissive powers may be used where risks justify action. This will be addressed on an individual case by case basis.

### **5.11 The Water Framework Directive 2000**

5.11.1 The EU Water Framework Directive (WFD) came into effect in 2000 and was transposed into law in England and Wales by the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003. Member States must aim to reach good chemical and ecological status in inland and coastal waters by 2015.

5.11.2 The Water Framework Directive establishes new and better ways of protecting and improving rivers, lakes, groundwater, transitional (where freshwater and sea water mix) and coastal waters. It is designed to:

- prevent deterioration in the classification status of aquatic ecosystems, protect them and improve the ecological condition of waters;
- achieve at least good status for all waters. Where this is not possible, good status should be achieved by 2021 or 2027;

- promote sustainable use of water as a natural resource;
- conserve habitats and species that depend directly on water;
- progressively reduce or phase out the release of individual pollutants or groups of pollutants that present a significant threat to the aquatic environment;
- progressively reduce the pollution of groundwater and prevent or limit the entry of pollutants; and
- contribute to mitigating the effects of floods and droughts.

5.11.3 To deliver this the EA, as the responsible authority, has embarked on River Basin Management planning to develop new and better ways of protecting and improving the water environment. York is located in the Humber River catchment and is part of the Swale, Ure, Nidd and Upper Ouse sub-catchment with the Yorkshire Derwent sub-catchment forming its eastern boundary.

5.11.4 It is important that measures to manage local flood risk do not cause deterioration of water bodies and the activities of all of the RMAs can contribute to achieving WFD targets and objectives. Opportunities for this should be considered as an integral part of any flood risk management activities, and examples of these are:

- Consenting works on watercourses
- Maintaining flow in watercourses
- Promoting the use of SuDS with developers and the highway authority
- Approving, and when required adopting, SuDS which comply with agreed standards of design and construction
- Planning policies relating to environmental issues
- Exclusion of foul sewage from watercourses and surface water drains and sewers

## **5.12 Flood Risk Management Plans and Assessments**

5.12.1 The Strategy is the definitive document for managing flood risk in York, bringing together all available plans and assessments to improve understanding and enable recommendations to be made for addressing the key flood risk issues. This table summarises the documents relating to the York area, outlining their purpose and recommendations.

Title	Body	Date	Context	Purpose	Key Recommendations, Conclusions and Outputs
Strategic Flood Risk Assessment 2 <sup>nd</sup> revision	CYC	2013	Fluvial main river flood risk	Informs spatial and planning policy on flood risk in accordance with NPPF	<p>Planning advice on flood risk management</p> <p>Guidance on application of sequential and exception tests and development management</p>
Preliminary Flood Risk Assessment	CYC	2011	Local flood risk	<p>Prepared in accordance with the Flood Risk Regulations 2009.</p> <p>High level screening exercise compiling information on significant local flood risk from past and future floods.</p>	<p>Does not identify a significant local flood risk area for the purpose of taking further action under the Flood Risk Regulations</p> <p>Future local flood risk is estimated to be low on basis of recorded incidents and modelling</p>
Surface Water Management Plan	CYC	2012	Local flood risk	Increased understanding of local flood risk from surface water and ordinary watercourses	Confirms that local flood risk is low. Recommends that backlog of maintenance is addressed to optimise performance of existing infrastructure and that risk is managed through planning development control.
Humber River Basin Management Plan	EA	2009	Pressures facing the Water Environment in the Humber River Basin District	Prepared under the Water Framework Directive the plan gives targets and key actions for the improvement of surface water bodies relating to water quality and physical modification	<p>York is within the Swale, Ure, Nidd and Upper Ouse catchment with the Yorkshire Derwent catchment on its eastern side.</p> <p>Water bodies in the York area are generally moderate ecological quality and fair chemical quality, with the predicted qualities in 2015 to be moderate and good respectively.</p>
Ouse Catchment Flood Management Plan	EA	2010	All sources of flood risk in the York policy unit	<p>Helps to understand current and future flood risk</p> <p>Provides a high level, long term plan for sustainable flood risk management</p> <p>Identifies flood risk management policies to assist key decision makers in the catchment</p>	<p>Policy Option 5 has been selected for this sub-area - to reduce existing flood risk. It recommends multiple approaches to manage flooding including:</p> <ul style="list-style-type: none"> <li>-Partnership working</li> <li>-Asset management</li> <li>-Surface water flooding reduction</li> <li>-Review Holgate and Burdyke pumping stations</li> </ul>
Derwent Catchment Flood Management Plan	EA	2010	All sources of flood risk in the Lower Derwent policy unit		Policy Option 3 has been selected for this sub-area - to continue with existing or alternate actions to manage flood risk at the current level (inc Climate Change)

### 5.13 York Council Plan

5.13.1 The Council has set out its programme for the years 2011 to 2015. The targets it is committed to meet are in five priority areas:

- Create jobs and grow the economy.
- Get York moving.
- Build strong communities.
- Protect vulnerable people.
- Protect the environment

5.13.2 The Strategy will be delivered within the context of the corporate plan contributing, where possible, to the achievement of its outcomes in the following ways:

- Create jobs and grow the economy – managing the impact of flooding and guide development away from flood risk areas.
- Get York moving – helps to protect critical infrastructure from flooding.
- Protect vulnerable people – identifying flood risk areas and potential protection.
- Protect the environment – ensure that development takes flood risk into account.

5.13.3 The Strategy will be updated in line with revised corporate plans. Flood risk management interventions are well placed to facilitate, safeguard and enhance many features of the current plan and are likely to be key contributors to the aspirations of future Council plans.

## **6. Risk Management Authorities and their Functions**

### **6.1 Partnership Working and the Functions of Risk Management Authorities**

6.1.1 The FWMA defines certain organisations as risk management authorities (RMAs) to work with the LLFA in managing flood risk. In York these are

- The LLFA (City of York Council)
- The Highways Authority (City of York Council)
- The Highways Agency (A64)
- The Environment Agency
- Yorkshire Water Services as sewerage undertaker
- Ainsty (2008), Foss (2008), Kyle and Upper Ouse, and Ouse and Derwent Internal Drainage Boards as bodies responsible for land drainage in their respective districts
- Adjacent LLFAs – North Yorkshire County Council (NYCC) and East Riding of Yorkshire Council (ERYC)

6.1.2 As well as having specific responsibilities and functions relating to flooding, the RMAs have shared duties and powers under the Act, which are:

- A duty to act consistently with the Local Flood Risk Management Strategy when carrying out their flood risk management functions
- A duty to work in partnership to manage flood risk in the York area and to co-ordinate flood risk management activities
- A duty to share information and data relating to their flood risk management activities
- A duty to be subject to the scrutiny of the LLFA's democratic processes in respect of their flood risk functions
- The power to delegate flood risk management functions to other RMAs, subject to mutual agreement

### **6.2 City of York Council as Lead Local Flood Authority**

6.2.1 CYC has an important role as LLFA in delivering local flood risk management in its area and in co-ordinating the activities of the relevant agencies. As well as this general responsibility, the LLFA has specific management functions relating to local flood risk. This is defined as flooding from surface water, groundwater and ordinary watercourses.

6.2.2 Risk management functions are expressed as duties or permissive powers. A duty is a legal obligation, and the use of a power is discretionary.

6.2.3 CYC's risk management duties under the FWMA are:

- To develop, maintain and apply a Local Flood Risk Management Strategy
- To develop and maintain information on flooding from surface water, ordinary watercourses and groundwater
- To investigate incidents of flooding in its area where appropriate and necessary and to publish reports
- To maintain a register of structures and features which have a significant effect on flood risk
- To establish and operate an approval body for sustainable drainage systems (SuDS) serving new development of more than one property

6.2.4 CYC's permissive powers are:

- To designate any structure or feature that affects flooding
- To decide whether third party works on ordinary watercourses can take place and, where appropriate, grant consent to the works
- To carry out works to manage flood risk from surface water and groundwater

6.2.5 In addition to this CYC has powers under the Land Drainage Act 1991 to:

- Maintain and improve ordinary watercourses and build new works
- Serve notice on any person or body requiring them to carry out necessary works to maintain flow in ordinary watercourses

6.2.6 Although CYC has powers to work in Ordinary watercourses it is only responsible for the maintenance of watercourses where it is the riparian owner.

### **6.3 Investigation of Flooding Incidents**

6.3.1 As LLFA, the Council has a responsibility to investigate any significant flood event and publish a report. This is to determine:

- which risk management authorities have relevant flood risk management functions, and
- whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

6.3.2 The decision as to whether a flood event is significant or not is at the discretion of the LLFA. The Council approach to flood risk management investigations is detail in Section 4: Incident Review Protocol.

#### **6.4 Maintaining a Register of Assets**

6.4.1 The register of assets will contain details of structures and features which have a significant impact on flood risk. This will include information on its ownership and state of repair. The register will include assets which are primary defences against flooding such as embankments and flood walls, and features such as watercourses and culverts which are critical to the conveyance of water. This register will be available for public inspection.

6.4.2 The purpose of the register is to:

- Raise awareness of the important flood risk structures and features
- Help identify suitable maintenance regimes
- Inform investigations into flooding incidents

#### **6.5 Approval Body for Sustainable Drainage Systems (SuDS)**

6.5.1 Following commencement of Schedule 3 of the Flood & Water Management Act, the Council will become a SuDS approval body (SAB) with a responsibility for approving, and adopting, new surface water infrastructure. No development can be lawfully commenced until the requirements and standards of the SAB are met. The emphasis will be on more natural forms of drainage with surface water managed within development sites. No date for commencement is currently known and the process has been much delayed. The Council is working with other RMA's to develop guidance and protocols in advance of commencement and a separate section on SuDS/SAB will be developed for the Strategy when available.

6.5.2 For several years, CYC has taken a proactive approach to SuDS in accordance with guidance in its SFRA and endeavours to ensure that developers' drainage proposals are sustainable and achievable. It will build on this to develop its role as the SAB.

#### **6.6 The Council as Highway Authority**

6.6.1 CYC has a duty to maintain the public highway network, the only exception being the A64 which is a trunk road. It has a responsibility under the Highways Act 1980 to drain the highway of surface water and maintain highway drainage systems. The Highway Authority may undertake works on the highway or adjoining the land for the purpose of draining the highway, or to prevent surface water flowing on to it and causing flooding.



6.6.2 Highway gully locations are recorded on the CYC Highway Management System, but there is often no record of the drainage system serving them or details of connectivity. The YWS statutory sewer records provide some guidance where public sewers may serve the gullies, but there is no information in many areas of the City regarding the location of any highway drainage network. The SWMP established that a large number of major arterial roads around York have no records of drainage infrastructure and this data needs to be improved to enable effective maintenance to be carried out.

## **6.7 The Council as Planning Authority**

6.7.1 When approved, the City of York Council Local Plan will set out:

- At a strategic level what is going to happen where, and how it is going to happen
- The preferred and acceptable uses for land in the Council's area
- Criteria and policies for determining planning applications

6.7.2 The role of the planning authority in flood risk management is:

- To avoid inappropriate development in areas at risk of flooding
- To mitigate the impacts of surface water runoff from new development

6.7.3 CYC takes a risk based approach when determining planning applications in accordance with the National Planning Policy Framework. This assesses both the vulnerability to flooding and the risk of causing flooding. The SFRA contains guidelines for developers and planners.

## **6.8 The Council as Riparian Owner**

6.8.1 As a landowner, CYC is the riparian owner of main river and ordinary watercourses passing through its land. Its duties as a riparian owner are:

- To let water flow over its land without any obstruction, pollution or diversion which would affect the rights of others
- To accept flood flows through its land, even if these are caused by inadequate capacity downstream
- To maintain the bed and banks of the watercourse free of obstructions which may affect the flow of water

## **6.9 The Environment Agency**

6.9.1 The Environment Agency (EA) and the Department of the Environment and Rural Affairs (DEFRA) have jointly developed and implemented a National Flood and Coastal Erosion Risk Management Strategy for England. The EA has a

strategic overview role for all sources of flooding as well as an operational role in managing flood risk from main rivers and reservoirs.

6.9.2 The National Strategy outlines the EA's strategic functions as:

- Ensuring that Catchment Flood Management Plans (CFMPs) are in place and are monitored to assess progress. These set out high level and current and future risk management measures across catchments
- Publishing and regularly updating its programme for implementing new risk management schemes and maintaining existing assets
- Supporting risk management authorities' understanding of local flood risk by commissioning studies and sharing information and data
- Supporting the development of local plans and ensuring their consistency with strategic plans
- Managing and supporting Regional Flood and Coastal Committees and allocating funding

## **6.10 The Environment Agency's Operational Role**

6.10.1 The EA's operational functions are:

- Risk based management of flooding from main rivers – the Ouse, Foss and Derwent together with lengths of Burdyke, Blue Beck, Holgate Beck, Tang Hall Beck and Osbaldwick Beck. This includes permissive powers to carry out works including flood defences
- Regulation of works in main rivers through the consenting process
- Regulation of reservoirs with a capacity exceeding 25,000m<sup>3</sup>
- Emergency planning, working with the Met Office to provide forecasts and warnings of flooding from main rivers
- The maintenance and operational management of main river assets including flood defences throughout the Ouse, Derwent and Foss catchments in the city through the management of critical infrastructure such as raised flood defence walls, banks and pumping stations.
- Statutory consultee to the development planning process
- The power to serve notice on any person or body requiring them to carry out necessary works to maintain the flow in main rivers.

## **6.11 Yorkshire Water**

6.11.1 Yorkshire Water is one of ten water companies responsible for water supply and disposal in England and Wales. Their activities are regulated by OFWAT through the Water Industry Acts 1991 and 1999, and the Water Act 2003 to ensure that consumers' interests are protected. Their flood risk management responsibilities relate to their operations as sewerage undertakers, reservoir owners and providers of infrastructure to new development.

## **6.12 Yorkshire Water Sewerage Services and their Flood Risk Management Functions**

6.12.1 Most rainwater falling onto properties and roads drains into the public sewer system, which in York is owned by Yorkshire Water Services. It enters either:

- The combined sewer networks and on to sewage treatment works, or
- Surface water sewer networks and discharged to rivers and streams

As the sewerage undertaker for York, YWS are the risk management authority under the FWMA, responsible for managing the risk of flooding due to storm water from its sewers.

6.12.2 YWS have the following risk management functions in relation to its sewerage services:

- To operate, maintain and upgrade the sewer system to agreed standards advised by Ofwat and DEFRA
- To assess the vulnerability of assets to flooding and prioritise investment
- To maintain a register of properties affected by, or at risk of flooding, known as the DG5 Register
- To enhance the sewer system in accordance with asset management plans approved by Ofwat
- To respond to flooding from sewers
- To co-operate with the LLFA in investigating significant flooding incidents
- To adopt private sewers
- To be subject to scrutiny from LLFAs as part of their democratic process
- To act consistently with the national flood risk management strategy and have regard to the local strategy

6.12.3 YWS have an important role to play in the drainage of new development. These will usually drain, with discharge rates controlled, to separate surface water

sewers either constructed or adopted by YWS in accordance with powers under the Water Industry Act 1991.

6.12.4 The government is expected to introduce new requirements for managing surface water from new development with the creation of the SuDS approval Bodies and YWS will be a statutory consultee in the approval process.

### **6.13 Internal Drainage Boards**

6.13.1 Internal Drainage Boards (IDBs) manage land drainage and flood risk in their defined districts. They have a duty to exercise general supervision over all matters relating to the drainage of land, and their powers are set out in their byelaws which are approved by Defra.

6.13.2 Membership and financial matters are covered by Land Drainage Act 1991. They are funded by landowners as direct ratepayers and local authorities who pay a special levy in respect of non-agricultural land.

### **6.14 Internal Drainage Boards and their Flood Risk Management functions**

6.14.1 Internal Drainage Board functions include the supervision of land drainage and flood defence works on ordinary watercourses or other flood sources as requested by local authorities or the Environment Agency.

6.14.2 Each IDB has permissive powers to undertake work to provide water level management within their Internal Drainage District (IDD), undertaking works to reduce flood risk to people and property and manage water levels for local needs. Much of their work involves the maintenance of rivers, drainage channels, outfalls and pumping stations, facilitating drainage of new developments and advising on planning applications. They also have statutory duties with regard to the environment and recreation when exercising their permissive powers.

6.14.3 There are four IDBs which overlap into the CYC area, their boundaries can be seen in figure 3.1:

- Ainsty (2008) Internal Drainage Board
- Foss (2008) Internal Drainage Board
- Kyle and Upper Ouse Internal Drainage Board
- Ouse and Derwent Internal Drainage Board

### **6.15 Adjacent LLFAs**

6.15.1 The two adjacent LLFAs, North Yorkshire County Council (NYCC) and East Riding of Yorkshire Council (ERYC), have the same duties and responsibilities as the Council.

6.15.2 With the River Derwent forming the boundary between ourselves and ERYC, we work closely with themselves and the EA to ensure the effective management of this watercourse. The development of a rain gauge network in the city will be carried out in a way in which we can share information with the wider ERYC network to allow a wider overview of rainfall events to benchmark our flood risk management work.

6.15.3 Our links, partnerships and joint working with NYCC is fundamental to an effective delivery of our Flood Risk Management service. Both authorities and other RMAs need to understand the impact of upstream management practices on communities downstream. This is essential not just for York with NYCC or EA activities on the River Swale, Ure or Nidd catchments, but also for the Selby DC area downstream of York.

6.15.4 These relationships are strong and we share views and approaches to strategic flood risk management. Our Local Flood Risk Management Strategies have been aligned and will be monitored through the North Yorkshire Flood Risk Partnership.

## **6.16 Yorkshire Regional Flood and Coastal Committee**

6.16.1 The Yorkshire RFCC comprises appointed members from the 14 Lead Local Flood Authorities in the Yorkshire area with 5 independent members from the wider industry or academia. The committee has three main purposes:

- to ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines
- to encourage efficient, targeted and risk-based investment in flood and coastal erosion risk management that represents value for money and benefits local communities
- to provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to build understanding of flood and coastal erosion risks in its area

## **6.17 North Yorkshire Flood Risk Partnership**

6.17.1 The Yorkshire RFCC area represents a wide range of geographic, social and environmental challenges, similarly the type and extent of flood risks across the area change significantly. Four flood risk partnerships have been set up based on the sub-regional pattern. CYC sits on the North Yorkshire Flood Risk Partnership with North Yorkshire County Council, Internal Drainage Boards, Yorkshire Water Services and the Environment Agency.

6.17.2 The two LLFA's alternate the chairing of the meeting and all RMA's contribute to the make up and content of the meetings. One of the key outcomes from the meeting is a locally prioritised programme of flood risk management works which are used to influence and develop the regional programme developed by the RFCC.

## 7. Development Management

### 7.1 National Planning Policy Framework

7.1.1 The [National Planning Policy Framework](#) (NPPF) was introduced in 2012 by the government to make the planning system less complex and more accessible. It has simplified the number of policy pages about planning, but requirements relating to flood risk remain virtually unchanged from the earlier Planning Policy Statement 25. Further detail on flood risk management requirement in planning policy and delivery can be found in Section 7: Development Management.

7.1.2 The York [Strategic Flood Risk Assessment](#) provides more detailed information on the main rivers and associated flood risk. It supports the management of flood risk in future development and was produced in response to the NPPF which is current Government policy on planning for flood risk. It assesses the different levels of fluvial flood risk in the York area and maps these to assist with statutory land use planning.

7.1.3 The NPPF policy on flood risk states that:

“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the Sequential Test;
- if necessary, applying the Exception Test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations”.

7.1.4 The government requires that the NPPF is taken into account in the preparation of local plans and is a material consideration in planning decisions. In

positive approach that reflects the presumption in favour of sustainable development in accordance with this, when considering development proposals, CYC will take full consideration of the SFRA requirements.

## **7.2 Local Plan (currently under development)**

7.2.1 The Local Plan is the development plan for CYC drawn up in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the NPPF. It addresses the spatial implications of economic, social and environmental change and set out the opportunities for development and clear policies on what will or will not be permitted and where.

7.2.2 Much of the evidence base was built up during the previous Local Development Framework (LDF) process, and comprehensive consultation has been undertaken to progress the Plan. However, there has also been the opportunity to revisit certain policy areas to reflect the NPPF. This includes a revised approach to delivering more sustainable economic growth, prosperity and housing at a local level. Whilst the previous Core Strategy followed a more cautious approach to housing growth and identifying land, the new Local Plan for York has been based on the city's ambitious economic, housing growth and social and environmental sustainability agendas.

7.2.3 The Sustainability Appraisal carried out for the Local Plan meets the requirements of the European Directive on strategic environmental assessment. Section 19 of the draft preferred options document covers flood risk management.

7.2.4 Two proposed policies detail with flood risk and drainage:

- **FR1 Flood Risk**

Underpins the requirement for new developments to assess and understand flood risk from all sources and ensure the development is delivered in a way that minimises the risks to the end users and all neighbouring developments. The usage of site specific Flood Risk assessments are key in achieving this.

- **FR2 Sustainable Drainage**

Our Surface Water Management Plan has concluded that the network of rivers, becks, drains and sewers in the City should be considered as 'at capacity' for the purposes of development management. We therefore use the same approaches to advise on all relevant planning applications, as evidenced by our Strategic Flood Risk Assessment and the wording will be used in FR2:

'Sufficient attenuation and long term storage should be provided to accommodate at least a 1 in 30 year storm. Any design should also ensure that storm water resulting from a 1 in 100 year event, plus 30% to account for climate change, and surcharging the drainage system can be stored on the

site without risk to people or property and without overflowing into a watercourse or adjacent areas'

In essence, any new development should deliver no net increase in peak rainfall inputs into the receiving system and in most cases a 30% betterment is expected. Sustainable Drainage Systems (SuDS) will be encouraged in all cases.

- 7.2.5 In the interim, the Council assesses planning applications against the 2005 (draft) Local Plan Development Management Policies. However, because of their age, they are afforded little weight and none where in conflict with the NPPF (which takes precedence).

### **7.3 SuDS Approval Body**

7.3.1 Schedule 3 of the Flood and Water Management Act 2010 sets out a duty on Local Authorities to approve, adopt and maintain SuDS (if serving more than one property) through SuDS Approving Bodies. The benefits of SuDS are well known in their delivery of flood risk management, water quality and place making enhancements. SuDS aim to reduce the risk of surface water flooding by mimicking natural drainage systems as closely as possible through techniques such as swales, rain gardens, ponds, green roofs and other methods to slow, attenuate and reduce the amount of surface water flow from developments. In essence SuDS techniques aim to bring water 'to the surface' which can often free up capacity in existing underground drainage systems.

7.3.2 Applications for SuDS approval will be independent of planning applications, and, the SAB will be a technical process in the same way as building control though planning approval (when required) will be conditional on a SAB approval.

7.3.3 Schedule 3 of the Flood and Water Management Act has been delayed in its implementation, implementation is expected in 2015, this section of the Strategy will be re-written and published following its implementation.



## 8 Community Action and Resilience

### 8.1 Community Resilience

8.1.1 We cannot always prevent floods from happening. It is therefore essential that our communities have an understanding of their flood risk so that they can prepare and take appropriate action before, during and after a flood. This action, along with any action of the Council can help to minimise the impacts of flooding. City of York Council, as the Lead Local Flood Authority and all supporting RMAs will aim to build knowledge of flood risk in the Council area through the delivery of the Strategy.

8.1.2 A wide range of information is available to inform residents and businesses what can be done to prepare for flooding and other emergencies. This is predominantly managed through the work of the [North Yorkshire Local Resilience Forum](#) (NYLRF) and the City of York Council Emergency Planning Unit.

8.1.3 Communities are encouraged to engage with the risk management authorities by reporting flood incidents or blocked drains/watercourses, this helps RMAs to respond to incidents before problems arise and to learn from flood events to develop interventions to reduce their future impacts.

8.1.4 There are a number of preparations and actions that individuals and communities can take to make themselves more resilient:

#### 8.1.5 Personal and Community Emergency Plans

It is recommended that both personal and community emergency plans are prepared. Creating a plan enables families and communities to identify their risks and actions they may need to take should certain criteria be met. Simply by creating plans, people automatically become more aware of risk. Parish/Ward Councils usually take on the responsibility of creating a community emergency plan, however any community group can create one should they wish to do so.

For more information on emergency plans, communities should contact the Emergency Planning team. Templates and information are also available on the NYLRF website

<http://www.emergencynorthyorks.gov.uk/index.aspx?articleid=11782>

#### 8.1.6 Grab Bags

Along with an emergency plan, it is recommended that a Grab Bag is created. Preparing a few essential items such as water and a torch, along with copies of important documents such as house insurance can reduce a lot of stress and time wasted should people need to be evacuated from their property.

Further information is available here

<http://www.emergencynorthyorks.gov.uk/index.aspx?articleid=11874>

### **8.1.7 Flood and Weather Warnings**

The EA have a Flood warning system that is available for the public to sign up to receive by phone, text or email. This is an advance warning system which warns people of rising risks and river levels.

Details of the EA Flood Warnings Direct service and how to sign up can be found here: <https://www.gov.uk/sign-up-for-flood-warnings> The EA website also has a page where river levels can be monitored in real time (updated every 15 minutes in a flood): <http://apps.environment-agency.gov.uk/river-and-sea-levels/default.aspx>

The Met Office provide severe weather warnings for the public. They can either be accessed via their website, via an app or via email if they sign up for the alerts. These warnings cover a range of weather types, not just rain and storms. Details of the Met Office weather warnings and how to sign up for them can be found here: <http://www.metoffice.gov.uk/>

### **8.1.8 Property Level Protection**

A range of flood resilience products are available to prevent water from entering properties and reduce its impacts. A range of door barriers and airbrick covers prevent flood water access into the fabric of the building and sewer pipe valves and bungs can prevent sewerage 'backing up'. More complex arrangements of pumps or the 'tanking' of basements to prevent groundwater penetration can be carried out where the flood water sources are more difficult to manage. It is important to understand the type of flood risk that properties face and the limitations and advantages of using property level resilience measures, the EA provides a wide range of information in this respect and, whilst advice can be sought from the Council, recommendations or endorsement of any specific product can not be offered .

It is ultimately the responsibility of the home or premise owner to consider the ways in which they can make their property more resilient to flooding. The National Flood Forum 'Blue Pages' has advice and suggested supplies of property protection products <http://www.bluepages.org.uk/>

### **8.1.9 Flood Wardens**

York has a small number of flood wardens who work with the EA to report any flooding issues in their area. They are also asked to report any issues which may cause a flood risk e.g. blocked drains, culverts or trash screens.

Flood wardens are recruited and trained by the EA in conjunction with the local authority.

## York Local Flood Risk Management Strategy Consultation Summary Report

### Consultation Overview

The York Flood Risk Management Strategy was made available for public consultation from Wednesday 5<sup>th</sup> November 2014 for six weeks with the consultation closing on Wednesday 17<sup>th</sup> December 2014. A publication draft of the full strategy, an accompanying summary leaflet and a set of frequently asked questions were produced in cooperation with the CYC Communications and Media team following a pre-determined communications strategy.

The consultation documents were developed in close coordination with all other flood risk management authorities in the area – Environment Agency (EA), North Yorkshire County Council (NYCC), Yorkshire Water and Internal Drainage Boards. The documents were structured according to the requirements of the Flood Risk Regulations (2009) and are consistent with the aims and objectives of the EA and NYCC as the major partners in the North Yorkshire Flood Risk Partnership. It was therefore anticipated that the pre-publication draft would have a good strategic fit with all of our partners flood risk management approaches.

A questionnaire was developed with NYCC to allow for a consistent set of responses to aid wider regional assessment of flood risk priorities and needs and this was made available in hard copy and electronic formats (via the Survey Monkey website).

The document was made available in a variety of ways on the council website, libraries and Explore Centres and several interviews were held with print and broadcast media and a double page feature was printed in the York Press to advertise the consultation process. The number of responses received are detailed below:

By post – 1

To the [FRM@york.gov.uk](mailto:FRM@york.gov.uk) email address – 4

On-line Survey Monkey questionnaire – 35

An overview of the questionnaire responses is given below in table 1 and a breakdown of the demographic details of those responding is given in table 2.

It can be concluded from the responses in table 1 that the respondents support the council in its role as a Lead Local Flood Authority and the majority understand the need for an overview on all flood risks and that this should be delivered on a prioritised basis.

Table 1

<b>Do you agree or disagree that the council should be working to help communities take a greater role in managing flood risk?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Strongly agree	55.0%	22
Agree	27.5%	11
Neither agree nor disagree	17.5%	7
Disagree	0.0%	0
Strongly disagree	0.0%	0
<i>answered question</i>		<b>40</b>
<i>skipped question</i>		<b>0</b>
<b>Do you agree or disagree that the council should take a key role in increasing the knowledge and understanding of flood risk in our communities?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Strongly agree	65.0%	26
Agree	17.5%	7
Neither agree nor disagree	17.5%	7
Disagree	0.0%	0
Strongly disagree	0.0%	0
<i>answered question</i>		<b>40</b>
<i>skipped question</i>		<b>0</b>
<b>Do you agree or disagree that our local strategy should cover all types of flooding rather than just flooding from surface water, ground water and ordinary watercourses?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Agree	95.0%	38
Disagree	5.0%	2
<i>answered question</i>		<b>40</b>
<i>skipped question</i>		<b>0</b>
<b>The action plan in section 2 has been put together in a way that helps to link our plans to the national flood risk management plans that are due to be published shortly. Do you feel that this format is clear?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Yes	77.5%	31
No	22.5%	9
<i>answered question</i>		<b>40</b>
<i>skipped question</i>		<b>0</b>
<b>Given that we need to use our resources as efficiently as possible, do you agree or disagree with the way we intend to prioritise the investigation and review of flood incidents set out in section 3?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Agree	82.5%	33
Disagree	17.5%	7
<i>answered question</i>		<b>40</b>
<i>skipped question</i>		<b>0</b>

Table 2

<b>Which of the following statements best describes you?</b>			
<b>Answer Options</b>		<b>Response Percent</b>	<b>Response Count</b>
I am a resident who has experienced flooding		27.5%	11
I am a resident who has not experienced flooding		45.0%	18
I am representing a business that has experienced flooding		2.5%	1
I am representing a business that has experienced flooding		2.5%	1
I am representing a risk management authority		5.0%	2
I am another flood risk professional		17.5%	7
<b>What is your gender?</b>		<b>Response Percent</b>	<b>Response Count</b>
<b>Answer Options</b>			
Male		52.6%	20
Female		13.2%	5
Prefer not to say		34.2%	13
<b>Which age category are you in?</b>		<b>Response Percent</b>	<b>Response Count</b>
<b>Answer Options</b>			
16-19	16-19	0.0%	0
20-29	20-29	7.9%	3
30-39	30-39	5.3%	2
40-49	40-49	10.5%	4
50-64	50-64	21.1%	8
65-74	65-74	18.4%	7
75-84	75-84	0.0%	0
85+	85+	0.0%	0
Prefer not to say	Prefer not to say	36.8%	14
<b>What is your ethnic group?</b>		<b>Response Percent</b>	<b>Response Count</b>
<b>Answer Options</b>			
White		57.9%	22
Mixed / multiple ethnic groups		0.0%	0
Asian		0.0%	0
Black / African / Caribbean / Black British		0.0%	0
Other ethnic group (please write below)		0.0%	0
Prefer not to say		42.1%	16
Other ethnic group (please specify)		0.0%	0
<b>Do you consider yourself to be a disabled person or to have a long-term, limiting condition?</b>			
<b>Answer Options</b>		<b>Response Percent</b>	<b>Response Count</b>
Yes		5.3%	2
No		47.4%	18
Prefer not to say		47.4%	18

### **Consultation Feedback and Changes to the Strategy**

All individual consultation comments are detailed below along with the CYC response, the vast majority of responses were of an operational nature concerning maintenance activities of various flood risk authorities, where specific these have been made available to individual authorities for consideration.

Given the content of the responses and the strategic and overarching nature of the York Local Flood Risk Management Strategy the pre consultation draft version of the document has not been subject to many post consultation changes. The action plan at section 2 has been amended to reinforce the need for wider catchment and upland management approaches to manage flood risks and to further support the linkages with biodiversity and ecological improvements. The Frequently Asked Questions document will be updated and enhanced to cover the more operational questions that have been raised.

### **Individual Respondents Comments and CYC Responses**

'The Board fully recognise and appreciate the very strong partnership ethic reflected within the document and would confirm that this ethic is very much evidenced on a practical day to day basis through our works with the Flood Risk Management Team and other stakeholders. The Board broadly supports the aims and aspirations of the document and see this as an integral part of a structured and thorough policy framework within the City of York to address issues of Flood Risk Management as effectively as possible. There is an identifiable need to consolidate the strategic policy background and in particular address the issue of creeping development and larger scale householder type applications especially within areas with specific vulnerabilities. As current planning policy does not dovetail with the NPPF and SFRA the Board would see this policy and its 'live' nature as a basis for future influence in policy development improved co-ordination.'

- *City of York Council as a Lead Local Flood Authority will continue to work closely with all Risk Management Authorities, the Local Flood Risk Strategy is the key document to underpin this work and it is welcome that it is supported by partners*

'The easy thing is to comment on major schemes, raising embankments, dredging waterways. It is essential though to address standard maintenance procedure and especially river bank maintenance. As owner of property with river bank frontage I have seen in 50 years the proliferation of willow growth where none used to exist. Willow now, allowed to grow unattended, are of such an age, that they sag into the river in dense masses. This slows the water flow. Keeping the river banks clear is just as important as dredging. The growth of willow that we have now, will have to be attacked at some stage every year it is left, the task will become much greater and more serious.'

- *The Strategic Action plan details the maintenance and operations funding for all Risk Management Authorities, the individual works delivered by these budgets are determined by specific operational assessments and works programmes that are not considered within this high level strategy. The individual concerns identified by this respondent have been passed onto the Environment Agency for consideration*

'Have radio info, tweet info when floods are about to start road close what to do and like other company's have some one manning it to respond. Have Twitter use for flood days so when you can get good info out quicker but also can ask u questions

and respond. Radio York like travel up dates have flood updates and info what to do. Have like neighborhood watch a flood watch.'

- *During flood events all partners work closely with all media outlets, we will continue to evolve this service and will pass on the respondents recommendations*

'Some gullies are too compact with debris or mud for the gully cleaning vehicle and require to be dug out by hand and are passed on for more detailed actions and investigations. Also I see no direct reference (although I may have missed them) to dredging the length of the Ouse and/or Foss in the strategy, which would increase the rate of flow and minimise duration of flood events. I would like to see clarity around the role of the Knavesmire in the strategy - in recent years since 2000 it seems to have been prone to further localised flooding - is this naturally occurring groundwater, or the result of an intervention to prevent flooding elsewhere? If naturally occurring, is there an understanding of the cause(s) and are the homes likely to be affected in the plans for flood defence? This is clearly an important issue - it is therefore a shame that it has been so poorly communicated to the residents of the city. I only found out about it the day before closure by seeing an article in the local Press.'

- *The key highway routes under our control have gullies proactively cleansed once a year, all other gulley assets are cleansed reactively. We are currently developing a new programme that will ensure key highway routes, surface water flooding hotspots and all other gulley assets are cleansed in a prioritised proactive programme. Dredging is considered alongside other flood risk management operational and capital measures and where effective the Environment Agency will utilise this approach. The Strategy does not detail these approaches and more information can be found in individual works programmes. We are currently delivering an appraisal project looking at all aspect of flood risk management in the Holgate Beck catchment. A diversion culvert exists from Hob Moor to the Ouse and its use and interactions with the Holgate Beck catchment will form part of the studies outputs*

'Comments such as unable to predict surface water flooding is difficult are false, certain areas flood consistently. What is going to be done about the flooding in the Sitwell grove and surrounding area as questionnaire recently endorsed by yourselves with a big response from residents. After years of neglect in regard to gulley's and constant reference to national decisions what is the local council to do regarding consistent flooding in the Sitwell Grove area.'

- *We are working with residents to understand the wider issues in the area, a range of localised works have already been carried out to improve drainage assets and reduce the impacts of surface water flooding. Close working will be required with the internal drainage board and Yorkshire Water to look at the wider issues in the catchment, funding has been obtained from the*

*Regional Flood Defence Committee and partners will work together to identify wider funding opportunities. Further works will be identified following the current investigations*

'Fortunately for York we only have the Swale, Ure, Nidd and Foss to work about. the trouble is that we tend to look at the issues locally rather than take a catchment wide approach. Look at the uplands and seek to slow the run off from the moorland, this could mean blocking the old "grips". Look at conveyance of water, should there be more onus on riverside landowners to manage trees and vegetation to improve the flood flows? Manage surface water run off better through the planning system, and stop building in flood plain. Get the planning better as it is much cheaper than having to go back and defend. If in doubt (about the flood risk) stay out.'

- *We work closely with all other risk management authorities, we will consider a full range of catchment management techniques with North Yorkshire County Council and the Environment Agency to manage flood flows at source*

'You've cut the annual gully cleaning programme and rely on people reporting blocked drains. In some areas of York the weed removal seems to have stopped - as it turns colder this will all die back to rot it the gutter and then choke the drains following the next downpour. Surface water flooding will become an increasing issue as intense rainfall becomes more frequent with climate change. Never mind snow wardens we will need a 'Dad's Army' or drain clearers!'

- *The key highway routes under our control have gullies proactively cleansed once a year, all other gulley assets are cleansed reactively. We are currently developing a new programme that will ensure key highway routes, surface water flooding hotspots and all other gulley assets are cleansed in a prioritised proactive programme*

'I have read both the Local Flood Risk Management Strategy and the Surface Water Management Plan. Overall, the fluvial analysis of risk is well understood and the measures proposed appear effective. The documents both suffer from constantly intertwining pluvial and fluvial risks. As mentioned in the report, surface water flooding is not correlated with fluvial flooding. To mix apples and pears in this way is confusing. It also increases the risk of errors, focus and the possible misallocation of funds. Your strategy document mentions "Community focus and partnership working" and the principles of Improving the Level of Knowledge, being Evidence Based and Householder Cooperation. Fine ideals in practice, but no one I have interviewed in this risk area has experienced this. Note that your document even states in 2.1 – 1 "Communicate to those at risk". Also "2.1 - 4 Maintenance of infrastructure," yet gully cleaning for the past 2 years has not been carried out here. The only reason I became aware of a surface flooding risk was after my insurance company raised my household premium. Local consensus is that the surface water flood map is highly inaccurate. This is based on anecdotal evidence I have collected going back 50 years for this small area. There is some surface water flooding in exceptional downpours, but this is confined. Now this risk not only is raising premiums, but it also appears on deed documents if a house in the area is sold. This is blight and expense caused by EA and modelling errors. Your own report refers to a possible total of 7 incidents in York caused by surface water flooding. Compare



this to the damage caused by fluvial flooding, and you can appreciate my concerns. In Flood Risk from Surface Water 3.2.18 you refer to “Limited knowledge” yet conclude you have “Reliable Knowledge”. Climate change is a fact. Whether human activity causes of climate change is what is disputed. All the scientific predictions of Global Warming have been wildly incorrect to date, and let us hope they remain so. The first report of the IPCC has been completely discredited by factual evidence (sea level rise, glacier retreat etc.) Time will tell if the current one will suffer the same fate. We are in interglacial warming period. Only 10,000 years ago York was under a lake. Sea levels were so low one could happily walk to Holland. So I suggest you remove the impact climate change from this report unless you can produce some direct and applicable proof from the past 30 years of working predictive techniques. In conclusion, my personal investigations have left me with little confidence in the SWFR predictions by the EA for my immediate area. It appears as though you’re trying to make a problem out of nothing instead of focusing on the important task at hand, namely efficient maintenance of the urban drainage infrastructure.’

- *The Strategy deals with all sources of flood risk to ensure the reader is aware of all potential flooding impacts in the city, many have commented on the structure and approach taken in the report and these comments will similarly be considered. Separate approaches to surface/pluvial and fluvial flooding are taken and this is evidenced in the strategic action plan. The key highway routes under our control have gullies proactively cleansed once a year, all other gulley assets are cleansed reactively. We are currently developing a new programme that will ensure key highway routes, surface water flooding hotspots and all other gulley assets are cleansed in a prioritised proactive programme. The Strategy is the first stage in developing communications with those at risk and further work will reinforce this. All appraisals and strategic documents need to look into future climate change scenarios to manage long term risks this will continue to be the case until any changes in overarching guidance suggest otherwise*

‘why not dig a new culvert around York like they have done in Valencia divert the river and make the river bed into a park wending through the city with a smaller river at its base! leave all bridges etc intact, put in a cycle track through the parks and you have a big part of the solution to transport in York even better run a ski lift style transport system along it from the park and rides and rid the roads of most of the big smelly busses that clog up York travelling from North to South and vice versa think outside of the box!!’

- *All flood defences in the city will be appraised in 2015-16 and works will be identified to improve, renew or replace these assets to manage long term risks. All options will be considered and these often include diversion channel type approaches. However, such options are often very costly and hard to justify*

‘There should be more encouragement to parish councils, community groups and wards to develop and maintain local resilience plans that link to emergency planning and flood protection. The Flood Wardens network needs to be promoted more and

supported with annual refresher training and recruitment in the same way that the Snow Wardens scheme operates. Proposed Measures for prevention should give more emphasis to working with partners on tree planting and run-off reduction in the Ouse catchment and upland areas beyond the city. Consideration needs to be given to identifying funding for stormwater storage projects (as conducted at union terrace) in areas where there is a record of sewage discharge in flood conditions. Prevention of surface water flooding should include a review of paving policy and highways work to introduce a presumption that as with development control there should be no increase in stormwater runoff. Sustainable urban drainage should also be introduced to strategic sites where planning permission has already been granted if it will have a significant impact on reducing storm run-off. All business premises in flood risk areas should be encouraged to have a prevention, damage limitation and evacuation plan with advice on resilient design where there is ongoing flood risk. Funding for the £5m of investment identified as a minimum to investigate and remedy defective drainage and highways issues should be identified from the capital programme ahead of any further cosmetic projects for the city centre. See above! Short simple guides to the strategy with essential numbers like the flood line, environment agency and emergency planning need to be produced and distributed to households in areas at risk (in a self closing plastic bag??!)

- *The CYC Emergency Planning team is looking for ways in which to develop community level resilience plans and approaches to manage the impacts of flooding locally, the details of this response will be passed onto them. An engineer from the Flood Risk Management team works permanently with the planning department to comment on strategic and development planning issues. All work is steered by our Strategic Flood Risk Assessment. Section 7 of the Strategy discusses this in detail*

'It really amazes me why they can't pump flood water from underground specialty located pipes to reservoirs eliminating drought conditions when long period heatwaves.'

- *This will be passed onto the Environment Agency for wider consideration*

'There are instances where planners continue to grant planning approval to developers for housing developments on small sites designated as Open Space and previously Amenity Space in High Flood Risk Areas - despite Objections from a significant cohort of local residents - who are left with the impression that their views, their concerns [regarding Flood Risk; regarding local infrastructure for drainage sewerage; regarding vehicular access; regarding increasing traffic congestion and increasing air pollution] are really of no import, where the considerations of Business/Property Development Business/Council Tax Income seem to rule and be paramount. There are examples of this DESPITE EXISTING RISK DESIGNATION and where although called for - planning approval has been granted to developers WITHOUT - in fact - A FULL AND SATISFACTORY INPUT FROM YORKSHIRE WATER/Environment Agency. Developments of marginal merit and which increase Flood Risk in any way - and, for example, which are in/near City Centre - should surely be treated with due circumspection and such as Open Spaces within/on the immediate outskirts of the City Centre regarded as a

resource to be conserved for the well being of future generations e.g. with regard to reduced flood risk, improved air quality, reduced traffic congestion and the promotion of amenity to existing residents? Climate Change and significant trends for increased acute rainfall, and poor practices including building on flood plains, the reduction in soft drainage areas within towns and cities, poor land and poor river course management etc - all contribute to Flood Risk i.e. increased risk of flooding. Local Planners should surely NOT grant approval for building on plots in Designated Flood Risk Areas - where there is any potential increase in that risk by the building, where ALL the appropriate DATA/EVIDENCE/INPUT has been gathered and assessed for any potential increase in risk - AND - where it may well be - IN REALITY - that where Conditions are attached to the PA, the Developers rely that the Council/Planners will NOT effectively enforce the Conditions and rely on precedent which teaches that that Council/Planners do not have the resources for effective enforcement. Open Spaces - and especially in/near City Centres provide the opportunity for Amenity and for Soft Ground for surface water drainage and for Planting (e.g. trees) as a measure to monitor and reduce air pollution. Positive Conservation should be the principal operated and the business opportunity resisted where there are opportunities for developers to conduct development business elsewhere. York Local Flood Risk Management Strategy should surely have a significant, meaningful and effective input into Local Planning - such as proposed building of housing on sites (i) in/near City Centre (ii) in High Risk Flood Areas (iii) where the existing risk of flooding is increased (iv) where the area of effective soft ground for surface water drainage is in any way effectively, or could be, reduced?'

- *An engineer from the Flood Risk Management team works permanently with the planning department to comment on strategic and development planning issues. All work is steered by our Strategic Flood Risk Assessment. Section 7 of the Strategy discusses this in detail*

'York council should work along side Morrisons in Acomb to resolve the drainage in the car park.'

- *The Flood Risk Management team has carried out investigation and maintenance works following the August 2014 flood event*

'The article in the Press asked for ideas to protect York from flooding. Before spending huge amounts of money on upgrading flood defences I think it would be a good idea to dredge the rivers and flush the drains regularly. It will always flood in parts of York but surely it would be better if the water flowed down clear drains and into rivers which had been dredged. Routine maintenance may not make the headlines in the same way as new building projects but it is more cost effective in the long run. Flood defences do need upgrading but a lot could be achieved with basic 'housekeeping'.'

- *We are currently developing a new programme that will ensure key highway routes, surface water flooding hotspots and all other gully assets are cleansed in a prioritised proactive programme*

'An assistance to relieving flood problems would be regular clearing of roadside grates'

- *We are currently developing a new programme that will ensure key highway routes, surface water flooding hotspots and all other gulley assets are cleansed in a prioritised proactive programme*

'Find it bizarre that they say £5 million in the medium term but have no idea what this will include did they just get the figure from fresh air! Also river Ouse needs clearing out and dredging to improve the flow. There are hundreds of dead trees and other blockages in the middle of the river.'

- *All funding programmes require an advance valuation of possible works, the actual scheme requirements and costs will be confirmed through appraisal studies. The Environment Agency consider dredging alongside all other maintenance activities, this will be passed onto the Environment Agency for wider consideration*

'On behalf of the Friends of Rawcliffe Meadows -on page 18 of the Action Plan there is single line regarding the Clifton Ings Barrier Bank Restoration with a cost of £1.5M against it. According to a recent FoI Act request upon the Environment Agency there has been no option appraisal or environmental assessment completed, so the figure of £1.5 million is meaningless! The works would impact on a site of national nature conservation importance (Clifton Ings & Rawcliffe Meadows SSSI) and a popular cycle-pedestrian path as well as features of historic interest. Therefore it is likely that adequate mitigation and compensation would be costly and would require careful planning well in advance of any works (e.g. compensatory habitat creation and harvesting of seed for site restoration would require a lead-in time of 2 years or more). We are concerned that allocating a budget before any assessment work is completed will constrain and effectively pre-judge the options available, especially within the stated short timescale.'

- *All funding programmes require an advance valuation of possible works, the actual scheme requirements and costs - including all environmental assessment and mitigation requirements - will be confirmed through appraisal studies. The Environment Agency have confirmed that the works will fully consider all environmental issues.*

'The Strategy does not include river dredging which is needed in York. There is no rolling programme to clean the road gullies and drains and this needs to be implemented. Why cannot river dredging which used to be a regular sight in the past be restarted. Can Clementhorpe have a permanent barrier installed which can then be raised in case of need rather than the deposit of large sand bags. Is the council able to help with house insurance problems as the insurance companies will not quote for high risk properties. The scheme of Flood Re is supposed to help but this is completely ineffectual. Could the City Council raise this subject with Local and Central Government with a view to requiring the Insurance Companies to devise a comprehensive scheme of insurance for high risk areas.'

- *We are currently developing a new programme that will ensure key highway routes, surface water flooding hotspots and all other gulley assets are*

*cleansed in a prioritised proactive programme. The Environment Agency consider dredging alongside all other maintenance activities, this will be passed onto the Environment Agency for wider consideration, however, it is considered that although dredging may reduce some risks it is an ineffective approach to manage the larger flood event that we have experienced in York. The council are represented on a range of regional and national flood risk groups and will use these opportunities to raise any concerns regarding the emerging Flood Re scheme*

'I don't really disagree with the strategy, but it appears to be wholly reactive and does not appear to consider the catchment areas, upstream, which impact on York. Where is the discussion, and investment, in upland planting and in reducing run-off from farm-land which has been channelled into the rivers which feed The Ouse and The Foss? I would want to see, in addition to the massive capital programmes to build more barriers, some plans to plant tens of thousands of trees and other vegetation to capture water upland and reduce run-off. Please investigate this more thoroughly and include something in the final documents.'

- *The Strategy details how we work closely with all partners, we consider wider catchment management approaches through our work with NYCC and the EA. Some detail will be added to the Strategy to reinforce this*

'It needs to be comprehensive, but it takes a long time to get to the action plan, whereas the leaflet is at the opposite extreme. The strategy itself appears logical and sensible. Dredge the Ouse through York - increases volume of water the Ouse can accommodate before flooding, speeds river flow. Build reservoirs which are only filled when the Ouse threatens to flood. I note that, in your document, the Clifton Ings modified flood plain can itself reduce flood levels by 6 inches. How much more could deep reservoirs achieve? An Ouse/Derwent link. Tunnel? Canal? (Expensive!) The two rivers tend to flood at different times because of the directional sources of rain which falls on the Pennines/Moors. Water could be diverted from one to the other when one of them floods. Underspensing and under engineering only result in failure and constant updating. eg. York ring road - out of date from the moment it opened. Permanent catch up and still does not work as it should.'

- *All flood defences in the city will be appraised in 2015-16 and works will be identified to improve, renew or replace these assets to manage long term risks, the existing flood storage assets upstream of the city will be included in this assessment. All options will be considered and these often include wider approaches. However, such options are often very costly and hard to justify*

'This plan is asking for trouble. It is 51 pages of rhetoric and superficial advice and reads as a perfunctory exercise. You need to identify specific works or purchases you can make to reduce the flood risk. There is plenty of reflection in the document but not enough action.'

- *The Strategic Action plan in section 2 details a range of specific costed approaches and interventions to reduce flood risk*

'I have a particular concern with regard to surface water in our locality. Flooding from sewage and surface water has become a problem. It would appear that this may well be a consequence of the continual over-development and increased surface water run off without any provision for this water to drain from the village. Residents are extremely worried that additional development in the village will lead to catastrophic flooding of low lying areas. It is vitally important that the issues of sewage and surface water flooding in our area are tackled immediately. In August our street was flooded with sewage. The sight of young children wading in sewage is a public health scandal and should be an embarrassment for the City of York Council. It is also something that presents a terrible image for the City of York.'

- *Investigations into the specific issues raised by the respondent are already in progress and we are working with Yorkshire Water on this issue. An engineer from the Flood Risk Management team works permanently with the planning department to comment on strategic and development planning issues. All work is steered by our Strategic Flood Risk Assessment. Section 7 of the Strategy discusses this in detail*

'We can cope with the flooding but would like the Government to help with insurance problems'

'Any improved understanding of flood risk these strategies may provide, should feed into local authority Strategic Flood Risk Assessments which should, in turn, inform and influence proposed development. Likewise, if these strategies propose infrastructure on which future development may depend, or whose delivery might depend on contributions from developments, this should inform local authority Infrastructure Delivery Plans and Community Infrastructure Levy proposals. Many watercourses in the district have been physically changed by land drainage and flood risk management activities which can reduce their amenity value and harm their ecology. Land use and agricultural practices can also impact upon the ecology of the rivers as well as increase flood risk. The Action Plan should include measures to mitigate the impact of flood protection structures in York and include Catchment Sensitive Farming initiatives where feasible. The Council should look for opportunities to re-naturalise watercourses by removing engineering works or reducing their impact. Any new physical changes to watercourse in the district should be avoided unless there are compelling grounds for doing so and all alternative options have been considered. Where the council owns any weirs or sluices on a watercourse, opportunities should be sought to reduce their ecological impact particularly in restricting the movement of fish and eels. Sustainable drainage techniques should be considered for all new development to reduce diffuse pollution. Where the council carries out maintenance and flood defence work on watercourses this should be carried out to minimise ecological damage and prevent water pollution, including releasing silt. When working or undertaking maintenance activities in or near water courses the council should ensure it adheres to best practice such as with the timing and location of the works and if in doubt seek advice from the Environment Agency. As a DEFRA backed and funded initiative, we would

welcome reference to the Catchment Based Approach and to the Catchment Partnerships. We would encourage the Council to work with the Derwent Catchment Partnership and the Dale to Vale Rivers Network, hosted by the Yorkshire Dales Rivers Trust for the Rivers Ouse and Foss. Agree with the groundwater flooding analysis. We agree that the risk of groundwater flooding is low in the York area, as the Sherwood Sandstone principal aquifer is overlain by thick superficial deposits comprising mainly of clay preventing the water table within the major aquifer from rising.'

- *We are already working closely with the Environment Agency and other stakeholders to identify and deliver Water framework Directive and other environmental improvements as part of our flood risk role, this will be reinforced within the action plan in the Strategy. The Strategy will be used to inform and guide our planning policy and Strategic Flood Risk Assessment as detailed in section 7 of the Strategy*

'Westfield Beck which is considered at capacity and comes close to overtopping in heavy rain has not been included in any improvements to reduce flood risk.'

- *We are working closely with the Internal Drainage Board to ensure we understand any current or future issues on Westfield Beck, we will discuss this comment further with them*

'Our house was flooded in 2012 from the river Ouse in Naburn. We had to move out of our home for a year while work was carried out to our house. We have spent money trying to make our house as flood proof as possible, so when the river rises to the levels seen in 2000 and 2012, we should be able to remain in our home. I feel Naburn is sometimes forgotten in the Councils desire to protect houses in York city centre. Any funding to help protect Naburn and other villages downstream would be very welcome.'

- *All flood defences in the city will be appraised in 2015-16 and works will be identified to improve, renew or replace these assets to manage long term risks. Any potential works to reduce the impact of flooding in Naburn will be considered as part of this assessment*

'There is a greater need to explore what can be done at the upper reaches of these catchments to reduce the flow rates from the uplands. Addressing this coupled with proper flow balancing from future developments should reduce peak flows and the need to continue raising defences. A strategic approach is required for larger development areas and should be led by the local Council so that infrastructure for the whole development site is in place before piece meal development commences. It is unrealistic to balance flows from individual smaller developments thus the LLFA should ensure the entire run off from the development area is addressed first. Be wary of giving others false hope, some of the areas at risk of flooding highlighted in this report are not financially viable to defend due to topography and other limitations. If you are investigating the viability of developing the Holgate & Burdyke catchment, why not get the developer to do the study to demonstrate they are not going to add to flooding problems. Use planning agreements and contributions to

get these pumps uprated or replaced, not the public purse. Seek contributions from the insurance companies toward improving defences as they are key beneficiaries, aren't they as the risk to them is reduced?'

- *The Action plan is a needs based assessment and will include some schemes that are difficult to finance and deliver due to funding rules or the technical nature of their delivery. However, there are opportunities to find contributions from elsewhere and inclusion of the projects in the action plan shows that they are key projects for York and will support us in taking them further towards delivery. We are working closely with the Local Enterprise Partnership in projects such as York Central and through our work with the planning section look to identify opportunities for planning gain to deliver essential flood risk and drainage works*

'Measures based on a granular rather than holistic approach meaning areas with relatively low habitation (including my own, Clementhorpe) are likely to not only miss out but potentially experience greater flooding risk because of other defenses. - Feels very much like a fait accompli given dependency on Defra funding. - No talk of innovation or novel funding approaches. Whilst the EA contend that the impact may only be 'millimetres' that could well be the difference between ingress and not. On this basis alone it is grossly unfair. I note that Clementhorpe has development sites that could be sold/exploited (eg The Maltings building) and indeed the Parkside sell-off has allegedly raised 400k. I don't think it unreasonable that this might be re-channeled into protecting the residents of the area. Also with the ongoing uncertainty in the insurance market around comprehensive buildings cover we could conceivably be faced with uninsurable properties in a flood context, which would have a huge impact on property value. I believe the Council is duty bound to protect its residents and a failure to protect the Clementhorpe area will be a gross dereliction of this duty.'

- *Flood risk in the area occurs in the highest order flood events and Clementhorpe is partly defended by existing permanent defences and the implementation of temporary defences. All flood defences in the city will be appraised in 2015-16 and works will be identified to improve, renew or replace these assets to manage long term risks, Clementhorpe will be included in this assessment. We will look to wider opportunities to fund any schemes and a variety of approaches are detailed in section 2 of the Strategy*

'Given the apocalyptic vision of the future that the IPCC has now published, one that, once you have factored in the 800Gt of CO<sub>2</sub>e emissions locked in by present buildings, power stations etc over their lifetime, pretty much guarantees a 2C rise by 2100 (in fact some qualified scientists are leaning towards 3-4C rise by 2100 ), a vision that predicts more and more local severe flooding events, do you think its sensible to build further flood defences while not tackling the causes? CoYC's ambition if increasing tourism is akin to playing Russian roulette with our children's future. Tourism is a huge CO<sub>2</sub>e contributor. if you are going to build more flood defences: a) plan for 50 years from, using the IPCC guidelines b) complete the circle, and stop relying in tourism, people are already suffering the consequences of



climate change ( droughts in china, famine warnings in central America etc etc), while we build bigger dykes and welcome more and more tourists utter madness. '

- *All flood risk management appraisals incorporate climate change scenarios to ensure defences are built to manage future rainfall and river flow conditions. We are working with all partners to identify wider catchment scale interventions to manage flows at source but due to the position of York in the lower part of a significant river catchment such measures are always likely to include direct defence approaches*

'Overall the Yorkshire Wildlife Trust is supportive of the above document but would like to see all possible opportunities taken for incorporating sustainable drainage options which also support biodiversity. Rivers, small waterbodies and ditches can all be important wildlife corridors and reducing flood risk can also support biodiversity and increase habitat connectivity. If plans to reduce surface water runoff were included with road maintenance or road improvement projects this could provide possibilities to divert runoff to rain gardens etc rather than into the sewer system. Biodiversity improvements can be very valuable and can reduce flood risk. These need to be planned from the outset into new developments to obtain maximum benefit for wildlife. For example green roofs and walls, swales, wildlife ponds and rain gardens. It will be necessary to consider the recently designated SSSI at Clifton Ings and Rawcliffe Meadows if the flood banks at Clifton are to be repaired. Is there any opportunity to work with upstream authorities to look at "slowing the flow" type approaches to reduce peaks and provide more upstream water storage? Wet woodland creation buffer strips etc. It would be possible to explore and promote a wide range of opportunities to support biodiversity. For example by improving water vole habitat, removing invasive species and improving the connection of watercourses with their floodplains where this can retain flood water and create habitat. As York is known nationally as being vulnerable to flooding it could be useful for the authority to put on pressure nationally to speed the process for local authorities to become SuDS approval bodies. Opportunities for providing ecosystem services and protecting biodiversity are being lost due to SuDS not being approved in new developments due to uncertainty as to the approval process. Long term SuDS be considerably cheaper than traditional flood prevention and drainage systems and provide gains for biodiversity. There may also be opportunities to encourage residents not to convert front gardens to impermeable parking areas as has been done in parts of London.'

- *We are already working closely with the Environment Agency and other stakeholders to identify and deliver Water framework Directive and other environmental improvements as part of our flood risk role, this will be reinforced within the action plan in the Strategy. The individual comments will be incorporated into the final version of the Strategy. Sustainable drainage approaches and biodiversity opportunities form parts of our strategic flood risk assessment. The role of the council as a SuDS approving body has recently been confirmed as being part of the local planning authority process and we will look to implement SuDS approaches through this route when it is formalised in April 2015*

'Not clear who will take the lead position in formulating a possible outcome for the implementation of recommendations and be responsible for the adopted policy and outcome. Presumably the City of York Council would lead only on localised flooding incidents and ensure action being taken to prevent any reoccurrences by the appraise authority concerned. It would appear that asset maintenance is not high on the agenda for funding as recent incidents have revealed so it surely has to be included in the flood risk strategy that whatever is proposed has to include for its future maintenance by the appropriate authority with their responsibilities stated. It is of no surprise that localised flooding does occur in an increasing frequency when consideration is given to property developments. Such may involve conservatories, hard surfaced garden areas as patios or front garden car park areas etc. All may be sources of surface water run off entering a piped drainage system. The introduction of the current practice of sustainable drainage systems should reduce or eliminate such sources of flood risk as outlined above. The statement made on page 13 that schemes are assessed according to the number of households receiving an increased standard of protection from flooding etc without any reference to a cost/benefit analysis seems to be a departure from the past practice of scheme appraisals. After all households can show a wide variation from a single bedsit to a multi room mansion and consequent range of flood drainage.'

- *The Strategy details the work, responsibilities and action plans of all risk management authorities, as the Lead Local Flood Authority we aim to ensure that the work of all partners is understood and coordinated irrespective of who takes the lead. The maintenance plans and activities of all partners are detailed within their individual maintenance plans and practices, the action plan at section 2 details the funding made available in the strategy area for these practices. An engineer from the Flood Risk Management team works permanently with the planning department to comment on strategic and development planning issues. All work is steered by our Strategic Flood Risk Assessment. Section 7 of the Strategy discusses this in detail. Section 2 details the current approach to allocating funding, this is prioritised according to the outcome measures that are achieved - primarily households and properties protected - a key part of the approach is a benefit cost assessment*



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**Cabinet**

**3 March 2015**

**Report of the Chief Executive from the Portfolio of the Cabinet Leader, Finance and Performance**

**2014/15 Performance Monitor Quarter 3**

**Purpose of the Report**

- 1 To present details of the Council's performance covering 1 April to 31 December 2014. This is the third report of the financial year and assesses performance against key themes, including Council Plan Priorities.

**Summary and Analysis**

- 2 This is contained in the attached York Monitor report.

**Consultation & Options**

- 3 This report is for information so no options are presented.

**Council Plan**

- 4 The information and issues included in this report demonstrate progress on achieving the priorities set out in the Council Plan.

**Implications**

- 5 Any implications are dealt with within the report.

**Risk Management**

- 6 The risk management processes embedded across the council continue to contribute to managing the risk issues associated with major projects and key areas of service delivery.

**Recommendations**

- 7 Cabinet is asked to note the council's current performance against its key priorities.  
Reason: To update Members on the performance of the Council in relation to the priorities set out in the Council Plan

<b>Authors:</b>	<b>Chief Officer Responsible for the report:</b>			
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	<b>Report Approved</b>	√	<b>Date</b>	20 February 2015
<b>Wards Affected:</b> All				√
For further information please contact the authors of the report				

**Annexes**

Annex 1 – York Monitor Update 2014 – 2015

Priority Scorecards – online only

# York Monitor

Annex 1









Quarter 3 Update 2014 – 2015

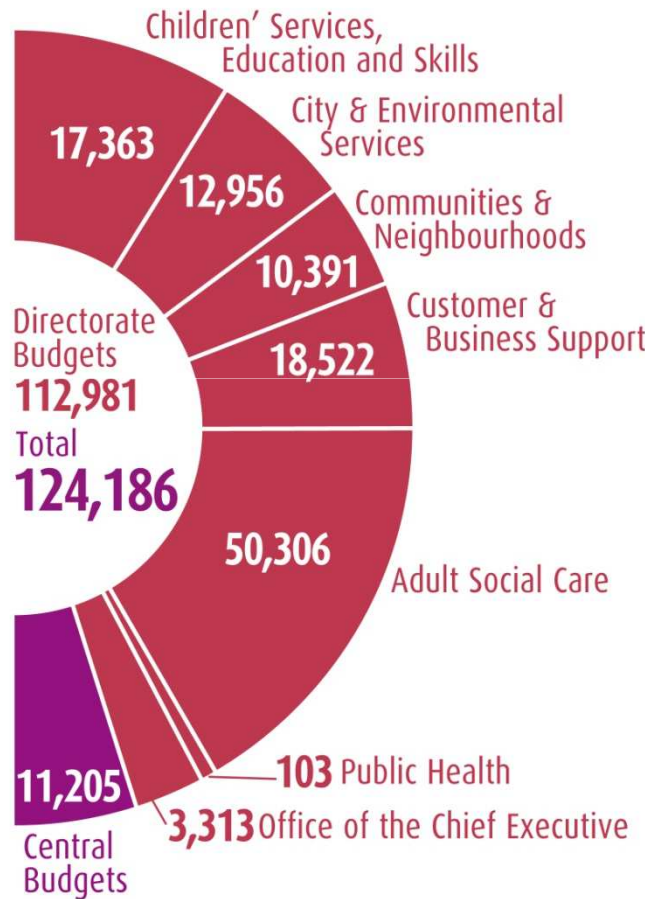
# Managing the Money

Welcome to the Quarter 3 update of the York Monitor for 2014 – 2015.

This report presents a range of information illustrating the ‘state of the nation’ in the City, activities undertaken by the Council over the last financial year and a short tour of some of the priorities that the Council has committed to for the rest of the year. There are some case studies under each of the Council Plan priorities set out below.

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2014/15 Net Budget (£000s)



## Work to achieve a balanced budget for 2014/15 and to develop council's longer term budget for 2015 – 2020

All aspects of the public sector continue to face challenging times following the Government's commitment to reduce the national deficit and as a result, the Council has had to deal with large reductions in funding in recent years, combined with a range of significant financial pressures. Between 2007/08 and 2009/10 the Council made £16.4m of savings and a further £73.4m will have been made by 2015/16, meaning total savings of £89.8m over 9 years.

The largest pressure on budgets is from meeting increased demographic demand for adult social care and the increasing complexity, and therefore cost, of care packages for the ageing population. The Office of National Statistics Population Projections show that the population aged 65-69 in York expanded by 18.9% between 2011-2013, while the over 90 year old population expanded by 14.3%. Between 2007/08 and 2014/15 the Council added £16m of additional funding to meet rising demand.

City of York Council is rewiring the everyday services it provides through a programme of transformation that develops a better understanding of the needs of local communities and businesses, inviting them to play a part in the design and delivery of future public services.

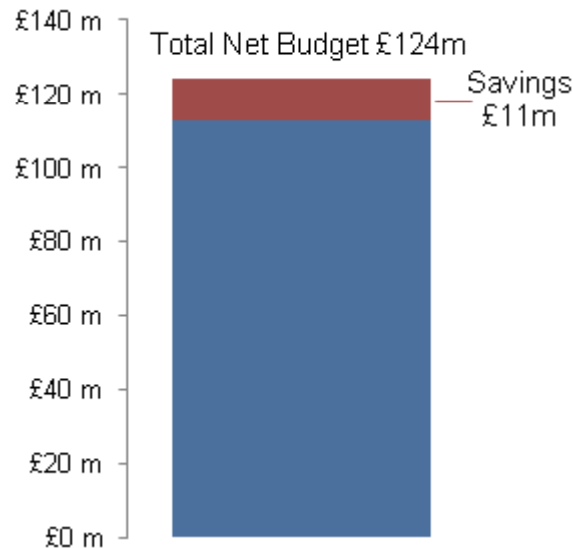
The 'Rewiring' project is in response to the shift in community expectations, new opportunities presented by technological innovation and collaborative working, and the ongoing financial challenges faced by local government.

The Rewiring Programme will create a sustainable model of delivery so that the Council, it's partners and communities can continue to secure the best outcomes for residents. The Programme will enable the Council to transform into a more responsive and more flexible organisation.



The Council's net budget is just under £124.2m. Following on from previous years, the challenge of delivering savings continues with £11m to be achieved in order to reach a balanced budget.

The final forecast for 2014/15 indicates the council faces financial pressures of £0.77m, an improvement compared to the £1.3m forecast in Quarter 2. Work is ongoing across the Council to ensure the forecast overspend is reduced to within the approved budget.

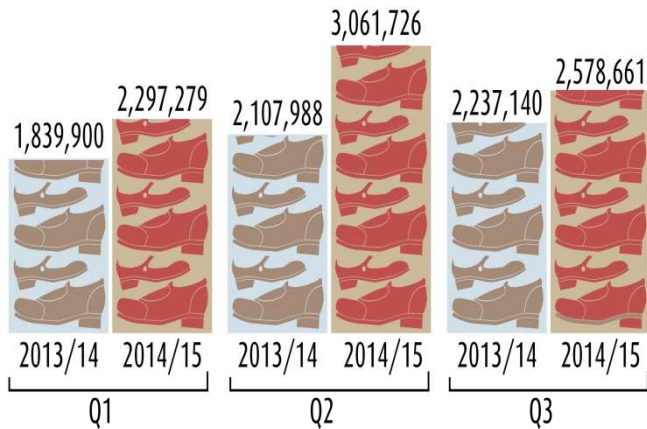


**Looking Ahead...** The council's Customer Service and Business Support Directorate is home to the council's Financial team. Their priorities in 2014-15 include:

- Working to achieve a balanced budget for 2014/15 and to develop and agree the council's longer term budget for 2015 – 2020.
- Providing support to the council's Rewiring Public Services programme including support to procurement, finance, legal, customers, ICT, Human Resources and Asset Management functions, whilst providing support to financial reporting across a range of projects under the banner of the Rewiring Programme.
- Complete a strategic review of assets held by the Council.
- Ensure high financial standards and financial innovation.
- Continue to ensure high levels of income collection and debt management
- Implement category management in the commercial procurement hub to achieve efficiencies.
- Respond to Welfare Reform, lead on financial inclusion and support work on poverty.

# Create Jobs and Grow the Economy

Parliament Street Footfall 2013/14 to 2014/15



### Delivering key infrastructure projects

A memorandum of understanding has been signed with Network Rail and a feasibility study completed for York Central, which is York’s largest potential development site.

The BioVale Centre, an innovation centre at Heslington East, is underway through Local Growth Fund investment, but national delays to the European Programme could prove problematic for the programme and the Council is working with Local Enterprise Partnerships to mitigate the risks. The building will provide 85,000 sq ft of space with facilities to help biotech companies develop and grow. It will also create a new home for the Biorenewable Development Centre.

### Lord Mayor’s Young Entrepreneur Business Breakfast

The Business Breakfast was organised by City of York Council and welcomed 45 young business people from across the city to meet each other and hear from other successful York Entrepreneurs.

### Fall in average incomes

Average weekly gross earnings of York residents has fallen to £479 from around £520 in the previous two years. Nationally, average gross weekly pay has increased to £521. This is a concerning trend for the city and we are looking at how we work with businesses to address this trend and promote high value jobs. Bringing forward York Central, with the potential to deliver significant additional Grade A office space, will be a major boost to our ambitions.

Part of the answer to this is also promotion of the Living Wage. There are now 11 accredited Living Wage employers in York and Quarter 3 saw the announcement of the new living wage rates for the UK. During the quarter events were hosted at Nestle and the Golden Ball community co-operative pub, providing opportunities for business leaders to discuss the benefits and offer advice for those thinking about paying the Living Wage.

Percent of City Centre Shops that are Vacant





## Focus on... City Media Arts

On 1<sup>st</sup> December 2014, the Director General of UNESCO declared York the UK's first UNESCO City of Media Arts. York joins the Creative Cities Network, which is made up of 69 world cities, with 8 in the category of Media Arts.

Some of the benefits of becoming a City of Media Arts include:

- An iconic Digital & Media Arts Centre will be built in the Guildhall, blending creative invention, participation and industry, in line with our ambition to grow high value sectors of the economy
- There will be a drive for sponsorship of media arts events, adding new dimensions to the City's already popular festivals

The permanent designation also secures York's entry into the Creative Cities Network, creating new exchanges with 68 leading creative cities across the world and new opportunities for its practitioners and researchers on an international scale. York's involvement in the network will be co-ordinated by Make It York, the City's new marketing and business development partnership.

## York Business Conference

The York Business Conference was held during Quarter 3 and attended by over 180 people. The event was held at City Screen and was free of charge, allowing delegates to network over a working breakfast.

## Access to Finance and Business Support:

City of York Council teamed up with the Manufacturing Advice Service (MAS) to help York and North Yorkshire manufacturers take advantage of new multi-million pound opportunities and 21 York businesses attended.

## Growth Accelerator

City of York Council hosted a free breakfast 'Growth Accelerator Event' on 16th October at which companies found out how to engage an expert Growth Coach to boost business turnover. 33 York businesses attended.

**Looking Ahead...** To create jobs and grow the economy the Council will:

- Launch Make It York - The new marketing, business development & tourism agency for the city to has been named, an MD appointed and is in the final stages of setting up. The start date for the new organisation is planned for April 2015.
- Facilitate an annual programme of rail cluster activities, including working with Doncaster on the curriculum for the new National College for High Speed Rail.
- Work with other organisations in the city to create a refreshed economic strategy for York, to make sure activity across partners is focussed on the most important priorities.
- Tour de Yorkshire – York is hosting the finish of the second day of the Tour de Yorkshire on the 2<sup>nd</sup> May 2015. The TdY is the flagship event for the Tour de France legacy and the York stage will incorporate several city circuits of a women's cycling race

# Build Strong Communities

Average days taken to remove obscene graffiti



Number of new affordable homes delivered in Yorks



Overall Violent Crimes



## Deliver a community stadium including a county standard athletics facility

A detailed planning application was submitted in December 2014 with a decision expected by March 2015. The award of the contract will be made shortly after this planning decision.

A legally binding agreement was signed in December 2014 for York City Football Club's occupation of the Stadium that also secures the Club's £2m capital contribution to the scheme.

## Through the 'Rewiring' programme the Council will develop community hubs where we can work in partnership with local communities at a neighbourhood level

The Community Hub Rewiring Public Services Transformation programme is underway and a mapping exercise has taken place. 21 venues have been identified as existing community Hubs with a further 22 venues as potential hubs. A programme of discussion with the existing Hubs is underway.

## Focus on Equalities

A key priority within the Council Plan was to achieve the Excellent Level of the Equality Framework for Local Government and after a three day Equalities LGA Peer Challenge in January 2015 the Council achieved this level.

Assessors found the Leader and Member equality champions are firmly committed to the equalities agenda and that many Members are engaging directly on fairness and equality issues in their communities. The Council and partners have a clear and strong equalities vision for the city, with a range of community engagement opportunities and a strong emphasis on giving people a voice. Assessors found employees recognised their role in enabling communities to inform service delivery and had an understanding of issues affecting communities and their changing needs. Areas for improvement included ensuring all Members championed the equalities agenda and the need to ensure consultation on changes is timely and comprehensive. Better links with small and emerging communities and managing customer and community expectations within the context of budget cuts also need to be developed.

### **Tackling Empty Homes**

Between April and December 2014 it took an average of 25.6 days to re-let empty properties, an increase from 21.5 in 2013/14.

Since the creation of Empty Homes Officer role, through the authority's Empty Homes Strategy, 152 long-term empty properties have been brought back in to use (102 in 2013/14 and 50 to date in 2014/15).

Data from Council Tax records shows that in October 2014 there were 189 long-term empty properties in the city (homes which have been unused for six months or more) which is 0.2% of York's total housing stock of 86,000 homes. This is the lowest number of long-term empty homes of any authority across North Yorkshire.

### **Neighbourhood Working**

The Council is developing its approach to empower communities to make decisions about local services, service providers and priorities for their local areas and have greater involvement in managing spend and resources. Proposals include devolving budgets to wards, involving wards in the long term planning of services, creating more community hubs and looking at more effective ways of communicating with residents.

### **Narrowing the Attainment Gap**

Narrowing the attainment gap between pupils from deprived backgrounds (those eligible for Free School Meals within the last 6 years) and their peers continues to be an area of focus both nationally and in York. In 2014, York pupils at the end of Key Stage 2 continued to perform above the national average, while the attainment of pupils from deprived backgrounds improved and the gap with their peers narrowed.

In 2014, York's GCSE results were above National average, but the gap between disadvantaged pupils and their peers widened. Analysis showed that the widening of the gap was affected by several smaller pupil groups and the Council, schools and partners are investigating further.

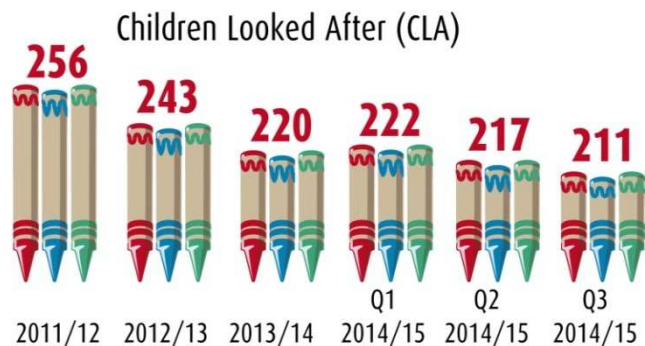
### **BeIndependent**

BeIndependent is the Social Enterprise Community Interest Company, formerly known as City of York Council Community Equipment Loan Service and Warden Call Service. Since it was launched during the summer of 2014, the number of customers that have accessed this service have risen consistently each quarter, with just under 3,000 customers accessing the service in Q3.

**Looking Ahead...** To build strong communities the Council will:

- Deliver a community stadium including a county standard athletics facility
- Support community groups to take greater ownership of the management and operation of parks and green spaces
- Through the 'Rewiring' programme the Council will develop community hubs where we can work in partnership with local communities at a neighbourhood level
- Raise standards in the private rented sector and continue to tackle homelessness through a sustained focus on early intervention and prevention
- Deliver the Community Learning Strategy and expand opportunities available to residents to promote health and wellbeing, including the development of a pilot programme focusing on living with dementia
- Develop a strategy to tackle the attainment gap in York's schools
- Focus the School Improvement and Skills Service on improving the outcomes of the most vulnerable.

# Protect Vulnerable People



**% Reception Year children who are obese (aged 4-5)**



**% Year 6 children who are obese (aged 10-11)**



## National Child Measurement Programme

In York, the proportion of children who are obese continues to be lower than the national and regional averages for both reception year and Year 6 children. The latest 2013/14 figures also show obesity in York children improving while nationally they are worsening.

However, while only around 8% of children starting school (reception year) are obese, by the time they are in their final year of primary school (Year 6) this has doubled to nearly 16%.

## Deprivation of Liberty Safeguards

The Deprivation of Liberty Safeguards (DOLS) were introduced into the Mental Capacity Act 2005. Last year, the Supreme Court gave a judgement which changed the interpretation of whether someone might be deprived of liberty through their care. This has required authorities across the country to undertake a significant volume of assessment, which has required additional staff and created a budget pressure. York is making progress in carrying our assessments and this work will continue into next year.

## Delayed transfers of care

The total number of delayed transfers of care from hospital remains a concern both at a local and national level. In York, these delays are largely related to the availability of nursing home beds and home care packages, rather than delays in assessment by social care staff. Over the winter period, as admissions increased, the Council, NHS and partners met weekly to achieve reducing delays by 25% in two weeks and 50% in four weeks. Early indications are that this is on track and partners across the city will continue to work hard to continue the improvement.

## Public Health

The latest smoking indicators show mixed outcomes for York. Positive indicators for York include comparatively fewer lung cancer registrations and smoking related hospital admissions and an improving trend for smoking in pregnancy. However smoking prevalence has increased for the second year running especially amongst people in routine and manual occupations, with one in three estimated smokers.

## Focus on Troubled Families:

Figures released by the Department for Communities and Local Government show that 282 families have been helped by City of York Council's Family Focus Team, which co-ordinates a whole family approach and works with families with multiple and complex needs. Their work involves resolving truanting and antisocial behavioural problems, helping family members tackle issues such as debt, addiction, parenting and to support progress into employment.

York's success means the City has become an early starter of the expanded 5 year programme and aims to reach a further 1,040 families, using new and broader identification criteria.

An individual who has been involved in the Family Focus Programme said: "The support we received has made such a difference; we are in a better place than we were a year ago. My 12 year old son was not going to school and I was helped to put clear boundaries and expectations in place for him. He has now been attending school every day this year. I had got myself into lots of debt and didn't want to answer the door. I was helped to put a repayment plan in place to rid us of the debts. I feel better about myself now and feel more confident."

## Care Act

The latest national stock take on our preparations for Care Act readiness has been completed, and we have received positive feedback, with the formal notification of results expected in March. The act ensures that carers' needs can be assessed alongside and equal to those they care for. The council has been meeting with carers to ensure that they are able to access this support. The act also makes the Safeguarding Adults Board a statutory board, and preparation is well underway with the board for this transition.

## Mental Health and Learning Disability Services

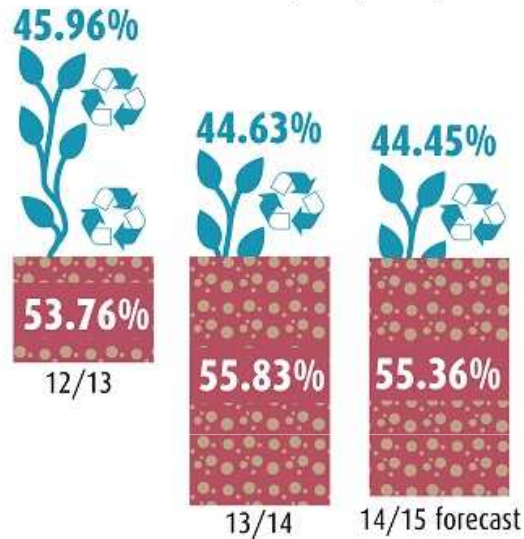
The contract for providing mental health and learning disability services across the city has just been published, with expressions of interest due by early March 2015, for services to commence in October 2015. CYC officers are involved in the commissioning processes, which is led by the CCG, to ensure the future service meets the needs of a wide range of people.

**Looking Ahead...** To protect vulnerable people the Council will:

- Launch the Learning & Development framework for social care practitioners to strengthen services for children requiring support and protection.
- Continue to mitigate the impact on vulnerable people of welfare reforms and lead on Financial Inclusion and support the work of the Financial Inclusion Steering Group.
- Tackle homelessness through a sustained focus on early intervention and prevention.
- Improve quality of life outcomes for Gypsies and Travellers by increasing engagement, improving facilities and expanding site provision
- Deliver the Better Care Agenda through partnership working between Adult Social Care and Housing and achieve financial efficiencies by implementing the outcomes of the Sheltered Housing with Extra Care review.

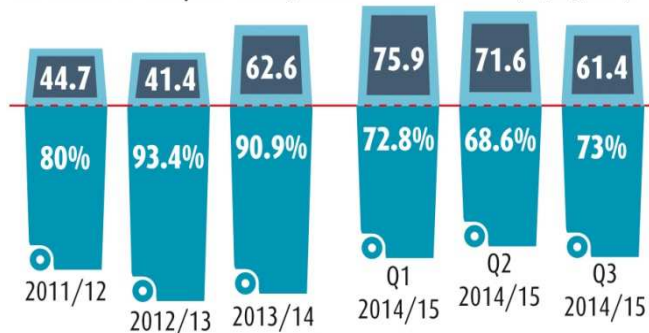
# Protect the Environment

Household waste recycled/composted



Municipal waste landfilled

Missed Bins per 100,000 Collections (top figures)



Missed Bins Put right By End of Next Working Day (bottom figures)

## Gain approval for a new Waste Strategy to obtain greater efficiency and cost savings

Household waste reused, recycled or composted in 2014/15 is forecast to be 44.5%, an increase of around 1% from 2013/14. Municipal waste sent to landfill is forecast to be stable and stay in line with levels seen last year. The cost of Landfill Tax for household and commercial waste is forecast to increase to just under £4.2 million in 2014/15 (from £3.8 million in 2013/14).

The waste strategy is being reviewed to ensure the service is customer centric, financially sustainable and achieves required outcomes around waste prevention and recycling. A key element of future waste strategy will be maximising the diversion of residual waste from landfill. Plans to go ahead with a multi-million pound waste treatment facility were agreed in September 2014 and a contract with AmeyCespa was formally signed by City of York Council and North Yorkshire County Council in November 2014. Construction of the facility will take 36 months to complete and the facility should be operational in 2018. The waste delivered produce enough electricity to power 40,000 homes.

## Focus on Low Emission Transport

Following support from City of York Council, Streamline Taxis has become the first taxi service in York to operate low emission vehicles with 10 new hybrid taxis and one electric taxi. In addition to this, the taxi company has traded in a number of older diesel cabs which will improve air quality in the City.

The scheme is funded by the government's Local Sustainable Transport Fund (LSTF or i-Travel York) and has seen an investment of £67,000 over the past two financial years.

York's first electric Park & Ride has opened at Poppleton, with electric buses also at the University and York. The City has also seen the introduction of the world's first electric double decker sightseeing bus.

A strategic electric vehicle charging network is in place in the City, including rapid charging facilities, with plans to expand it further over the next few years.

There are ongoing discussions with developers over the development of a Compressed Natural Gas refuelling facility, together with a freight transshipment centre.

### **Implement a communication programme to increase public understanding of the Waste Strategy**

The Council will continue to carry out research on how promotional work has influenced the quality of material collected in waste services. The Council will also continue to look at opportunities for implementing and raising awareness about waste prevention and minimisation activities. Recent projects include a trial in the Clifton area aimed at increasing participation in various waste services, plus a trial of collecting mixed plastics from households in the Poppleton. The city centre kerbside recycling service is being reviewed to identify barriers impacting participation. The review will seek improvements to service delivery, communications and recycling performance.

### **Meet York's air quality objectives**

York's total CO2 emissions stand at 1.1million tonnes. CO2 emissions have been reducing in York with latest 2012 data showing a 20% reduction from 2005 levels, to 5.6 tonnes per capita. The national average in 2012 is 7.1 tonnes. A refreshed Climate Change Action Plan will help continue this trend.

### **Implement and promote Green Deal, along with Leeds City Region partners**

A contract was signed in December 2014 with the consortium Keepmoat, Willmott Dixon and Scottish and Southern Electricity (KSW), known locally as Better Homes – York, and a three month mobilisation period has started.

To launch the scheme in York, KSW will offer 80 Green Deal Communities Fund Vouchers which will help with the costs of installing green measures in homes. In addition a private home will be retrofitted with £15,000 of energy efficiency measures and will become a demonstration show house.

The Council is also working with partners to take advantage of any future funding initiatives, for example the Government will be releasing further Green Deal Home Improvement Vouchers in April 2015. KSW will establish a regional call centre and interactive website and are working with York, Harrogate, Craven and Selby Councils to ensure there is a long term marketing and delivery campaign for residents.

### **Collective Energy Switch**

223 people switched tariffs during the latest Collective Energy Switch in October 2014, saving an average of £207. This is the second highest number of people switching of the 62 LAs who took part.

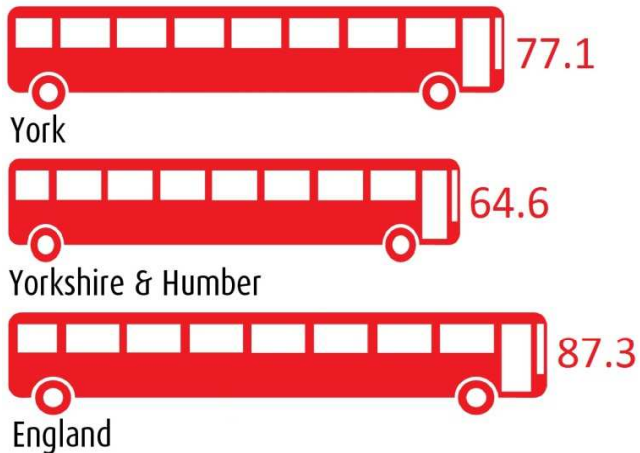
**Looking Ahead...** To protect the environment the Council will:

- Bring forward a new Waste Strategy to obtain greater efficiency and cost savings
- Develop and implement a communication programme to increase public understanding of the Waste Strategy to encourage more recycling and reduce landfill
- Meet York's health-based air quality objectives and promote the links between public health and air quality
- Implement and promote Green Deal, along with Leeds City Region partners, to reduce fuel poverty, improve home energy efficiency and reduce carbon emissions
- Increase use of recyclable materials and investment in resilient new materials to reduce future maintenance cost
- Invest in LED based street lighting
- Assess progress towards SustainableCityYork ambitions and engage stakeholders in the co-design of a framework to increase awareness and engagement in SustainableCityYork objectives

# Get York Moving

## Bus journeys

Passengers per head of population <sup>(2013/14)</sup>



Average vehicle speeds - York

## Tour de France – Grand Depart

The Tour de France evaluation report highlighted a £102m benefit to the Yorkshire economy and approximately 1.8 million people feeling inspired to cycle more frequently, including more than 80,000 people in York.

York welcomed major industrial biotechnology and agri-tech businesses and investors from across Europe, including signing a memorandum of understanding between BioVale and the Northern France based cluster, IAR. This has led to further collaborative activity with major bioscience clusters in Holland and Germany.

York's economy benefitted from £8.3m in spend over the weekend and saw the latest Sustainable Transport Services Performance report shows an increase in cycling journeys from just over 27,000 in 2008 to over 35,000 in 2014.

More information on the TdF can be found on the following page:

<http://www.leeds.gov.uk/residents/Pages/Tour-de-France.aspx>

## Deliver Better Bus Area Funded schemes such as Exhibition Square

The resurfacing of the carriageway at the junction of Gillygate, Bootham and St Leonard's Place, which was scheduled to coincide with the interchange scheme, has now been completed.

Resurfacing works have also been carried out at the York Theatre Royal bus stop. This included introducing a new kerb which will allow buses to dock more easily, relocating the bus stop flags, widening the pavement and providing real time information screens.





## Focus on i-Travel York

The i-Travel York door-to-door exercise was carried out in the north of the city over a two year period and provided free tailored travel advice to help residents consider alternative travel options such as cycling, car sharing, walking and public transport.

6,500 people participated in a Personalised Travel Challenge to try a new way of getting around York. Participants received incentives such as a pedometer, a free AllYork Week bus taster ticket, discounted cycle training and a free bike health check to help them on their way.

More than 700 children took part in an active travel challenge to try cycling, walking or scooting for 60 minutes a day and over 2,500 residents signed up to the project's online travel club 'MyTravelYork' to receive regular news updates.

As a result of this two year travel initiative, 24% of participants said they are now using their car less and that the sole reason they reduced their car use and considered alternative modes of transport was because of the scheme.

## Transport Network

City of York Council will connect two parts of the city's extensive 80km on-road cycle network by providing cycle lanes along both directions of Monkgate and improving the roundabout.

The cycle lane will help to link existing cycle routes from Huntington Road and Heworth Green to the junction of Goodramgate and Lord Mayor's Walk. This will also help to provide access to the railway station for commuters.

## Develop York's Cycling and Pedestrian Network

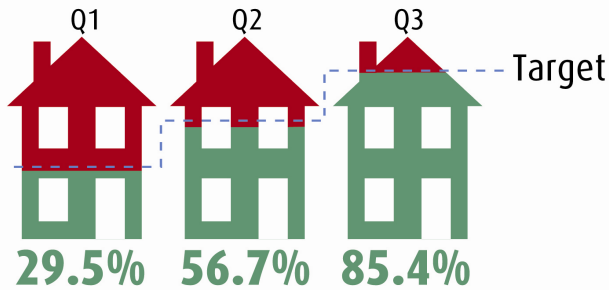
A new cycle and pedestrian bridge over the York to Scarborough railway line near Haxby has been completed. This bridge is a key step towards the completion of a safer off-road shared cycle and pedestrian route along the A1237 outer ring road, between the Haxby Road roundabout and the B1363 Wigginton Road roundabout. The route will connect over 15,000 people living in the area, as well as providing a safer route for students attending Joseph Rowntree School.

**Looking Ahead...** To get York moving in 2014/15 the Council will:

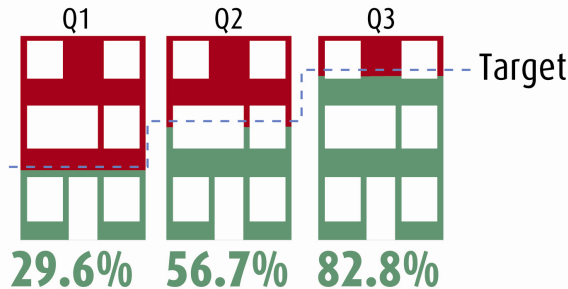
- Complete the Access York Project which increases the capacity of the service by 30% (2 New Park & Ride sites and the upgrade of the A59/A1237 roundabout).
- Develop York's Cycling and Pedestrian Network, inc. the Haxby Road to Clifton Moor Cycle Route
- Complete 20mph speed limit programme for residential areas across the city
- Deliver Better Bus Area Funded schemes such as Exhibition Square, Capacity enhancements to Clarence Street/Lord Mayors Walk junction, Museum Street bus shelter, and new shelter in Rougier Street
- Work with the West Yorkshire plus Transport Fund to deliver infrastructure improvements in the city including the completion of the first stages of the Outer Ring Road upgrade study, commencement of detailed design of the A1237 roundabout improvements and review of the station frontage to reduce the conflict between users and improve the interface between modes

# Our Organisation

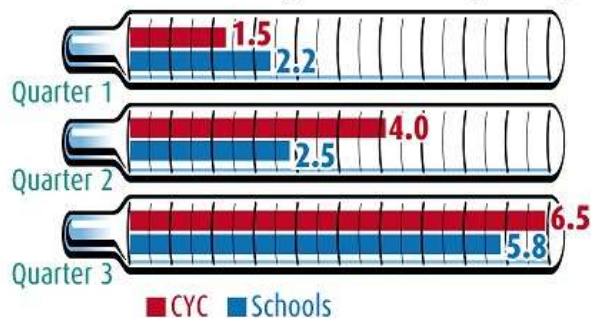
% Council Tax Collected 2014/15



% Business Rates Collected (NNDR) 2014/15



Cumulative average sickness days lost per FTE



## Improve the whole customer service experience

New speech server telephony software has been introduced which improves the experience of both internal and external callers when using the automated speech recognition route. Further uses of speech server technology are being explored with the aim of enabling customers to navigate themselves to information they require without having to talk to a member of staff.

A mock peer assessment was undertaken in preparation for the Council’s planned Excellence level assessment in March. The outcome and feedback was positive which means preparations for the accreditation are progressing well.

A week of activities to support the National Customer Services Week were completed during Quarter 3, involving service areas across the Council. It was the first time events were held, with the aim of raising awareness of customer importance and how all employees can contribute to great customer service.

## Roll out a new offer to young people on apprenticeships, work experience placements and internships

The York Apprenticeship Hub Recruitment Service for smaller businesses, run by City of York council, is an independent talent match service and is supported by government funding via Leeds City Region. The service has supported 100 small businesses that are new to apprenticeships in the city creating 63 new jobs for local young people.

## City of York Trading Company

The company continues to show growth and has invested in structures, systems & processes to ensure that growth can be sustained and increased. The Company’s market position being reviewed to ensure strengths are built upon and opportunities fully explored.



## Focus on Apprenticeships in York

The fourth York Apprenticeship Graduation, co-ordinated by York Apprenticeship Hub, City of York Council in partnership with York College, has recognised 100 apprentices for completing their Apprenticeship.

Four York Apprenticeship awards were presented – Large Employer of the Year, Small Employer, Over 25 Apprentice and Under 25 & Newcomer Employer.

Hethertons Solicitors, winner of Newcomer Employer of the Year, said: “This year, we participated in the Apprenticeship scheme for the first time, employing 3 apprentices in the firm into our Finance, Probate and Wills Departments, as well as our first Paralegal apprentice. We have been delighted by their enthusiasm and commitment and we are looking forward to helping them develop their skills in the legal profession. We believe the scheme offers huge benefits to employers as well as to apprentices, and we are keen to support it. This recognition of our commitment to the scheme came as a complete surprise, but is greatly appreciated”.

## Deliver an organisational change programme to enable people to work in a different way to support the Rewiring programme

The Council has a detailed action plan to support the work of the transformation programme, including the development of a Rising Stars programme aimed at the Council’s highest performers.

## Develop a more Strategic Approach to Talent Management

The council has introduced talent ratings for all employees as part of the new Performance Management Framework, managers now rate team members according to their performance, attitude and behaviours, on an annual basis.

The Council is defining which roles are “critical” to ensure the most talented staff are working in highly critical roles, with succession plans being implemented.

## Volunteering

The Council has signed up to the charter for volunteering and submitted a self assessment that will rate the quality of volunteering experiences provided. A celebratory event for Council volunteers will take place in 2015 to recognise the contribution that volunteers make to the city.

## Looking Ahead... The Council aims to:

- Improve the whole customer service experience
- Develop new ways of working to engage local communities in co-design and co-production of services
- Continue to stream Council meetings on the internet and on YouTube
- Deliver an organisational change programme to enable people to work in a different way to support the Rewiring programme
- Improve feedback from staff around work demands and create a wellbeing offer to better support staff through change
- Roll out a new offer to young people on apprenticeships, work experience placements and internships

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