

**Notice of a public meeting of  
Executive**

**To:** Councillors Carr (Chair), Gillies, Lisle, Orrell, Rawlings, Reid, Runciman and Waller

**Date:** Thursday, 25 January 2018

**Time:** 5.30 pm

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

**A G E N D A**

**Notice to Members – Post Decision 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 Monday 29 January 2017**.

\*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 Customer and Corporate Services 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 - 16)  
To approve and sign the minutes of the last Executive meeting, held on 7 December 2017.

- 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 Wednesday 24 January 2017**. 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 that, subject to available resources, this meeting will be filmed and webcast, or recorded, including any registered public speakers who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts> or, if recorded, will be uploaded onto the Council’s website following the meeting.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

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/download/downloads/id/11406/protocol\\_f\\_or\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf)

- 4. Forward Plan** (Pages 17 - 24)  
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.

**5. Securing a Sustainable Future for Haxby (Pages 25 - 50)  
Hall Older Persons' Home**

The Corporate Director of Health, Housing and Adult Social Care to present a report which asks Executive to decide whether to transfer ownership and management of Haxby Hall residential care home to an independent sector provider, in the light of consultation with residents, relatives, staff and care providers.

**6. Developing a Centre of Excellence for (Pages 51 - 82)  
Disabled Children and their Families in  
York**

The Corporate Director, Children, Education and Communities to present a report which provides an overview of the proposal to build a Centre of Excellence for disabled children and their families and asks Executive to approve the financial business case, agree progression of the project to the next stage and recommend to Council that the required capital funding be approved.

**7. Re-procurement of Managed Stores (Pages 83 - 92)  
Service for Building Services &  
Highways**

The Assistant Director of Housing and Community Safety to present a report which seeks Executive approval to proceed with the re-procurement of the Managed Stores service for Building Services and Highways departments, in line with the council's finance and governance requirements.

**8. Future operation of Rowntree Park (Pages 93 - 110)  
Lodge and Park**

The Corporate Director, Children, Education and Communities to present a report which proposes that funding be allocated to enable the regeneration of the upper floors of Rowntree Park Lodge and that these then be leased as a Holiday Letting, in order to invest in the Lodge and secure long term funding for the Park.

**9. A Clean Air Zone for York including Anti (Pages 111 - 142)  
Idling Enforcement**

The Corporate Director of Economy and Place to present a report which sets out options to introduce a local bus-based Clean Air Zone (CAZ), an improved minimum emissions standard for City of York Council contracted local bus services, and adopt anti-idling measures.

- 10. Homelessness in York** (Pages 143 - 158)  
The Assistant Director of Housing and Community Safety to present a report which provides an update on action completed and proposed in response to the motion on Homelessness agreed by Full Council in October 2017, and work carried out in preparation for the Homeless Reduction Act.
- 11. City of York Local Plan** (Pages 159 - 204)  
The Assistant Director of Planning and Public Protection to present a report which asks Executive to consider any potential changes to the pre-publication draft Local Plan and confirm the basis on which the Local Plan should be progressed to the Regulation 19 stage, including a city-wide consultation.
- Note: Annex A to this report has been made available online only, due to its size. Printed copies will be circulated separately to Executive Members.*
- 12. Impact of Arts & Culture on the Economy Scrutiny Review Final Report** (Pages 205 - 282)  
Cllr Looker, the Chair of the Scrutiny Task Group set up to review the impact of the Arts & Culture Sectors on the Economy of York, to present the Task Group's final report and seek approval for the recommendations arising from the review.
- 13. WW1 Commemorations 2018 Scrutiny Review** (Pages 283 - 296)  
Cllr Steward, the Chair of the Scrutiny Task Group set up to review the planning of an overall strategy for the council's activities to commemorate WW1, to present the Task Group's final report and seek approval for the recommendations arising from the review.
- 14. Urgent Business**  
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 552030
- E-mail – [fiona.young@york.gov.uk](mailto:fiona.young@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 (Polish)  
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

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City of York Council

Committee Minutes

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|               |   |
|---------------|---|
| Meeting       | Executive   |
| Date          | 7 December 2017   |
| Present       | Councillors Carr (Chair), Gillies, Lisle, Orrell, Rawlings, Reid, Runciman and Waller |
| In Attendance | Councillors D'Agorne and Looker   |

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**88. 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 might have in respect of business on the agenda.

Cllr Waller declared a prejudicial interest in Agenda Item 8 (Minute 95 refers), as Treasurer for Chapelfields Community Association. He left the room during consideration of that item and took no part in the discussion or decision thereon.

**89. Minutes**

Resolved: That the minutes of the Executive meeting held on 15 November 2017, and the minutes of the Executive (Calling In) meeting held on 23 November 2017, be approved and then signed by the Chair as correct records of those meetings.

**90. Public Participation**

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

Josh Wong spoke in relation to Agenda Item 12 (Minute 99 refers). As Club Secretary of Bishopthorpe White Rose Football Club, he supported the proposal to lease land at the Askham site to the Club, which had outgrown its current site and included both boys and girls from a wide age range across the city in its 33 teams, as well as supporting 2 teams of disabled players.

Gwen Swinburn spoke in relation to Agenda Items 4 (Forward Plan) and 9 (Review of Fees and Charges). She suggested that the Forward Plan item should include a section on items withdrawn from the Plan and expressed disappointment that the audit of fees and charges discussed at Audit & Governance Committee had not been mentioned in the report to Executive.

Written representations had been received from the Save Lowfields Playing Field Action Group in respect of Agenda Item 12 (as above) and Agenda Item 14 (Minute 101 refers), opposing the plans for Lowfield and disputing some of the facts in the reports. These had been circulated to Members before the meeting, together with a written response prepared by Officers.

**91. Forward Plan**

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

**92. Purple Flag**

The Assistant Director for Housing & Community Safety presented a report which set out details of the Association of Town and City Management (ATCM) Purple Flag Scheme and asked Executive to consider embedding its principles within higher level strategic plans.

Purple Flag was an accreditation process, similar to the Green Flag for parks and the Blue Flag for beaches. Purple Flag status was awarded by the ATCM to town or city centres that met or surpassed standards of excellence in managing the evening and night time economy. The aim was to reduce crime and alcohol misuse, increase choice and enjoyment for consumers and improve business volume and value.

The following options were considered:

Option 1- continue the multi-agency work on safety and economic growth in the city and ensure that the Purple Flag principles were embedded in relevant high level strategies. This was the recommended option, given the success of the current approach .



Option 2 – meet key organisations with an interest in the city centre to submit an application for Purple Flag status, at a cost of £3,150 with an annual renewal fee of £1,250. This was not recommended, as it was felt that such status would not add sufficient value in terms of improving community safety in York.

Resolved That Option 1 be approved and that:

- (i) the multi-agency work aligned to addressing issues relating to safety and economic growth within the city be continued, with a view to strengthening the relationship between Make It York, York BID, Safer York Partnership and the Health & Wellbeing Board and;
- (ii) the principles of the Purple Flag accreditation be embedded within relevant high level strategies, including the Community Safety Plan.

Reason: Embedding the principles of the Purple Flag in the partners' higher level strategies will boost the city's economy and ensure that the city centre is safe.

### **93. Procurement of ICT Managed Services**

The Assistant Director, Customer & Digital Services presented a report which sought approval for a proposed approach to procure a technology provider, to deliver the council's essential managed network services following expiry of the current contract in August 2018.

This network connectivity was a vital requirement, enabling all the council's other Information & Communications Technology (ICT) services to be fit for purpose. The new contract would seek to extend the reach of the fibre network and ensure that City of York Council (CYC) continued to exploit its position as one of the best connected councils in the country, within a leading digital city. It was also proposed to adopt a collaborative procurement approach with Harrogate Borough Council (HBC), in view of CYC and HBC's similarities, geographical proximity and existing joint ICT management service. This approach had been agreed by HBC's Cabinet on 19 October 2017.

Given the value of the project, the procurement would be conducted under the Public Contracts Regulations 2015. A Prior Information Notice (PIN) would be issued and funding from external sources explored.

- Resolved:
- (i) That the proposed approach, outlined in the report, to explore options to procure a technology provider to deliver the managed infrastructure services, be approved.
  - (ii) That the proposed approach, outlined in the report, to explore options to work in collaboration with Harrogate Borough Council, as part of developing the benefits and opportunities of the existing shared Head of ICT Services arrangements, be approved.
  - (iii) That the council be authorised to act as the Accountable Body for the Local Full Fibre Network (LFFN) funding regime identified in paragraph 17 of the report, and for any other relevant grant schemes that may become available in the future.
  - (iv) That authority be delegated to the Deputy Chief Executive / Director of Customer & Corporate Services to approve the procurement process, to approve the terms of relevant legal agreements and to award the resulting contract to the successful bidder, following the conclusion of the process to secure a technology partner to deliver the managed infrastructure service.
  - (v) That authority be delegated to the Deputy Chief Executive / Director of Customer & Corporate Services to determine the final terms in relation to the LFFN grant and any other relevant grant schemes that may become available in the future, and to give approval to the acceptance of such grants.

Reason: To comply with the council's procurement rules and to ensure transparency around the strategic direction and spend relating to technology infrastructure.

**94. Application for 100% Business Rates Retention Pilot in 2018-19**

The Deputy Chief Executive / Director of Customer and Corporate Services presented a report which sought approval for the council's inclusion in the 100% business rates retention pilot, subject to the success of the application submitted jointly with the other current members of the Leeds City Region (LCR) business rates pool in October 2017.

Under the pilot scheme, which would run for one year, the council and the LCR would each retain 50% of growth in business rates income, compared to 27% and 23% under the current scheme. There would also be additional benefits for the region and for member authorities, as outlined in paragraph 16 of the report.

Members had the option to approve or reject the council's inclusion in the pilot; however, should they reject it the current LCR pool arrangements would be revoked and there would be no opportunity to reinstate them for 2018/19.

Resolved: That City of York Council's inclusion in the 100% business rates retention pilot in 2018/19 be approved, should the Leeds City Region (LCR) submission be successful.

Reason: To improve the financial stability of the council and the LCR, by providing greater capacity to invest in improvement and transformation.

**95. Discretionary Rate Relief Awards 2018-2020**

The Assistant Director, Customer & Digital Services presented a report which provided details of new applications for Discretionary Rate Relief (DRR) from 1 April 2018 to 31 March 2020 and invited the Executive to decide whether to approve any new awards.

Existing DRRs were set out in Annex A to the report. New applications recommended for approval were detailed in Annex B, and declined applications in Annex C. The applications were for a top up to the 80% mandatory rate relief provided to

charities, community amateur sports clubs and not for profit organisations.

Since all existing long term recipients had fallen due for renewal in the April 17 to March 19 cycle, only three new applications were recommended for approval for the period April 18 to March 20, as detailed in Annex B. Members were invited to approve or decline these.

Resolved: That the new applications for Discretionary Rate Relief set out in Annex B to the report be approved.

Reason: In accordance with officers' recommendations and to provide a transparent process for awarding DRR.

## **96. Review of Fees and Charges**

The Deputy Chief Executive / Director of Customer and Corporate Services presented a report which sought approval to increase a range of the council's fees and charges, with effect from 1 January 2017.

Details of the proposed increases, which related to services provided by the Registrar, Burton Stone Community Centre, Bereavement Services, Waste Services and Planning, were set out in Annexes A to F to the report.

It was confirmed at the meeting that Officers were aware of concerns about rising funeral costs and would be considering options to address these.

Resolved: (i) That the increased charges for Burton Stone Community Centre set out in Annex B to the report not be approved.

Reason: In view of the fact that the Centre will be closing in June.

(ii) That the remainder of the fees and charges set out in the Annexes to the report be approved.

Reason: To enable the council to manage its budget effectively.

**97. Lord Mayoralty 2018-19**

The Assistant Director, Legal & Governance presented a report which invited the Executive to consider the points system for the annual nomination of the Lord Mayor of York and to confirm that the political group with the most points be invited to make the nomination for the next municipal year.

Under the system, points were awarded in accordance with the number of seats held by each group on the Council. After nominating a Lord Mayor, the relevant group lost 47 points. The points accumulated by each group currently stood as follows:

|                            |           |
|----------------------------|-----------|
| Labour:                    | -1        |
| <b>Liberal Democrat:</b>   | <b>42</b> |
| Green                      | -11       |
| Conservative               | 22        |
| Independent (Cllr Warters) | 7         |
| Independent (Cllr Hayes)   | 3         |

Therefore, unless Members wished to review the points system, the Liberal Democrat group should be invited to make the nomination.

Resolved: That the Liberal Democrat Group be invited to nominate the Lord Mayor for 2018/2019, in line with the existing accumulated points system.

Reason: To ensure that the Council secures the necessary leadership to undertake its civic functions and provides continuity for future selection.

**98. A Further Phase of the Older Persons' Accommodation Programme: Deciding the future of Windsor House Older Persons' Home**

The Assistant Director for Housing & Community Safety presented a report which set out the results of consultation on the option to close Windsor House Older Persons' Home and asked the Executive to decide whether or not to close the home and, should they decide upon closure, to approve the examination of alternative uses for the site.

Consultation on the proposed closure had been approved by Executive on 28 September 2017 (Minute 58 of that meeting refers). The response from residents, relatives and staff had been calm. Issues raised during the consultation, and responses given, were set out in paragraphs 24 to 41 of the report. Discussions with staff were ongoing, as outlined in paragraphs 44 and 45. Should closure be approved, each of the 17 remaining residents would be moved following individual assessment in line with the Moving Homes Safety Protocol, as attached at Annex 3.

One option for the future use of the site, should closure be approved, was to house the Centre of Excellence for Disabled Children and their Families. This would provide safe, accessible space with a range of support services for children, young people and families, including short break provision. It offered the potential to be a leader in innovative practice, both regionally and nationally. Work was currently in progress to assess the quantity of land required for this use.

In debating the proposals, Members thanked the staff of Windsor House for all their work. They stressed the need to listen carefully to residents' preferences in arranging the moves, and to ensure a safe transition in each case.

Resolved: (i) That the outcome of the consultation undertaken with residents, family, carers and staff of Windsor House to explore the option to close the home, with current residents moving to alternative accommodation, be noted.

(ii) That Windsor House residential care home be closed, and that the moves of residents to their new homes prior to the closure be carefully planned and managed in line with the Moving Homes Safely protocol.

(iii) That alternative uses for the Windsor House site, in total 0.45 acres, be examined in accordance with the revised Corporate Asset Strategy, firstly for use as the Centre For Excellence for disabled children and their families and, should this use not be feasible, for housing use and, should this use not be possible, for the site to be sold forthwith in order

to generate a capital receipt to support the wider Older Persons' Accommodation Programme.

Reason: In accordance with the aim of the Programme to address the needs of York's ageing population by delivering improved care homes for the current and future generations, and taking into account the results of the consultation on the closure of Windsor House.

**99. Delivering Health and Wellbeing facilities for York: Sports Pitches at the Askham (Ashfield Estate) Site and a Health Hub at Burnholme**

The Assistant Director for Housing & Community Safety presented a report which sought approval for proposals to lease land at Tadcaster Road - the Askham site - to Bishopthorpe White Rose Football Club and to dispose of land at Burnholme for the provision of a health hub.

In respect of the Askham site, the proposals followed on from the Executive's approval in June 2016 to redevelop the Lowfield School site for health and wellbeing facilities, and their request on 7 December 2016 for a further report on details of the football facilities that could be created on land off Tadcaster Road (Minute 85c of that meeting refers). Agreement had now been reached in principle with Bishopthorpe Football Club to support the club's need for additional pitch space by way of a long lease of this site, as shown in Annex 2. The council would undertake the necessary construction and other work at a cost of £400k, to be funded by the Football Foundation, the club, local sponsorship and small grants, with the remainder coming from the agreed capital programme.

Plans for the provision of health facilities on the former Community College site at Burnholme, as requested by Executive on 7 December 2016 following their approval on 19 May to develop a Health & Wellbeing campus on the site, were set out in paragraphs 36 to 50 of the report. The Priory Medical Group (PMG) had been identified as the preferred partner and, subject to consultation, aimed to integrate its three practices on the site and provide an Urgent Care Centre. It was proposed to grant PMG a long lease of the site, raising an estimated receipt of £800k. Progress on delivering improved sports facilities at

Burnholme was detailed in paragraphs 51 to 58. This included an initial review of feasibility designs commissioned from external architects, with a view to developing the designs and specifications in-house before putting them out to tender. Executive approval would be sought in early 2018 for additional capital investment to fund the improvements.

In response to Members' questions and comments, Officers confirmed that:

- The aim would be to maximise sustainable travel to both sites via cycle routes, Park & Ride and other bus routes;
- Bishopthorpe Football Club drew its players from across the city, thereby benefiting a number of areas and not just Bishopthorpe.

Resolved: (i) That the net investment of approximately £400,000 in the works necessary to deliver sports pitches and related facilities on land at the Askham Site, subject to submission and approval of the necessary planning application, be noted.

(ii) That it be noted that this investment will be funded from the capital programme agreed by Council as part of the enabling activities for the Lowfield Green site, from Section 106 monies held for the development of sport provision and by relevant grants.

(iii) That approval be given to enter into a Community Asset Transfer, by way of a long lease with Bishopthorpe White Rose Football Club, for pitches and facilities on the land at the Askham Site on terms acceptable to both parties, in accordance with the council's Community Asset Transfer Policy and Financial and Contract Procedure Rules.

Reason: So that improved sport and active leisure facilities are made available and pitches re-provided from Lowfield Green.

(iv) That approval be given to dispose of land on the former Burnholme Community College site, by way of a long lease to Priory Medical Group, who propose to develop a Health Centre, residential



accommodation and associated car parking (subject to obtaining planning permission and any other necessary statutory consents on terms acceptable to them), in accordance with the council's Financial and Contract Procedure Rules and as part of the Older Persons' Accommodation Programme.

Reason: So that improved sports and leisure facilities are made available in the Burnholme, Heworth and Tang Hall areas.

(v) That the progress being made to enhance retained sports facilities at Burnholme be noted.

Reason: To be aware that improved sports facilities can complement the health and community provision at Burnholme.

#### **100. Housing Delivery Programme - Establishing a Delivery Model and the Scope of the Programme**

The Assistant Director, Regeneration and Asset Management presented a report which refined the proposal to establish a housing development company, as approved in principle by the Executive in March, explained the key work undertaken to date and sought approval for the core vision and to resource the next steps.

The core aims of the Housing Delivery Programme were to accelerate the delivery of increased housing in the city across a range of tenures and to generate a financial return to the council. A council-led approach could fulfil a number of key social, environmental and economic policy objectives, helping to meet the housing needs of a greater range of people than was currently possible through the Housing Revenue Account (HRA) and providing more affordable housing than required by planning policy. Each development would consist of a mix of market and affordable housing, both for sale and for rent. A site development business case would be produced for each proposed site. Approval was sought for the proposed scope of the programme and initial sites, as set out in paragraph 14 of the report.

Legal advice had confirmed that the most robust and appropriate approach was for the council to act through a development company limited by shares. It was proposed that the existing Shareholder Committee act as the Shareholder Board of the company and that an Interim Managing Director be appointed as soon as possible to guide the council through the process of establishing the company and creation of a five year business plan. With regard to the £450k project costs set out in paragraph 26, £160k would come from grant funding and it was proposed that £100k be allocated from the HRA and £190k from the Venture Fund, as detailed in paragraphs 28 and 29.

Members expressed broad approval for the proposals and the proactive view being taken to increase housing provision in the city. The Leader stressed the need for the council to ensure that it maintained a proper oversight of all projects within the programme.

- Resolved:
- (i) That the core vision and scope of the programme be approved, with each site to be considered for development through a detailed site development business case.
  - (ii) That the establishment of a company wholly owned by the council, for the purpose of residential development, be approved, noting the timescales associated with this process.
  - (iii) That the development company be added to the scope and responsibilities of the existing Shareholder Committee.
  - (iv) That a financial resource allocation be approved as set out in paragraphs 28 and 29 of the report, for external design, cost consultant, legal and financial advice, and to enable the appointment of a suitably qualified and experienced interim Managing Director for up to 12 months, to assist in the formation of a development company and in the production of a five year business plan.
  - (v) That the recruitment decision and remuneration package for the interim Managing Director be delegated to the Leader and Deputy Leader of the Council, in consultation with the

Corporate Director of Health, Housing & Adult Social Care and the Corporate Director of Economy & Place.

(vi) That the steps required to fully investigate the potential to deliver sites through a development agreement with a partner or partners be noted.

(vii) That it be noted that a framework for the development partner agreement will be produced and brought to the Executive for approval prior to starting the formal procurement process.

Reason: To progress with the building of much needed new homes in the city.

#### **101. Housing Delivery Programme - Delivering the Lowfield Scheme**

The Assistant Director, Regeneration and Asset Management presented a report which outlined the site development business case for the former Lowfield School site and sought approval for the necessary steps to take the development forward.

The Executive had approved a spatial plan for redevelopment of the site on 7 December 2016. Further detail had since been added and in July 2017 a second public consultation had taken place, with 66% of responders supporting the plans. The outline site plan, providing 165 homes in total, was attached as Annex 1. A decision on the planning application was expected in early 2018.

Three options were presented:

**Option 1** – approve the delivery of Lowfield through the Housing Development Company, once established, as recommended in the report and detailed in paragraphs 13-32. This would provide a positive response to priority need in the city, creating a form and focus of housing development not commonly delivered through commercial developers.

**Option 2** – authorise the council to procure a commercial builder to build and sell the houses. This would be likely to deliver reduced affordable housing and a lower financial return to the council.

**Option 3** – sell the site on the open market for a developer to deliver the housing. This would remove the council’s control over the development and risk reducing open space and affordable housing, as well as making delivery of other aspects of the scheme, such as the care home and health hub, more challenging.

The Chair noted that the written submissions on this item would be properly addressed through the planning process.

Cllr Waller indicated that, although he agreed in principle with retaining the land, he did not support the recommendations as they stood, since he felt that the issue of loss of open space in Westfield Ward had not been addressed. The remaining Members

- Resolved:
- (i) That Option 1 be approved and existing project management resources be used to undertake the procurement of a construction contractor and related support services, in compliance with all relevant procurement legislation, for the residential development , associated infrastructure and public space works at the Lowfield site, in accordance with planning permission once this is received.
  - (ii) That it be noted that:
    - a) A detailed business plan for the development of the site will be brought back to the Executive before a contract is entered into;
    - b) The intention is for the Housing Development Contractor to be the employer for the purposes of the contract, subject to Executive approval of its establishment.
  - (iii) That the high level business case for Lowfield to exceed the planning policy level of affordable housing be approved, with the precise level of affordable housing to be determined at the point when the detailed business case is considered.

(iv) That approval be given to recruit of a Development Project Manager to aid the delivery of residential redevelopment and associated infrastructure at Lowfield.

(v) That the steps required and the timescale associated with the commencement of development at Lowfield be noted.

Reason: To progress with the building of much needed new homes in York.

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 7.26 pm].

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**Forward Plan: Executive Meeting: 25 January 2018**

**Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 8 February 2018**

| Title and Description  | Author                           | Portfolio Holder                                       |
|--|----------------------------------|--|
| <p><b>Q3 Finance and Performance Monitor</b><br/> <b>Purpose of report:</b><br/>                     To provide an overview of the council’s overall finance and performance position at the end of Quarter 3.</p> <p>Executive will be asked to: note and approve the report.</p> | Debbie Mitchell & Ian Cunningham | Executive Leader (incorporating Finance & Performance) |
| <p><b>Q3 Capital Programme Monitor</b><br/> <b>Purpose of report:</b><br/>                     To provide an overview of the council’s overall capital position at the end of Quarter 3.</p> <p>Executive will be asked to: note and approve the report.</p>                       | Emma Audrain & Debbie Mitchell   | Executive Leader (incorporating Finance & Performance) |
| <p><b>Financial Strategy</b><br/> <b>Purpose of report:</b><br/>                     To present the Financial Strategy, including detailed revenue budget proposals.</p> <p>Executive will be asked to: recommend the proposals to Full Council.</p>                               | Sarah Kirby                      | Executive Leader (incorporating Finance & Performance) |
| <p><b>Capital Strategy 2018/19 to 2022/23</b><br/> <b>Purpose of report:</b><br/>                     To present the capital programme, including detailed scheme proposals.</p> <p>Executive will be asked to: recommend the proposals to Full Council.</p>                       | Emma Audrain                     | Executive Leader (incorporating Finance & Performance) |

| Title and Description   | Author          | Portfolio Holder  |
|---|-----------------|---|
| <p><b>Treasury Management Strategy Statement and Prudential Indicators</b></p> <p><b>Purpose of report:</b><br/>To set out the treasury management strategy, including the annual investment strategy and the minimum revenue position policy statement and prudential indicators.</p> <p>Executive will be asked to: recommend the strategy to Full Council.</p>   | Debbie Mitchell | Executive Leader<br>(incorporating<br>Finance &<br>Performance) |
| <p><b>City Transport Access Measures</b></p> <p><b>Purpose of Report</b><br/>Following police advice and security risk assessments for York, and in line with other moves seen across other towns and cities in the UK, this report is to seek approval to start a review of city access points to restrict vehicle access during foot street hours.</p> <p>Executive will be asked to agree:</p> <ul style="list-style-type: none"> <li>• a review of security measures across the city, including the city centre and York racecourse to restrict vehicle access and a programme of works to take this forward the recommended options and work for York Racecourse and allows the Racecourse to go ahead with agreed measures in partnership with Council officers.</li> <li>• the use of the Reinvigorate York funding and any additional funding as required.</li> <li>• to delegate authority to the Director of Economy and Place for all works and budget decisions in this programme.</li> </ul> | Tony Clarke     | Executive Member<br>for Transport and<br>Planning               |



| Title and Description  | Author      | Portfolio Holder  |
|--|-------------|---|
| <p><b>Proposed Long Term Lease Holgate Bowling Green and Pavilion</b><br/> Purpose of Report: The report seeks a decision to grant a long term lease to the Trustees of York Railway Institute (RI) Bowls Club.</p> <p>The Executive is asked to agree to the letting of Holgate Bowling Green to the RI Bowls Club, for a term of 30 years, at a peppercorn rent.</p> | Tim Bradley | Executive Leader<br>(incorporating<br>Finance &<br>Performance) |
| <p><b>Disposal of Willow House, Walmgate</b><br/> <b>Purpose of Report</b><br/> To seek an Executive decision to approve the sale of the former Elderly Persons Home at Willow House to the highest bidder.</p> <p>Executive will be asked to: approve the sale of the property to the highest bidder.</p>   | Tim Bradley | Executive Leader<br>(incorporating<br>Finance &<br>Performance) |

**Forward Plan: Executive Meeting: 25 January 2018**

**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 15 March 2018**

| Title and Description   | Author        | Portfolio Holder                                    |
|---|---------------|---|
| <p><b>Extending Licensing of Houses in Multiple Occupation (HMO)</b><br/> <b>Purpose of Report</b><br/>                     To respond to the Council motion approved on 26th October 2017<br/> <i>"To request that the Executive undertakes a review of the evidence supporting the case for extended licensing across a proportion of the city (where the density of HMOs is the greatest) to assess the case for the introduction of additional HMO licensing".</i></p> <p>Executive will be asked to: review the evidence case, having regard to any announcement made by central government to extend the national mandatory HMO licensing scheme.</p>   | Ruth Abbott   | Executive Member for Housing & Safer Neighbourhoods |
| <p><b>Adopting the Ethical Care Charter (Home Care)</b><br/> <b>Purpose of Report</b><br/>                     To review the implications of the Council adopting the "Ethical Care Charter". The Charter was developed and published by UNISON after they conducted a survey of Home Care workers in 2012. The report will highlight the implications of adopting the Charter for the City of York and evidence York's strong position and approach that already exists in this area.</p> <p>Executive will be asked to:</p> <ul style="list-style-type: none"> <li>• Agree to the Council adopting stages 1 and 2 of the Charter, noting the implications and actions required</li> <li>• Note the implications of adopting stage 3 and agree further work to be</li> </ul> | Gary Brittain | Executive Member for Adult Social Care & Health     |

| Title and Description   | Author               | Portfolio Holder  |
|---|----------------------|---|
| <p>undertaken to clarify the impact and financial implication and to bring back a further report at a later date.</p>   |                      |   |
| <p><b>Make it York Contract</b><br/> <b>Purpose of Report</b><br/>           To present the core elements of the contract and service specification between the Council and Make it York for the period 2018-21.</p> <p>Executive will be asked to: agree these elements, together with the funding for 2018/19</p>   | <p>Charlie Croft</p> | <p>Executive Member for Culture, Leisure &amp; Tourism</p>      |
| <p><b>Joint Waste Management Agreement with North Yorkshire County Council</b><br/> <b>Purpose of Report</b><br/>           To update the Executive on the progress of the Allerton Waste Recovery Park (AWRP) project. This is a 25 year project in Partnership with North Yorkshire County Council (NYCC) with the objective of delivering a sustainable alternative to landfill for the treatment of residual waste. The project is entering its final stages and service will commence, on schedule, at the beginning of February 2018. A key element is the strengthening of the partnership between City of York Council (CYC) and NYCC, the waste disposal authorities.</p> <p>Executive will be asked to: note progress on the project and partnership between City of York Council and North Yorkshire County Council.</p> | <p>Dave Atkinson</p> | <p>Executive Member for Environment (Interim Deputy Leader)</p> |
| <p><b>York Central Access Delivery</b><br/> <b>Purpose of Report</b><br/>           Following the decision by the Executive in November 2017 to support the provision of a new access route into the York Central site from Water End this report sets out the proposed delivery strategy for the main access elements.</p>   | <p>Tony Clarke</p>   | <p>Executive Member for Transport &amp; Planning</p>            |

| Title and Description   | Author          | Portfolio Holder                                    |
|---|-----------------|---|
| Executive will be asked to: approve the delivery mechanism for the access arrangements for the York Central Scheme.   |                 |   |
| <p><b>Modern Slavery Transparency Statement</b><br/> <b>Purpose of Report</b><br/>           To consider the content of the Council's Modern Slavery Transparency Statement.</p> <p>Executive will be asked to: consider and agree the statement which demonstrates the Council's commitment to ensuring that there are no victims of slavery or human trafficking employed directly by the Council in its commissioned services or supply.</p> | Debbie Mitchell | Executive Member for Housing & Safer Neighbourhoods |

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

| Title & Description  | Author               | Portfolio Holder  | Original Date  | Revised Date                                | Reason for Slippage   |
|--|----------------------|---|----------------|---|---|
| <p><b>Licensed Hackney Carriage and Private Hire Driver Training</b><br/> <b>Purpose of Report</b><br/>                     Following receipt of two petitions, this report will set out the background for introducing the training and the justification for the fee, the recent decision relating to the renewal of Uber Britannia Ltd operator licence and the legal position regarding out of area licensed vehicles operating within our authority area.</p> <p>Members will be asked to: support Officers with regards to the introduction of the training, note the recent decision relating the renewal of Uber Britannia Ltd private hire operator’s licence and the legal position regarding out of area licensed vehicles operating within our authority area.</p> | <p>Lesley Cooke</p>  | <p>Executive Member for Housing &amp; Safer Neighbourhoods, Executive Member for Transport and Planning</p> | <p>25/1/18</p> | <p>19/2/18<br/>(joint Decision Session)</p> | <p>To enable the report to be considered at a joint Executive Member Decision Session</p> |
| <p><b>Joint Waste Management Agreement with North Yorkshire County Council</b></p> <p>For details see Table 2 above</p>  | <p>Dave Atkinson</p> | <p>Executive Member for Environment (Interim Deputy Leader)</p>   | <p>8/2/18</p>  | <p>15/3/18</p>                              | <p>To align reports briefings with NYCC</p>   |

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## Executive

25 January 2018

Report of the Corporate Director of Health, Housing and Adult Social Care

Portfolio of the Executive Member for Adult Social Care and Health

### **Securing a Sustainable Future for Haxby Hall Older Persons' Home**

The report provides information on the consultation undertaken with residents, relatives, staff and care providers on the option to transfer Haxby Hall older persons' home into the ownership and management of a partner organisation and, following transfer, to deliver improved care facilities on the site. Members will be asked to decide if the Council should procure a provider to deliver and operate an improved facility on the site. Should a decision to proceed be made, the report will also ask Executive to sanction the scope of the procurement.

#### **Recommendations**

1. The Executive will be asked to:
  - a. Receive and note the results of the consultation undertaken with residents, relatives, staff and care providers on the future ownership and management of Haxby Hall residential care home.
  - b. Make a decision about whether to transfer ownership and management of Haxby Hall residential care home to an independent sector provider.

If Members agree to transfer ownership and management, Executive is asked to:

- c. Agree:
  - i. to procure a developer/operator to take over Haxby Hall residential home as a going concern, with a commitment to deliver improved care facilities on the site;
  - ii. to dispose of the site of the Care Home to the selected bidder by way of freehold sale or long lease in return for payment of a premium/capital sum;
  - iii. to impose a covenant within the transfer deed/lease that the land

can only be used as a Care Home but the Council will not unreasonably withhold approval to a different use subject to the Council receiving an additional sum equal to a fair proportion of any increase in value arising from any alternative use (provided that the Council could refuse any request for alternative use within an initial period of approximately 25 years unless the provider can show that there is no longer sufficient demand for a Care Home on the site);

- iv. to procure a contract under which the Council would seek to purchase access to a specified number of beds in the Care Home at a specified rate for a specified number of years;
  - v. to provide relevant pension indemnities to the preferred partner in respect of the staff who will transfer under TUPE; and
  - vi. that the cost of this procurement be paid for out of the agreed Older Persons' Accommodation Programme budget.
- d. Agree that bids will be considered which allows for the residents and staff of Haxby Hall to move to another location for a fixed period of time while re-development at Haxby Hall takes place, and should this option be favoured by bidders that it is the subject of resident, relative and staff consultation before being adopted.
- e. Agree to receive at the September Executive Committee meeting the recommendation to sell or lease the Haxby Hall site to the preferred partner on the terms agreed via the procurement in accordance with Financial Regulations.

*Reason: To secure the long term provision of care at Haxby Hall and progress the Programme's aim of expanding and modernising older people's care provision in the city, while delivering medium and long term efficiencies.*

## **Background**

- 2. Haxby Hall is a 49 bed residential care home, wholly owned and operated by the Council since its construction in 1965. It is situated in the urban village of Haxby, approximately four miles from the centre of York (see plan at **Annex 1**).
- 3. On 7 December 2016 the Council's Executive committee agreed that the Older Persons' Accommodation Programme be amended and that Officers would seek a sustainable future for the Haxby Hall older persons' home and to consult residents, relatives, interested parties and staff of Haxby Hall on the option to seek a partner who will take over its



ownership and management with a commitment to deliver improved care facilities on the site in the near future to deliver modern residential and dementia care accommodation

4. The home currently has a total capacity of 49 care beds. Within those 49 beds there is provision for approximately 35 residential care beds, eight beds for people living with dementia and up to six step down/short stay beds which are used interchangeably. Services at the home are delivered by 51 staff (31.58 full time equivalents).
5. An options appraisal process conducted as part of the decision making of Executive on 7 December 2016 examined three options:
  - a) consult on the option to close and, if agreed, close the home and sell the site;
  - b) for the Council to develop the site to deliver a new care home; or
  - c) to transfer the property and services with a commitment by the new provider to improve the facilities once transferred.
6. Each option was analysed in relation its alignment with key criteria. The scoring is as follows:

**Green** = meets the aim/objective, two points.

**Yellow** = partially meets the aim/objective, one point.

**Red** = does not meet the aim/objective, nil points.

|  | Focus on Frontline Services | A Council that listens | Opportunities to partner | Protect the most vulnerable | Delivery of more care beds | Minimise costs to Council | Capital cost of option |
|--|-----------------------------|------------------------|--------------------------|-----------------------------|----------------------------|---------------------------|------------------------|
| <u>Option A</u><br>Close & sell land<br><b>7 points</b>  | 1                           | 1                      | 0                        | 1                           | 0                          | 2                         | 2                      |
| <u>Option B</u><br>CYC develops<br><b>9 points</b>       | 2                           | 2                      | 1                        | 2                           | 2                          | 0                         | 0                      |
| <u>Option C</u><br>Transfer services<br><b>11 points</b> | 2                           | 1                      | 1                        | 2                           | 2                          | 2                         | 1                      |

7. This appraisal recommended, and Executive agreed, that the Council takes forward the option to transfer the site and services at Haxby Hall to an independent organisation i.e. Option C. Consultation with other

councils (including Derby City Council, Leicestershire County council, Nottinghamshire County Council and Doncaster Metropolitan Council) has shown that transfer of services can bring a number of benefits when done correctly. Of the councils questioned all had seen a reduction in their operational costs and received a capital receipt.

8. A feasibility study conducted in 2016 showed that a care home of up to 70 beds could be delivered on the site. One key issue for development is access to the site, which is constricted by the adjacent ambulance station. Alternative options to improve the development potential of the site include achieving access via the Ethel Ward playing fields which are immediately to the south of Haxby Hall and under the control of Haxby Town Council. Work is ongoing with Yorkshire Ambulance service and other stakeholders to identify opportunities for improving site access for any new provider.
9. Planning and highways colleagues have provided guidance regarding any potential redevelopment of a care home on this site, and state:
  - a) The main considerations in relation to this proposal would be: the impact on designated heritage assets, namely the setting of the adjacent conservation area; design considerations and the visual impact on the character and appearance of the area; the affect on the amenity of existing and future occupants; and the impact on highway safety.
  - b) It is considered that any replacement buildings on site should adopt a scale, design and use of materials that are sympathetic to the village. They should follow the grain of development with a consistent built frontage that is domestic in its scale. Opportunities should be taken to improve the site's frontage by re-siting car parking to the rear and providing enhanced soft landscaping adjacent to the site's front boundary with the public highway.
  - c) The Council's Highway Officer has requested that any redevelopment of the scheme should seek to rationalise the amount of vehicle accesses to the site, with the removal of the entrance to the existing car park and utilising the possible southern access point for ingress and egress of vehicles to the car parking area. Approximately 19 vehicle parking spaces are along the lines accepted at other care homes of a similar size.
  - d) Whilst the site is not at risk of river flooding, a drainage assessment should demonstrate that the site could be adequately drained and, in particular, how surface water would be disposed off without increasing flood risk elsewhere.

## Consultation

10. Extensive consultation with residents, relatives and staff as well as with potential partners has guided our approach to this matter.
11. A six week consultation period with staff, residents and relatives started in September and was concluded in November 2017. This began with a meeting with staff at the home 25 September 2017. This was followed by a meeting with residents, their relatives and friends later that day. One to one engagements also took place.
12. The resident's meeting was well attended and the majority of feedback on the proposal was positive. The consultation event held with residents, relatives and friends was attended by approximately 40 people. A summary of the outcome is provided below:
  - a) The overall response was positive with the potential transfer being the preferred option when compared to closure.
  - b) The majority of the feedback related to how the transfer might affect those at the home and what would be done to mitigate it. A recurring question was whether people would have to move out of the home after the transfer. The preference from all concerned was a phased redevelopment that meant residents and staff could continue to be at the home.
  - c) People were very optimistic about the benefits of redevelopment, so long as it meant they could continue to live at the home. This was particularly the case when it was confirmed that fees for Council funded placements would remain the same. However, some residents were concerned about a fee increase after a two year period for self-funders.
  - d) Residents were also concerned that any new provider may not deliver the same quality of care. They asked how the council would make sure that this was the case. It was also discussed as to whether the council could maintain oversight of the home after transfer.
  - e) Lastly, residents were concerned about the possible closure of the home if a suitable provider was not identified and they asked if they could be given regular updates on the projects progress.
13. The option of moving residents and staff to another location for a fixed period of time was discussed in the context of the potential for redevelopment. However, as it was not fully explored during the current consultation it is proposed that this option is consulted upon should the

procurement process identify that it is useful and viable.

14. A supplier engagement was held on 6 September 2017 to promote the opportunity to the market and receive feedback on the proposal. The event was well attended with twenty-eight visitors from fourteen different organisations attending. Further feedback was gathered through structured conversations and fed back into the decision making process. Key issues raised include:
  - a) Interest in the opportunity and positive comments about the location.
  - b) The need to for the Council to provide as much information about the current service and buildings as possible.
  - c) A preference for planning matters to have been tested via pre-application.
  - d) A view amongst some that the opportunity to decant residents to another location will speed up redevelopment and reduce the development cost.
  - e) A mixed view as to the preferred number of beds that the Council buys back in a block contract, with some preferring more and some preferring less.
15. The re-development potential of the Haxby Hall site has been explored via a pre-planning application. Their views are summarised in the “Background” section above.

### **The Proposal**

16. Based upon the feedback from consultation with residents, relatives, interested parties and staff we propose that the Council procures the following, as a minimum:
  - a) The transfer of the freehold ownership (or grant of a long lease) of the property as well as services, staff and residents to the new provider as a going concern and with a requirement to deliver, as a minimum, residential care including for people living with dementia.
  - b) The Council will offer at least the pension indemnity if appropriate as drafted (but not used) for Burnholme or as used on similar transfers, such as those to Be Independent.
  - c) Council will “spot purchase” back residential care beds and residential care beds for those living with dementia in respect of existing residents funded by the authority, and at the Actual Cost of Care (ACOC) rate, for as long as they choose to stay. When an

existing resident moves on, their bed will not necessarily be re-purchased on a “spot purchase” basis but if it is, it will be at a rate agreed during the procurement process.

- d) Council will “block” purchase [eight] residential care beds for people living with dementia for [10+5] years at ACOC. The block contract will include payment for void beds for a variable period of time and in line with the provisions offered during the Burnholme procurement.
  - e) Existing residents at the time of transfer who fund their own care will be allowed to remain in the home with the provider guaranteeing that they will pay the current rate for their care, plus inflation, for the first two years after transfer. After two years the cost of their care bed will increase towards the normal rate charged by the care provider but with a limit placed upon the increase of no more than 5% over the charge paid in the previous year.
  - f) A requirement to complete improvements to the existing building (as required to achieve Care Quality Commission Standards and subject to obtaining any necessary planning permission) within [2] years (to improve the care delivered to transferring residents) and with a longstop date of [3] years.
  - g) That the evaluation of bids is weighted 60:40 in favour of quality.
  - h) That the Council receive from the provider a capital payment for the land with the competitive process seeking to obtain the best receipt available.
17. Bidders will be encouraged to provide bids which deliver the minimum requirements but which also deliver additional, viable, enhancements to this minimum. This will enable bidders to propose alternatives which might further improve the longer term redevelopment and expansion of care at the site and/or bring additional social benefit to the site. For example, alternative and viable bids will be acceptable if they also deliver
- Additional dementia residential care beds and/or nursing care and dementia nursing care beds at the ACOC rate over and above the minimum [eight] required.
  - A new build care home on the site rather than an improvement of the exiting home either using the “remain and develop option” or the “decant and develop” option.
18. Additional proposals may demonstrate that they will:

- a) Increase the numbers of care beds and/or some Extra Care homes at the site.
  - b) Bring other services onto the site, which deliver added social benefit
19. To facilitate redevelopment and minimise disruption to residents of the home, the Council will make available to the provider (by way of lease at a pepper corn rent) for an agreed and limited time an existing empty care home in the Council's ownership so that they may use it to temporarily move Haxby Hall resident and staff ("lock, stock and barrel") while the current home is demolished and a new home built in its place. This will only be made available on the explicit understanding that the home will be returned to the Council, with vacant possession and in a timely manner. This arrangement would benefit only those permanent residents who choose to move under such arrangements as any alternative home could not accommodate short stay residents as it would be smaller than Haxby Hall.
20. By offering the option to offer a temporary move for Haxby Hall "lock, stock and barrel" we are aware that this could mean additional disruption for residents who have already moved home once (or more). It is for this reason that we would want bidders to clearly state the benefits for existing and new residents of this approach and why we also propose further consultation should this option find favour during the bidding process.
21. The freehold transfer/long lease of the Haxby Hall site could incorporate a covenant that the land can only be used as a Care Home provided that the Council will not unreasonably withhold approval to a different use subject to the Council receiving an additional sum equal to a fair proportion of any increase in value arising from any alternative use (provided that the Council could refuse any request for alternative use within initial period of approximately 25 years unless the provider can show that there is no longer sufficient demand for a Care Home on the site).
22. Should the proposed procurement not attract a suitable bid then the Council would need to revisit the evaluation of options which took place in 2016. The most likely outcome could be reversion to the original plan which was consultation on the option to close the home; however, other options will be re-visited.
23. The current proposal is to procure this through a compliant procurement process including the advertising of the Contract Notice in the Official Journal of the European Union (OJEU) and the publication of the Award Notice in the OJEU. The procurement will be categorised under the

“Light Touch Regime” because we are commissioning residential and dementia care beds for Adult Social Care. This gives us the opportunity and discretion to modify the procurement method and approach to most effectively match the market we are operating in. For this reason we are considering a two stage Competitive Procedure including Negotiation which will allow us to firstly select suitably qualified bidders which propose solutions which meet our minimum requirements and, once these are evaluated, to ask them, as a second stage, to propose additional solutions. Solutions are evaluated on the basis of quality and cost. This process will allow us to select the best solution from the market.

24. Throughout the tender, providers will be evaluated on their ability to provide a high quality of care to existing and future residents. Bids will only be considered from bidders who meet a benchmark for the quality of care to be delivered. The larger proportion of scoring (60%) will be in favour of the quality of the offer rather than the financial element of the bid. However, the price offered for the site and the quantity and cost of care beds offered will be taken into consideration and will attract 40% of the evaluation marks. Of key financial interest to the Council is the securing of a block contract for care beds at our Actual Cost of Care.
25. If this proposal is approved by Executive, then the council will look to start the procurement process in Q1 2018 and to choose a provider within Q2. Executive will be engaged in Q3 2018 to sanction any relevant property transfers. The aim is then to transfer the home to a new provider in Q4 of 2018.

### **The Proposal in the Context of the Overall Programme**

26. Should Executive agree to pursue the “transfer” option for Haxby Hall, the following actions will follow:

| <b>Action</b>   | <b>Timescale</b>         |
|---|--------------------------|
| Procurement of a care provider                                | March to August 2018     |
| Executive approval to transfer assets to the preferred bidder | September 2018           |
| Transfer of Service   | Q4 2018                  |
| Improvement/re-development                                    | 2019 to 2020 (or beyond) |

27. The changes considered for Haxby Hall should be viewed in the context of the overall Older Persons’ Accommodation Programme. The Programme aims to deliver 861 new units of accommodation with care – both Extra Care accommodation and care beds – by 2020. To date,

242 units have been delivered and by 2019 a further 385 will have been provided, with the rest by 2020. 148 care beds have been closed over the last two years because the buildings they were in are no longer fit for purpose.

28. Amongst this new provision are 80 new residential and nursing care beds at Burnholme, of which the Council will “block purchase” 25, as well as Extra Care provision already in place at Auden House, Glen Lodge and Marjorie Waite Court.

### **Analysis**

29. Executive have concluded that the Haxby Hall Care Home cannot continue in its current condition in the medium term due to poor facilities including lack of en-suite bathrooms and general poor environmental quality. In addition the home continues to have a number of ongoing maintenance issues, including a damaged roof, prone to leaking.
30. A successful transfer of the home as a going concern will ensure the ongoing provision of care at Haxby Hall for the long term. In addition, by securing redevelopment by a partner, the quality of care at the site could be enhanced beyond what is currently available at the site. There is acceptance of this approach from consultees and interest from the market in taking over the operation of care at Haxby Hall.
31. The proposed transfer is in line with the Council’s shift to becoming a purchaser of care services. Through redevelopment of the home, the city can secure more of the specialist care it requires. This will also allow the council to be more focused in the type of care it pays for. This is a key purpose of the Older People’s Accommodation Programme, which is already delivering on planned long term revenue savings.
32. Should the option be adopted to temporarily move Haxby Hall residents and staff while a new care home is built on the site, this move would be to an existing closed care home. While it is recognised that the temporary accommodation will be no better than that currently provided at Haxby Hall, it will only be temporary and with the benefits of the new accommodation on the Haxby Hall site set as a clear future goal.

### **Council Plan 2015-2019**

33. The Programme is set in the context of the Council Plan for 2015-19 and will contribute to achieving its ambitions. Based on our statutory responsibilities and the aims of the new administration, the plan focuses on three key priorities:
  - a prosperous city for all - where local businesses can thrive and



residents have good quality jobs, housing and opportunities

- a focus on frontline services - to ensure all residents, particularly the least advantaged, can access reliable services and community facilities
- a council that listens to residents - to ensure it delivers the services they want and works in partnership with local communities

34. To support these corporate priorities and under the guidance of the Health & Wellbeing Board, York has developed proposals to achieve a new focus for adult health and social care which delivers:

- a) self care and self management;
- b) better information and signposting;
- c) home is best;
- d) early intervention and prevention;
- e) reablement and intermediate care (targeted resources);
- f) managing long term conditions; and
- g) delivering services at a community level where this is desired and possible;
- h) to reduce loneliness and increase social interaction amongst older persons and their communities;
- i) that York becomes a dementia friendly environment.

## **IMPLICATIONS**

### **Balancing Competing Priorities**

35. In order to make a decision on the future of the residential homes, members must take into account a number of factors. The following is a summary of matters which Members are asked to consider:

- The views expressed in the consultation process by participants including residents and their relatives, staff working at the home and their union representatives and members of the Older Persons' Accommodation Programme reference group including Age UK and York Older Persons' Assembly.
- Legal responsibilities such as those pertaining to the Human Rights Act and Equality Act. A copy of the Equality Impact Assessment dated 24<sup>th</sup> November 2016 is attached at **Annex 2**.
- Potential impact on residents and families.

- Financial impact on the authority and its Council Tax payers.
- Responsibilities to staff.
- Future demand and needs as expressed through commissioning strategies.
- Research and knowledge about demand for older people's accommodation.
- Central Government policies, directives and financial targets.
- Value for money in service delivery.
- Current standards of care.
- Supply and demand for residential care in City of York
- Occupancy levels of each home.
- The estimated cost of maintaining or improving the buildings.
- The availability of alternative provision.
- The service development opportunities in that location.

36. All these issues have been considered extensively in the work to date on this Programme and covered in the reports to Executive on the matter and listed at the end of this report.

### **Equalities**

37. 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:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equalities Act 2010.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

38. The Equalities Act 2010 explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public

life or in other activities where their participation is disproportionately low

39. An Equality Impact Assessment for the Older Persons' Accommodation Programme was produced for the 15 May 2012 Executive Report and was reviewed and most recently updated in November 2017. 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.
40. The Equality Impact Assessment for the Older Persons' Accommodation Programme has been further reviewed and updated in November 2016 to take account of the specific circumstances at Haxby Hall and the following additional considerations addressed:
  - a) The need to keep disturbance for residents, relatives and staff to a minimum during the transfer and improvement works and/or redevelopment. A key element will be the delivery of regular and clear updates on the progress of change and the adherence to a timetable for that change so that everyone knows what to expect, and when.
  - b) The project team will continue to work with OPH managers, staff, trade unions and Human Resources to ensure a fair and transparent process for staff should the Haxby Hall transfer take place. A relevant indemnity will be provided to any successful bidder in order to ensure that accrued pension rights are safeguarded.
41. The Equality Impact Assessment for the Older Persons' Accommodation Programme dated 24<sup>th</sup> November 2016 is attached as **Annex 2**.
42. An OPH Wider Reference Group has been 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.

### **Financial**

43. The cost of the procurement is already budgeted in the Older Persons' Accommodation Programme.
44. The financial model which guides the Programme reflects the proposed approach at Haxby Hall and still delivers the agreed savings by 2019/20.

45. The capital cost of achieving improved access to the site, if this is possible, has already been agreed by Council and forms part of the capital programme.

### **Legal**

46. Both the Legal Services and Procurement teams are fully engaged in this project. Key issues examined include the procurement method to be used, State Aid implications, property matters and care contract formulation.
47. The transfer of site ownership and operation of the care home to another entity will trigger the application of the TUPE legislation in relation to staff employed at or involved in the operation of Haxby Hall.
48. As Haxby Hall is to be transferred as a going concern comprising not just the existing building but also stock, third party contracts etc and an Asset Sale Agreement will be necessary, as well as the relevant contracts for service.
49. Any requirement for/obligation on the successful bidder to carry out substantial redevelopment of the site will need to be conditional upon them being able to obtain planning permission for such alterations on terms reasonably acceptable to them. Although the transfer deed/long lease could impose an obligation on the buyer/tenant to use all reasonable endeavours to obtain any necessary planning permission, if they fail to obtain this despite using all reasonable endeavours then any bidder would probably expect any substantial redevelopment obligation to expire/end. However the ownership/lease would remain vested in them to run the home with just the minimum requirements being satisfied. If the minimum requirements were not achieved, the Council would have an option to take the service and site back.

### **Human Resources**

50. Staff have been consulted on the proposals. Formal consultation will guide subsequent steps.
51. It is proposed that we offer the same pension indemnities as were offered for the Be Independent and other, similar, transfers.

### **Property Services**

52. The site has been valued for its outright sale potential and this valuation will be used as a guide to the value "sacrificed" in favour of the longer term revenue and the social and other economic benefits which will flow from the procurement. This is the same approach as was taken for the Burnholme care home procurement and land sale.

53. The development of the site and the benefits which flow from acquiring additional land and/or alternative access rights will be factored into the evaluation of the bids which are obtained via the proposed procurement.
54. The need for a new library site to be secured in Haxby is being pursued via negotiations with the Trustees of the Haxby Memorial Hall.

### **Planning**

55. A pre-planning application has been obtained to assess planning risk. This has examined the issues related to car parking on the site, vehicle access issues and the quantity of development permissible on the Haxby Hall site. The Planning team favour a re-development of the site which focuses buildings to the northern and eastern end of the site. Therefore, if additional parking was to be provided it may need to be at the south and accessed via land owned by the Town Council.

### **Better Decision Making Tool**

56. This matter forms part of an existing project agreed by Executive and which has been the subject of extensive scrutiny of the Business Plans and Equality Impacts and, therefore, a Better Decision Making Toolkit form has not been prepared.

### **Other Implications**

57. There are no other implications arising from this report.

### **RISKS**

58. The procurement of a partner to take over the ownership and management of Haxby Hall, should that be the decision made, has risks associated with it; these have been identified, will be kept under review and will be carefully managed.

| <b>ref</b> | <b>Risk</b>                                  | <b>Mitigating Action</b>   |
|------------|--|--|
| a)         | Lack of provider interest in the opportunity | Extensive soft market testing and structured conversations with potential bidders indicate that, subject to some concerns detailed above, which are being addressed to the extent possible, there is market interest in the opportunity. |
| b)         | Pension liabilities.                         | A level of indemnity has been  |

| ref | Risk  | Mitigating Action   |
|-----|---|---|
|     |   | offered previously by the council when transferring employees to alternative organisations. These are being explored.   |
| c)  | Site assembly (i.e. use of adjoining land). | Discussions with Yorkshire Ambulance Service have elicited the requirements of that organisation with regard to the ambulance station in Haxby.   |
| d)  | Planning consent.                           | Responding to concerns raised during soft market testing, the council has submitted a planning pre-application for the site. The advice from which will be shared with potential bidders within the published tender pack |

**End**

### Contact Details

|  |  |  |   |                 |
|--|--|--|---|-----------------|
| <b>Author:</b>   |  | <b>Chief Officer responsible for the report:</b>                             |   |                 |
| Roy Wallington<br>Programme Director, Older Persons' Accommodation<br>Tel: 01904 552822<br><a href="mailto:roy.wallington@york.gov.uk">roy.wallington@york.gov.uk</a><br>Jo Bell<br>Head of Service (Operations)<br>Adult Services<br>Mob: 01904 554142<br>Email: <a href="mailto:j.bell@york.gov.uk">j.bell@york.gov.uk</a> |  | Martin Farran<br>Corporate Director of Health, Housing and Adult Social Care |   |                 |
|  |  | <b>Report Approved</b>   | ✓ | <b>Date</b>     |
|  |  |  |   | 15 January 2018 |
| <b>Specialist Implications Officer(s)</b>  |  |  |   |                 |
| Legal – Walter Burns (Ext 4402)Gerard Allen (Ext 2004)<br>Finance – Debbie Mitchell (Ext 4161) and Steve Tait (Ext 4065)<br>Property – Philip Callow (Ext 3360) and Ian Asher (Ext 3379)   |  |  |   |                 |
| <b>Wards Affected:</b> Haxby and Wigginton   |  |  |   |                 |
| <b>For further information please contact the authors of the report</b>  |  |  |   |                 |

**Annexes:****Annex 1** – Plan of the Haxby Hall site**Annex 2** – Updated Equality Impact Assessment as it relates to the Haxby Hall transfer proposal**Abbreviations:**

ACOF - Actual Cost of Care

HR – Human Resources

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

OJEU - Official Journal of the European Union

TUPE - Transfer of Undertakings (Protection of Employment) Regulations 2006, as amended by the 2014 amendment regulations

**Background Papers:**

|              |   |
|--------------|---|
| 19 July 2011 | Report to Executive giving formal approval for the commencement of the Programme.   |
| 1 Nov 2011   | Report to Executive giving the results of consultation and proposed a programme of closures, supported by a further consultation period on proposed closures of Oliver House and Fordlands.   |
| 10 Jan 2012  | Report to Executive authorising consultation with staff, residents and their families and carers on proposal to close Fordlands and Oliver House, including changes to day care services as a result. Recommendation to close Fordlands and Oliver House.   |
| 15 May 2012  | Report to Executive noting the successful homes closure and transition for residents  |
| 4 June 2013  | Report to Executive seeking agreement on modernisation programme. The Council to fund the building of the two new care homes and so retain ultimate ownership of the buildings and the land with care homes designed, built, operated and maintained by an external provider.   |
| 3 Mar 2015   | Report to Executive seeking approval of revised proposals based on creating new Extra Care Housing and reforming the Council's existing ECH stock; building a new care home on the Burnholme site as part of wider health and community facilities; and working more closely with current care providers to deliver more specialist dementia accommodation across the city. |
| 30 July 2015 | Report to Executive seeking approval of the Business Case for the Older Persons' Accommodation Programme and agreement to proceed.  |
| 29 Oct       | Report to Executive providing the results of the consultation   |

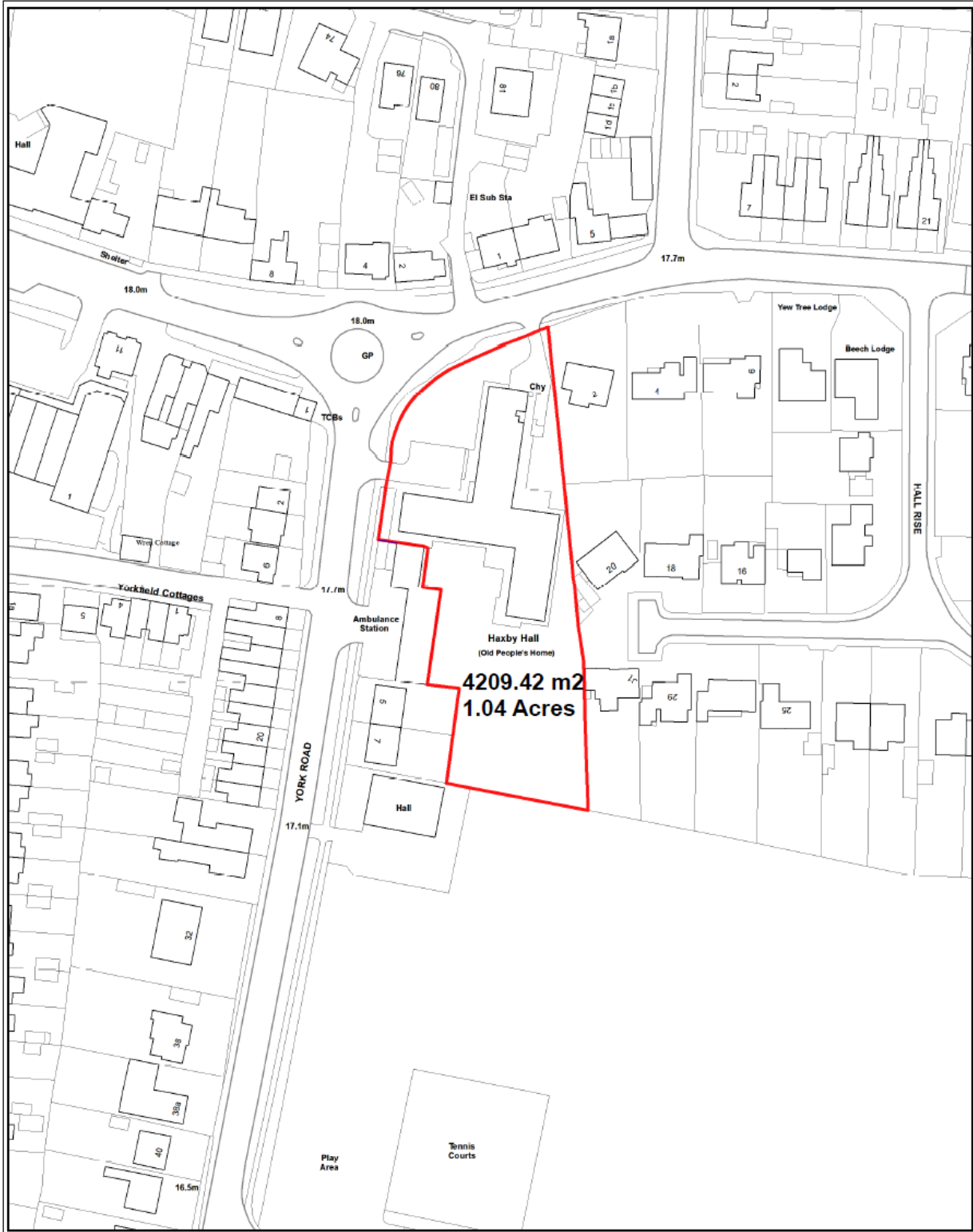
|                            |   |
|----------------------------|---|
| 2015                       | undertaken with the residents, relatives and staff of Grove House and Oakhaven residential care homes to explore the option to close each home with current residents moving to alternative accommodation. Executive agreed to close Grove House and Oakhaven.  |
| 29 Oct 2015                | Report to Executive regarding securing a viable future for the Burnholme school site in Heworth ward. Following extensive public consultation Members agreed to sanction further work to identify partners to progress the continued community and sports use of the site, complemented with wider health and enterprise services, the building and operation of a residential care home for older people and the provision of housing.   |
| 19 May 2016                | Report to Executive that obtained consent to begin to deliver the Burnholme Health & Wellbeing Campus and secure a viable future for the former Burnholme Community College site (the <b>Site</b> ) in Heworth ward.  |
| 14 July 2016               | Report to Executive by the Director of Adult Social Care. Agreement to move forward with examination of the development potential for Lowfield, alternatives to closure of Haxby Hall and sanction to consult on the closure of a further two older persons' homes.   |
| 28 <sup>th</sup> Sept 2016 | Report to the Audit & Governance Committee by the Programme Director, Older Persons' Accommodation, providing an update on progress of the Programme and actions taken to address External Audit recommendations.   |
| 24 <sup>th</sup> Nov 2016  | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received the results of the consultation undertaken with the residents, relatives and staff of Willow House residential care homes to explore the option to close the home with current residents moving to alternative accommodation, and agreement to close Willow House and sell the site.   |
| 7 <sup>th</sup> Dec 2016   | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The report obtained consent to complete the next phase of delivery of the Burnholme Health & Wellbeing Campus including sanction for the investment of £4.73m in new and refurbished community and library facilities, subject to Department for Education (DfE) approval to dispose of redundant land, as well as £200,000 in urgent repairs and works to the sports facilities on site. |
| 9th Feb 2017               | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive agreed to sell the site of the former Fordlands Road older persons' home to Octopus Healthcare who propose to develop a residential and nursing   |



|                                 |  |
|---------------------------------|--|
|                                 | care home on the site.   |
| 16 <sup>th</sup> March 2017     | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received an update on progress made towards delivering health & wellbeing services at Burnholme and agreed to enter into a long lease with a care home developer over a portion of the Burnholme Health & Wellbeing Campus site. Executive also agreed to enter into a head lease over the Community & Library facilities and the disposal of the Tang Hall Library site.  |
| 16 <sup>th</sup> March 2017     | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received an update on progress made towards delivering an Extra Care facility at Oakhaven on Acomb Road. Executive agreed to sell the Oakhaven site to an Extra Care developer. As part of this procurement the Council will secure nomination rights to 25 affordable rented and discount sale apartments.  |
| 31 <sup>st</sup> August 2017    | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received the results of the consultation undertaken with the residents, relatives and staff of Woolnough House residential care homes to explore the option to close the home with current residents moving to alternative accommodation, and agreed to close Willow House and the site be examined in accordance with the revised Corporate Asset Strategy and should it be concluded that sale is the preferred option that it be sold forthwith in order to generate a capital receipt to support the wider Older Persons' Accommodation Programme. |
| 31 <sup>st</sup> August 2017    | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care and the Corporate Director of Children, Education and Communities. Executive received information on the outcome of public consultation concerning the future of Burton Stone Lane Community Centre and agreed to confirm its closure and approve investment into the provision of a 33 home extension to Marjorie Waite Court Extra scheme to provide accommodation for older people and new community facilities.   |
| 28 <sup>th</sup> September 2017 | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care and the Corporate Director of Children, Education and Communities. The Executive received information that demonstrated the progress of the Older Person's Accommodation Programme towards delivering over 900 new units of accommodation with care for older people. The Executive gave consent to undertake consultation on the option to close two further Council run older persons' homes.   |
| 7 <sup>th</sup> December        | Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received the results of the  |

|      |   |
|------|---|
| 2017 | consultation undertaken with the residents, relatives and staff of Windsor House residential care homes to explore the option to close the home with current residents moving to alternative accommodation, and agreed to close Windsor House and the site to be use being for the Centre for Excellence for Disabled Children and their families and, should this use not be feasible, for housing use and should this use not be possible, then for the site to be sold forthwith in order to generate a capital receipt to support the wider Older Persons' Accommodation Programme. |
|------|---|

### Annex 1 – Plan of the Haxby Hall Site



Haxby Hall Elderly Persons Home



SCALE 1:1,250      DRAWN BY: DH      DATE: 06/01/2016

Originating Group: **Asset & Property Management**      Drawing No. **E00644**

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## Annex 2 - Updated Equality Impact Assessment as it relates to the Haxby Hall transfer proposal

### City of York Council EQUALITY IMPACT ASSESSMENT

|   |  |   |
|---|--|---|
| 1 | Name and Job Title of person completing assessment                             | Programme Director, Older Persons' Accommodation  |
| 2 | Name of service, policy, function or criteria being assessed                   | Haxby Hall older persons' home: a sustainable future  |
| 3 | What are the main objectives or aims of the service/policy/function/ criteria? | To continue to provide care at the Haxby Hall site in a modern and fit for purpose environment.<br><br>The continued provision and modernisation of care accommodation at Haxby Hall will improve the quality of services at the site and have modern standards of accessibility that the current site does not have. The Council will seek a partner, with whom to work to develop a scheme, which is both commercially viable and which delivers the maximum community benefit. |
| 4 | Date   | 24th November 2016  |

#### Stage 1: Initial Screening

|   |   |
|---|---|
| 5 | What evidence is available to suggest that the proposed service/policy/function/criteria could have an adverse impact <b>on quality of life outcomes</b> (as listed at the end of this document) for people (both staff and customers) with protected characteristics? Document the source of evidence, (e.g. past experience, anecdotal, research including national or sectoral, results of engagement/consultation, monitoring data etc) and assess relevance of impact as: <b>Not relevant / Low / Medium / High.</b> |
|---|---|

| Protected Characteristic | Not relevant |       | Low / Medium / High |       | Source of evidence that there is or is likely to be adverse impact |       |
|--------------------------|--------------|-------|---------------------|-------|--|-------|
|                          | Cust         | Staff | Cust                | Staff | Customers  | Staff |
| a Race                   | X            | X     |                     |       | n/a  | n/a   |

| Protected Characteristic |                                  | Not relevant |   | Low / Medium / High |   | Source of evidence that there is or is likely to be adverse impact   |   |
|--------------------------|----------------------------------|--------------|---|---------------------|---|--|---|
| b                        | Religion / spirituality / belief | X            | X |                     |   | n/a  | n/a   |
| c                        | Gender                           | X            |   |                     | L | n/a  | The OPH staff profile shows that the majority of the current workforce are women. |
| d                        | Disability                       | X            | X |                     |   | n/a  | n/a   |
| e                        | Sexual Orientation               | X            | X |                     |   | n/a  | n/a   |
| f                        | Age                              | M            |   |                     | L | Change of care provider and construction of a new care home may cause disturbance to residents at the existing Haxby Hall. | The OPH staff that are older may suffer adversely if seeking alternative work.    |
| g                        | Pregnancy / maternity            | X            | X |                     |   | n/a  | n/a   |
| h                        | Gender reassignment              | X            | X |                     |   | n/a  | n/a   |
| i                        | Marriage and civil partnership   | X            | X |                     |   | n/a  | n/a   |
| j                        | Carers of older and disabled     | X            | X |                     |   | n/a  | n/a   |

|                          |              |                     |  |
|--------------------------|--------------|---------------------|--|
| Protected Characteristic | Not relevant | Low / Medium / High | Source of evidence that there is or is likely to be adverse impact |
| people                   |              |                     |  |

If you assess the service/policy/function as **not relevant across ALL the characteristics**, please proceed to section 11. If you assess the service/policy/function as **relevant for ANY of the characteristics**, continue to Stage 2, Full Equality Impact Assessment.

### Stage 2: Full Equality Impact Assessment

|   |   |  |
|---|---|--|
| 6 | Are there any concerns that the proposed or reviewed service/policy/function/criteria may be discriminatory, or have an adverse impact on members of the public, customers or staff with protected characteristics? <b>If so record them here</b> |  |
| a | Public/customers  | Yes – possible negative effects on health and well-being of frail residents.   |
| b | Staff   | Yes – older staff especially those who are also carers in their home environment with limited ability to move and find other jobs. |

If there are **no concerns**, go to section 11.

If **there are concerns**, go to section 7 and 8 amend service/policy/function/criteria to mitigate adverse impact, consider actions to eliminate adverse impact, or justify adverse impact.

|   |  |
|---|--|
| 7 | Can the adverse impact be justified? E.g. in terms of community cohesion, other legislation, enforcement etc. <b>NB. Lack of financial resources alone is NOT justification!</b> |
|---|--|

#### Customers

Our quality assurance studies as well as the results of consultation showed that the current OPHs, whilst in reasonably good condition, are 40-50 years old and no longer meet current residents' needs and also are not fit for the future. Their size and design make it more difficult for staff and other practitioners to care for people with dementia and high dependency care needs.

#### Staff

Looking at experiences at other councils, there were no forced redundancies however, staff would be offered a fair severance package under TUPE law. Staff also recognise the need to improve and modernise the care

|   |  |   |  |
|---|--|---|--|
| environment for customers.  |  |   |  |
| 8   | What changes will you make to the service/policy/function/criteria as result of information in parts 5&6 above?  |   |  |
| There will be no changes to the proposed policy.  |  |   |  |
| 9   | What arrangements will you put in place to monitor impact of the proposed service/policy/function/criteria on individuals from the protected characteristics?  |   |  |
| <p>Assessment &amp; Safeguarding Care Managers and OPH Managers will monitor the impact of any changes on individual residents. They will also track feedback from relatives and, where appropriate request independent advocates looking out for the interests of individual residents.</p> <p>OPH Managers, Human Resources, and Trade Unions will support OPH staff through the transfer process if this decision is approved by the Members’.</p> |  |   |  |
| 10  | <p><b>List below actions you will take to address</b> any unjustified impact and promote equality of outcome (as listed at the end of this document) <b>for staff and other people with protected characteristics. Consider action for any procedures, services, training and projects related to the service/policy/function/criteria which have the potential to promote equality in outcomes.</b></p> |   |  |
|   | Action   | Lead  | When by?   |
|   | <p><u>Customers</u><br/>The Council will endeavour to keep disturbance during to transfer to a minimum; the new operator of the home will do the same during any construction works. The development work is crucial to maintain the long term operation of services at Haxby Hall and the transfer will be of much less disturbance than closure</p> <p><u>Staff</u><br/>We will work closely with</p>  | <p>Head of Service (Operations)</p> <p>Care Home Operator</p> <p>Head of Service (Operations)</p> | <p>Until transfer of property and services has occurred.</p> <p>Until new construction is complete</p> <p>Until transfer of services has occurred.</p> |

|  |                    |   |
|--|--------------------|---|
| <p>OPH Managers and staff, the Trade Unions and Human Resources to ensure that there is a fair, open and transparent process for dealing with staff moves between current homes, and into the new care homes, when built.</p>                            |                    |   |
| 11   | Date EIA completed | 24 <sup>th</sup> November 2016                              |
| <p>Author: Roy Wallington<br/>         Position: Programme Director, Older Persons' Accommodation<br/>         Date: 24/11/2016</p>  |                    |   |
| 12   | Signed off by      | Signed by Martin Farran [signature removed for publication] |
| <p><b>I am satisfied that this service/policy/function has been successfully equality impact assessed.</b></p> <p>Name: Martin Farran<br/>         Position: Corporate Director, Health, Housing and Adult Social Care<br/>         Date: 24/11/2016</p> |                    |   |





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**Executive****25 January 2018**

Report of the Corporate Director of Children, Education and Communities

Portfolio of the Executive Member for Education, Children and Young People

**Developing a Centre of Excellence for Disabled Children and their families in York****Summary**

This report will provide Members with an overview of the proposal to develop and build a Centre of Excellence for disabled children and their families in York.

The development work, which has incorporated a formal feasibility study, has worked closely with key stakeholders, including parent / carers of disabled children. The report will detail the service development plans, building designs, site options and the financial business case.

The Centre of Excellence has the potential to; be a national leader of innovative practice in this area, Make York Home for more disabled children and young people and invest in service provision in order to deliver better outcomes for disabled children, young people and their families.

The report will seek agreement for the financial business case, agreement to progress the project to the next stage of design, planning and development and recommend to Council that the required capital expenditure is committed to enable the development of the Centre of Excellence.

**Recommendations**

1. The Executive will be asked to:
  - a. Agree the financial business case for the development of a Centre of Excellence for Disabled Children and their families in York.
  - b. Agree for the project to progress to the next stage of design, planning and development

- c. Recommend to Council a capital budget of £4.274m to support the development of a Centre of Excellence for Disabled Children and their families. This is being financed by the sale of The Glen plus the annual repayment charge of £175k from the revenue budget, repayment charge is for 30 years.

## Background

2. City of York Council alongside its partners have been exploring, as part of a feasibility study, the opportunities and benefits of building a Centre of Excellence for Disabled Children and their Families in York. This new building and provision will provide:
  - **The setting for a range of support services** which will enable disabled children to remain in their families and in their community, delivered from a safe, accessible space
  - **Flexible short break provision** to meet the needs of children and young people with Autism, Learning Disabilities and/or additional health needs.
  - **Family Intervention Rapid Support Team (FIRST) and Therapeutic Short Breaks** a specialist Clinical Psychology led intensive assessment and intervention service for families with children and young people who have Autism and Learning Disability and challenging behaviour which affects their ability to live in the local community
3. The project is part of the wider development of services for disabled children and young people across the city and provides the Council with an opportunity to:
  - Deliver better outcomes for disabled children and young people including those with the most complex needs
  - Invest capital in developing a Centre of Excellence for Disabled Children which has the potential to be a leader in innovative practice both regionally and nationally
  - Make York Home for more disabled children and young people by reducing Out of Area placements
  - Develop and invest in service provision in order to generate future savings and income generating potential

## **Feasibility and development**

4. The feasibility and development work over the past 8 months has taken a co production approach, engaging parent / carers, staff and partner agencies at all stages. Significant work, which will be outlined below, has been undertaken in relation to service development, building design, site options and the financial business case.

### *Service development*

5. The proposed service developments in this report are part of a whole system approach to deliver effective services and a joint agency response to the most vulnerable disabled children and young people across our city and region. They are also developed within a wider set of arrangements and services for all disabled children and their families within York.
6. The proposals directly link to City of York Council priorities around 'Make York Home' for children and young people. The proposals recognise that the outcomes for disabled children and young people are significantly improved when they are cared for and supported in their own homes, families and local communities.
7. Work has been undertaken to develop the structural and staff role changes and developments that are required to deliver the new way of working within a Centre of Excellence. This will include the development of an integrated staff team, to include Children's Social Care, CAMHS (FIRST) and Health staff. This will provide an effective and efficient multi-disciplinary service.
8. This service development will involve the re grading of posts and changing of lines of accountability. Potential changes in operational costs have been considered in the overall business case. A HR representative has been allocated to support the work and guide the process going forward.
9. Partnership working agreements have been agreed with Tees, Esk & Wear Valley (TEWV) Trust who provide our CAMHS service, to increase the Clinical Psychological resource within the city to support the FIRST development and expansion plans.
10. Detailed conversations have taken place with North Yorkshire and East Riding County Council about the potential of working in partnership and/or purchasing enhanced FIRST provision, alongside other services and provision that would be available within the Centre of Excellence.

11. A funded pilot with East Riding has been agreed and will start in February 2018. This will seek to bring a child currently in an Out of Area placement back into local provision using the FIRST service. This work will be used to generate a business case for releasing future funding from East Riding into the FIRST regional provision as part of the Centre of Excellence.
12. Significant work has been undertaken within York, to explore how the FIRST service can be both developed and integrated more effectively across the existing disability resource and provision with a view to reducing the need for Out of Area placements in the future.

### *Building Designs*

13. Specialist Design Consultants (Gilling Dod Architects) have been recruited to support the feasibility work. Initial design requirements, guidelines and ideas have been developed and then extensively consulted on with front line staff, managers, partners and parents / carers. Examples are contained in Annex A. Further detail can be provided on request.
14. The Design Consultants have also worked alongside staff and parent / carers to develop a Schedule of Accommodation (SoA) that gives an initial approx guide to the amount and size of rooms and space required. This SoA suggests that The Centre of Excellence will require a building footprint of approx 1100 square metres (sqm) set within an area of outside space, gardens, amenities and car park of approx 5000msq.
15. Following the consolidation and analysis of consultation feedback, The Design Consultants have developed a draft building layout and a concept design, which includes potential entrances and approaches. See Annex B

### *Site options*

16. Council Officers identified Windsor House Older Person's Residential Accommodation, as a potential land option for The Centre of Excellence. Following consultation, The Executive made a decision on 7<sup>th</sup> December 2017 to close Windsor House. The Executive also agreed to the recommendation that the preferred, but not only option for the use of this land should be to build the Centre of Excellence.
17. The Windsor House land is located in Acomb, adjacent to Hob Moor Oaks Special and Community Primary School playing fields and covers a land footprint of 1802sqm.

18. The land allocation of Windsor House is less than the initial requirement estimated by the Design Consultants. A number of options have been explored to increase the land available for the project and new build:
19. Following careful consideration and discussion, the preferred option that has been agreed to pursue is the use of a small part of the Hob Moor School playing fields. This decision was made due to the potential mutually beneficial relationship and service synergies that could be developed between Hob Moor Oaks Special School and the new Centre of Excellence
20. The Hob Moor Federation of Schools, which is one of York's PFI school buildings, is in the process of completing a transfer to Ebor Academy Trust. The revised date for this transfer to complete is April 2018. The PFI provider is Sewells Investments.
21. An assessment according to DfE and Sport England requirements has been completed on the Hob Moor Federation of Schools playing fields. The DfE calculate that the schools (taking into consideration 105% of existing capacity) require 13 144 msq of playing fields. Hob Moor Federation of Schools have 30 558 msq of playing fields and outdoor space. This surplus area includes a Multi Use Games Area (MUGA) that is available to the community and an area of grassland at the back of the school which is undulated Ridge and Furrow land. If the MUGA and Ridge and Furrow grassland is excluded from the calculation, the Schools have a surplus of 7608 msq.
22. Discussions have taken place with the Chief Executive of Ebor Academy Trust, Headteacher and Governors of Hob Moor Federation of Schools about the opportunity of a partnership that could use part of Hob Moor surplus playing fields to develop shared amenities and potentially the co location of part of the Centre of Excellence Building. This partnership would develop an integrated, co located approach to social care, health and education services for Disabled Children and their families.
23. Consideration will need to be given to any building on the playing fields which might be interpreted as a 'change of use'. This would then involve a section 77 application to the DfE and a public consultation.
24. Ebor Chief Executive, Headteacher and School Governors are very positive and supportive about the opportunity. They have identified the clear synergies between this new provision and the support and services

they offer through the Hob Moor Oaks Special School. It is the same children and families that attend Hob Moor Oaks during the day that will be accessing the support and services provided by a new Centre of Excellence. Some of the Teaching Assistants that support children in Hob Moor Oaks are the Community Short Break workers that will work as part of the Centre of Excellence. Disabled children will be able to walk to this new provision after school, instead of being transported across the city on minibuses.

25. The School and Academy Trust are keen to ensure that any potential change of use and or loss of playing fields is mitigated against. They have asked as part of the overall proposal and business case, that finance is made available to develop the upper part of the land at the back of the school into useable playing field space. This land is ridge and furrow grassland with the lower (8346msq) part designated as a SINC (Site of Importance for Nature Conservation) site. The upper part (4252msq) of the land has been developed as a forest school / outdoor classroom.
26. Discussions have taken place with Council Planning, Ecological and Archaeological experts to seek guidance and develop a work able proposal. This proposal includes relocating the forest school onto the lower 8346msq land, developing the playing fields on the upper 4252msq land and ensuring the ridge and furrow and SINC feature is protected, accessed, celebrated and learnt about by both disabled and non disabled children from the schools.
27. Education, legal and finance officers responsible for the Academy transfer process, are working with the School and PFI legal teams to explore options in terms of the surplus playing field land transfer to the Ebor Academy Trust. The Council is seeking to re draft the 'red line' transfer of land to the Academy that will provide it with the maximum flexibility, (for a fixed period of time and for the specific purpose outlined in this report) to seek a planning application to build a Centre of Excellence on some of the surplus playing field land.
28. DfE have been consulted about whether the existing 'red line' for the academy land transfer can be re drafted and agreed as part of the legal contractual arrangements. They are supportive, subject to school / Academy agreement.
29. Discussions have taken place with Sewells Investments, who are the PFI provider for the schools. They are supportive of the project and are keen

to explore options of how they can work in partnership with the Council to develop this new building and provision.

## **Consultation**

### *Parent / Carers*

30. A co production approach has been taken to all the feasibility and development work. This has meant that parents and carers of disabled children and young people have been involved in every stage of the project. The proposal and recommendations within this report are a direct response to the views, feedback and ideas from parents and carers.

31. A variety of methods have been used to communicate, engage and consult with parent and carers throughout the feasibility work. This includes a Stakeholder Conference, visits to similar projects across the country, representation on the design working group, direct engagement with Architects, monthly on line updates, online questionnaires, focus groups and individual conversations. Examples of the co production engagement work with parent / carers is contained in Annex D

### *Children and young people*

32. A creative approach has been taken to ensure that disabled children and young people have influenced the design and development plans. A creative film producer has been commissioned to develop a series of films titled '*Not About Me, Without Me*' with children and young people. These short films have documented and communicated what is important to children and young people and their ideas and suggestions for new building and provision. Some still photographs from the films are contained in Annex E

### *Internal staff*

33. Staff working directly with disabled children and families have also been part of the co production approach and been engaged and consulted at each stage of the project. All staff directly affected by the developments have been consulted via online questionnaire, staff meetings and monthly updates. They have also been given the opportunity to take a more active part in influencing the work by attending the Stakeholder Event, visiting other projects across the country and being part of the design working group.

### *Council Members*

34. Councillor Rawlings as Portfolio Holder for Education, Children and Young People has been involved with all of the plans and developments from the start of the project. This has included discussing ideas and plans direct with parent / carers and staff.
35. Ward Councillors were briefed on 24 October, when the opportunity to co locate the new facility alongside Hob Moor Federation of Schools, in Acomb was initially considered. Further discussions have taken place with Cllr Waller on 23 November and 20 December to discuss options, issues, concerns and opportunities.

### *Local Residents*

36. A public consultation and engagement meeting has taken place within the Westfield ward with local residents to explore initial plans and offer the opportunity to ask questions. This will be the start of an ongoing consultation and engagement strategy as part of the next stage of the project implementation.

### *Partner agencies*

37. Senior Health Partners including Vale of York Clinical Commissioning Group and Tees Esk and Wear Valley Health Providers are well cited of plans and have had multiple opportunities to share their views and identify areas future joint commissioning and working.
38. The staff and Governors of the Hob Moor Federation of Schools and Senior Managers with the Ebor Multi Academy Trust have also been consulted over the plans and development opportunities.

### **Options and analysis**

39. A number of site options have been discussed and consulted on with key stakeholders. An options appraisal has been completed for all potential options This appraisal has considered the practice, design, financial, school, open space, traffic, community, legal and planning implications. The appraisal and subsequent discussion has identified a preferred recommended option which will be outlined below.
40. In order to present and evidence the case for action, the implications for 'doing nothing' will be costed and outlined first.



*'Do Nothing' option*

41. A 'costed' assessment has been undertaken by the Council Property Department of the renovations that are needed to be made to the existing provision at the Glen in order to ensure it meets the minimum specification required to deliver the outcomes for children and young people in the future. The cost of these renovations is £2,731,000, this excludes design fees which would be estimated at a further £327 000. If renovations were agreed, this would involve the existing facility closing for a period of at least 6 months for the construction work to take place. There would be an additional cost to sourcing and financing alternative provision for the current services users during this period of time.
42. If the 'Do Nothing' option was identified, this would also severely limit the Council's ability to Make York Home for more disabled children and young people, reduce Out of Area placements, increase income generating potential and realise existing savings targets.

*Preferred recommended New Build Option*

43. The preferred and recommended new build layout and site outline is contained in Annex F
44. Advantages (+) and disadvantages (-) of this option are contained below under the key areas for consideration.

|                        |  | +/- |
|------------------------|--|-----|
| <i>Practice</i>        | – Parent / carers, front line practitioners, managers and partner agencies are supportive of this site layout                                | +   |
|                        | – Relationship, links, shared amenities and entrances with school will need to be carefully to maintain the therapeutic and safe environment | -   |
| <i>Design / layout</i> | – Flexible site layout with garden / outside / quiet / therapeutic space surrounding building  | +   |
|                        | – Distinct provision separate but linked to school   | +   |
|                        | – Potential for Lincoln Court to overlook provision  | -   |
|                        | – Adjacencies with garages and MUGA will need to managed to ensure safety of children and young people                                       | -   |
| <i>Financial</i>       | – Total capital required for build – gross <b>£4.274m</b> net <b>£3.424m</b>   | +   |
|                        | – Annual Repayment for 30 years <b>£175 000 pa</b>   | +   |
|                        | – Cost of internal purchase of Windsor House (WH) land   |     |

|                                      |   |   |
|--------------------------------------|---|---|
|                                      | and developing school playing fields will need to be factored into financial business case  | - |
| <i>School perspective</i>            | - Hob Moor School and Ebor Academy Trust are supportive of this option with the understanding the playing fields are developed at the back of the school                              | + |
|                                      | - Short access to the school to ensure children can walk to new provision from school where appropriate   | + |
|                                      | - Additional shared therapy garden space for school   | + |
|                                      | - Potential to bring MUGA back into use for the school  | + |
| <i>Open space and Playing Fields</i> | - 2.4% of the total Hob Moor School open space / playing fields potentially built on by new provision   | - |
|                                      | - 2817 msq of Hob Moor playing fields used for new provision.   | - |
|                                      | - With the development of the playing fields at the back of the school this would result in a 1435msq <b>net gain</b> to school of <b>usable</b> playing fields space                 | + |
|                                      | - Potential for front playing field space to be disjointed  | - |
| <i>Traffic and parking</i>           | - Access via Ascot way is narrow.   | - |
|                                      | - Transport plan would need to identify construction and operational traffic impact and implications  | - |
|                                      | - Initial analysis suggests the net traffic difference between proposed and existing Windsor House provision should be minimal  | + |
|                                      | - Minimum service critical parking developed for new provision on the allocated site, therefore reducing any additional pressure on Hob Moor School car park                          | + |
|                                      | - Potential to share some visiting professional parking with school, during non peak hours.   | + |
| <i>Community impact</i>              | - Greater community access to playing fields if they are developed for the school   | + |
|                                      | - MUGA brought back into use for school, community and new provision  | + |
| <i>Legal</i>                         | - Redrafting of red line required with School as part of the Academy transfer process   | - |
|                                      | - DfE are supportive of redrafting of red line subject to school agreement  | + |
|                                      | - A section 77 application will be required in order to request a change of use from DfE of playing fields land. This process / application requires a school and public consultation | - |
|                                      | - Legal implication to building on land that is part of a PFI agreement needs careful consideration   | - |

---

|                 |  |                                     |
|-----------------|--|-------------------------------------|
| <i>Planning</i> | <ul style="list-style-type: none"> <li>- Developing 4252msq of the Ridge and Furrow land at the back of the school into useable playing fields will require ecological and archaeological agreement</li> <li>- The impact on playing fields and open space will need to be considered and mitigating actions taken as part of the planning process</li> <li>- Access via Ascot way for construction and operation of new provision would need consideration as part of planning application</li> <li>- Planning will require a public consultation with local residents</li> </ul> | <p>-</p> <p>-</p> <p>-</p> <p>+</p> |
|-----------------|--|-------------------------------------|

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45. The Executive is asked to agree the preferred recommended site layout and location option. This option will then be progressed with stakeholders, using a co production approach, to the next stage of design and implementation.

### **Council Plan**

46. The development of a Centre of Excellence directly links to the Council priority of delivering community based reliable front line services for the most disadvantaged children and young people.

47. The co production approach with parent / carers and children and young people to the feasibility and development of the project also directly links to the Council priority of listening and working in partnership with local residents and communities to develop and deliver services that people want.

### **Implications**

#### **Financial**

48. Detailed financial implications are covered within the overall financial business case contained in Annex C.

49. If the 'Do Nothing' option is agreed, there will be a capital cost of £3.058 m to renovate and develop existing provision to the required specification. In addition it would be unlikely that the Glen revenue budget saving of £150,000 pa (£75,000 in both 2017/18 and 2018/19) could be delivered.

50. The recommended new build option requires an approx gross capital investment of £4.274m (net £3.424m) and will incorporate £175 000 per

annum repayment as part of the service operational revenue costs. The repayment amount assumes the capital receipt of the selling of The Glen (existing Short Break Residential provision) land as part of the financial calculation.

51. The business case in Annex C demonstrates that the revenue budget position for the new provision is financially sustainable, including funding the annual capital repayment of £175k delivering the £150k pa budget saving for The Glen and a further saving of £100k pa on Out of Area placements.

|                                   | £k           |
|-----------------------------------|--------------|
| Total Capital Required            | 4,274        |
| Windsor House Valuation           | 400          |
| Receipt from the sale of the Glen | (1,250)      |
| <b>Net Capital Receipt</b>        | <b>3,424</b> |
| Annual repayments – For 30 years  | 175          |

## Human Resources

52. Service development proposals have been discussed with the identified HR representative for the project. HR will advise and guide the implementation of these plans and proposals, with regular updates into CEC DMT.

## One Planet Council / Equalities

53. A One Planet Council Better Decision Making Tool Assessment has been started as part of the feasibility process. This assessment will continue to be added to and developed as the project progresses to full implementation and delivery.
54. The development of a new Centre of Excellence for Disabled children and families has clear One Planet benefits around addressing health inequalities, physical health and mental wellbeing and barriers to services for vulnerable children and young people. It also has potential to advance equality issues for disabled children and young people across the city.

## **Legal**

55. Legal Services are providing advice and guidance for the re drafting of the 'red line' land transfer to the Ebor Academy Trust and the associated contractual legal wording that will form part of the agreement between the Trust, School and Council.
56. Legal Services are also providing guidance on any legal implications to a planning application and construction on a PFI maintained site. Initial legal assessment would suggest that as long as any new development does not impact on the PFI providers contractual obligations to the school buildings and site and the Council continues to pay what is due under their contract agreement, there should not be anything that prevents progressing a new building on this land.

## **Crime and Disorder**

57. There are no crime and disorder implications

## **Information Technology**

58. There are no information technology implications

## **Property**

59. A decision has been made for Windsor House to close and a recommendation agreed by Council Executive that the first option for alternative use of this land should be the Centre of Excellence.
60. Should this option be agreed and taken up, consideration will need to be given to replacing the shared boiler with Lincoln Court. This replacement will be an estimated cost of c£100,000.
61. If this option is not taken the Windsor House will then be sold for its capital receipt with this being used to further the objectives of the Older Persons Accommodation programme. Windsor House has a current external evaluation of between £300,000 - £400,000.

## **Risk Management**

62. Feasibility risks around financial viability, parent / carer engagement and key partner involvement have been managed and mitigated throughout feasibility and development work.

63. Key selected priority future risks are listed below.

- Costs increase to an extent that significantly impacts the financial viability of the business case
- Planning application is refused or the process elongated
- PFI provider prevents or makes difficult building on land that is covered by their PFI agreement with the school
- Section 77 application to the DfE is refused
- Land asset of The Glen and Glen House does not realise external evaluation, which therefore impacts on the finance business case
- New provision does not meet the identified service need in particular for complex children currently or potentially in future in Out of Area Placements
- Local community and residents object to proposal and planning application

64. All risks are contained in a detailed and costed future risk plan. The proposed mitigating actions have been scrutinised to ensure a robust plan is in place.

**Contact Details**

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**Jon Stonehouse**  
**Corporate Director, Children, Education and Communities**

**Children, Education and Communities**

**Report Approved**



**Date 16/1/18**

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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**

## **Annexes**

**Annex A** Design requirements

**Annex B** Building layout and concept approaches

**Annex C** Financial business case

**Annex D** Examples of co production engagement with parent / carers

**Annex E** Examples of engagement with children and young people

**Annex F** Proposed site layout

## **List of Abbreviations Used in this Report**

FIRST – Family Intensive Rapid Support Team

SEN – Special Educational Needs

MUGA – Multi Use Games Area

CAMHS – Child and Adolescent Mental Health Service

TEWV – Tees Esk and Wear Valley Health Trust

TSB – Therapeutic Short Break

PFI – Private Finance Initiative

DfE – Department for Education

CCG – Clinical Commissioning Group – Health

SoA – Schedule of Accommodation

CEC – Children, Education and Communities

DMT – Departmental Management Team

## **Definitions**

**Co production** – is a process of involving people who use services being consulted, included and working together from the start to the end of any project that affects them.

**FIRST** - is a specialist Clinical Psychology led service that supports families with children/ young people who have a learning disability or autism spectrum condition, and those with the most complex behavioural needs. FIRST provides intensive holistic assessment and intervention to meet the needs of the child and family. FIRST is a collaborative initiative between CAMHS and Social Care. The collaborative approach helps to bring together local professionals and providers in order to maximise expertise and provide wrap-around, consistent support. This model of care, also known as Intensive Support involving aspects of Positive Behaviour Support, has received national backing through government led initiatives



**Red Line** – The red line is the line that is drawn around the land boundary around the school that is transferred across to the Academy Trust as part of the academisation process.

**The Glen** – The Glen Short Breaks Centre provides short break residential support and accommodation for disabled children and their Families. It is based in Ousecliffe Gardens in Clifton

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# 1

## Annex A – Design Requirements

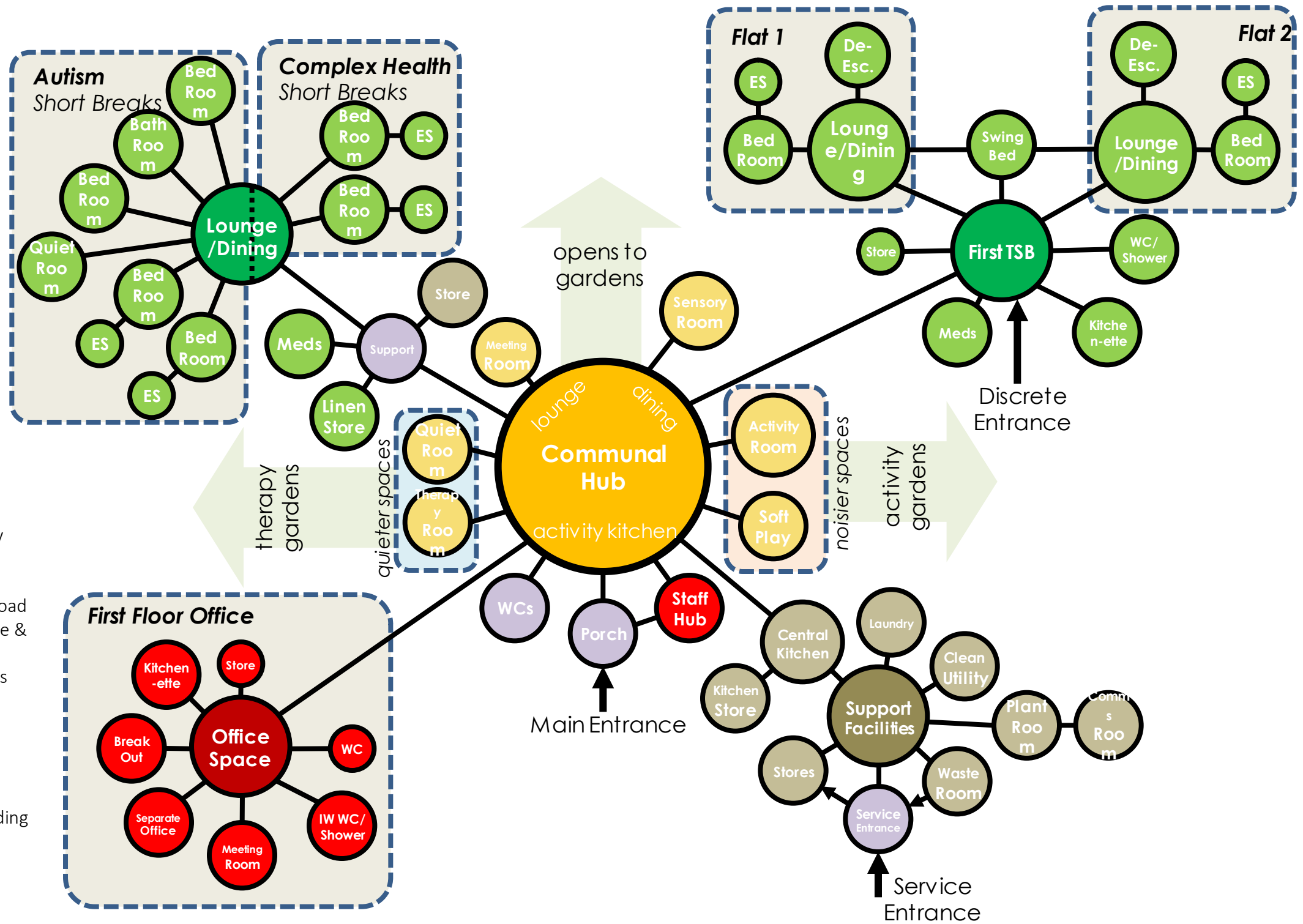
Building Adjacencies, Key Drivers and Design Principles

### Key Drivers

- Flexibility / Multi-Functional
- Safe
- Therapeutic
- Non-Institutional
- Sensory
- Robust
- Affordable
- Accessible
- Community
- Child/Young-Person Focussed
- Simple & Intuitive
- Transformational
- Practical
- Modern/Light/Airy
- Fresh Air

### Design Guidelines

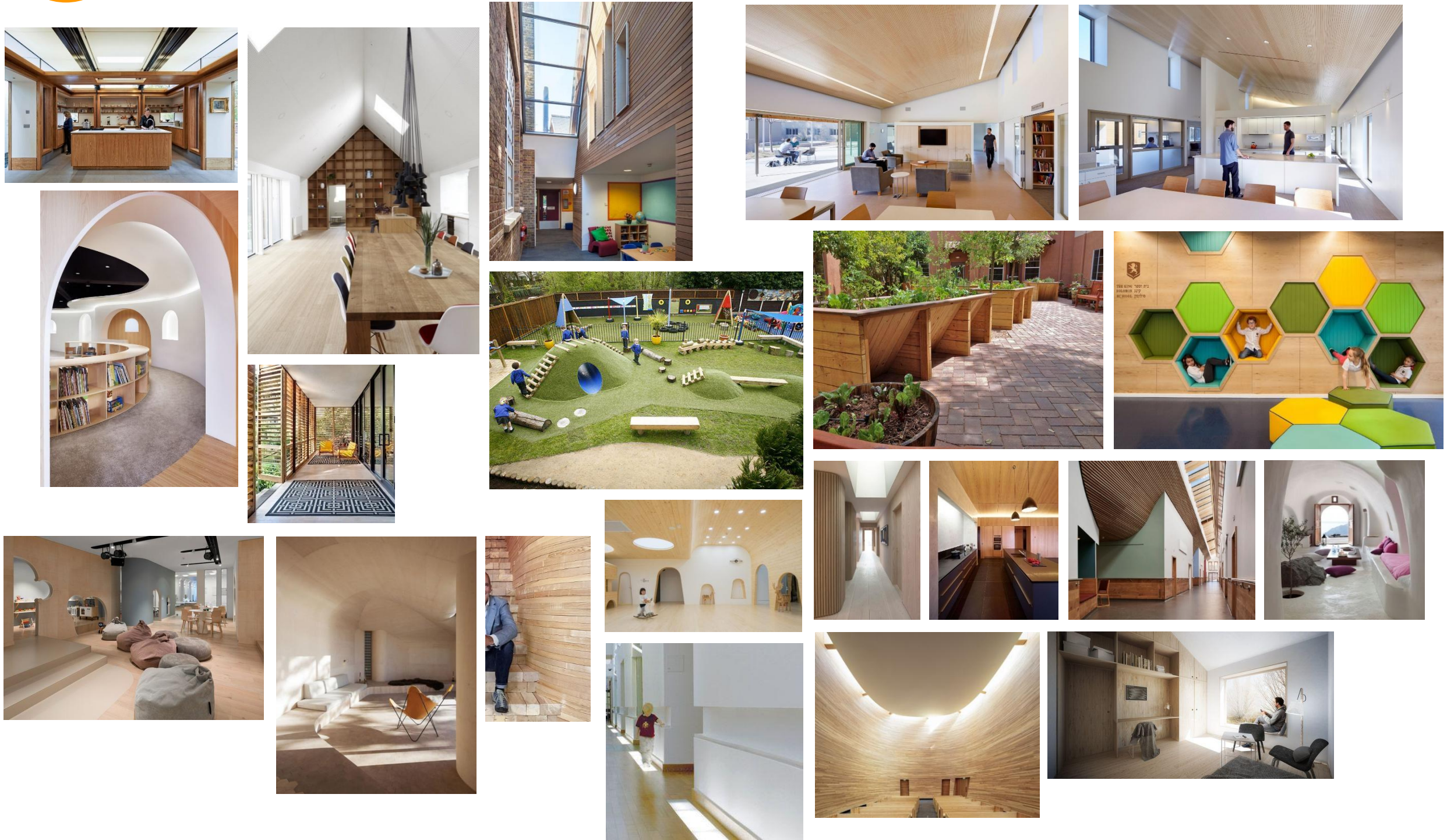
- Ensure Safety & Security
- Maximise Familiarity, Stability & Clarity
- Minimise Sensory Overload
- Provide Adequate Choice & Independence
- Foster Health & Wellness
- Enhance One's Dignity
- Allow Opportunities for Controlling Social Interaction & Privacy
- Ensure Accessibility & Support in the Surrounding Neighbourhood



# 2

## Annex A – Design Ideas

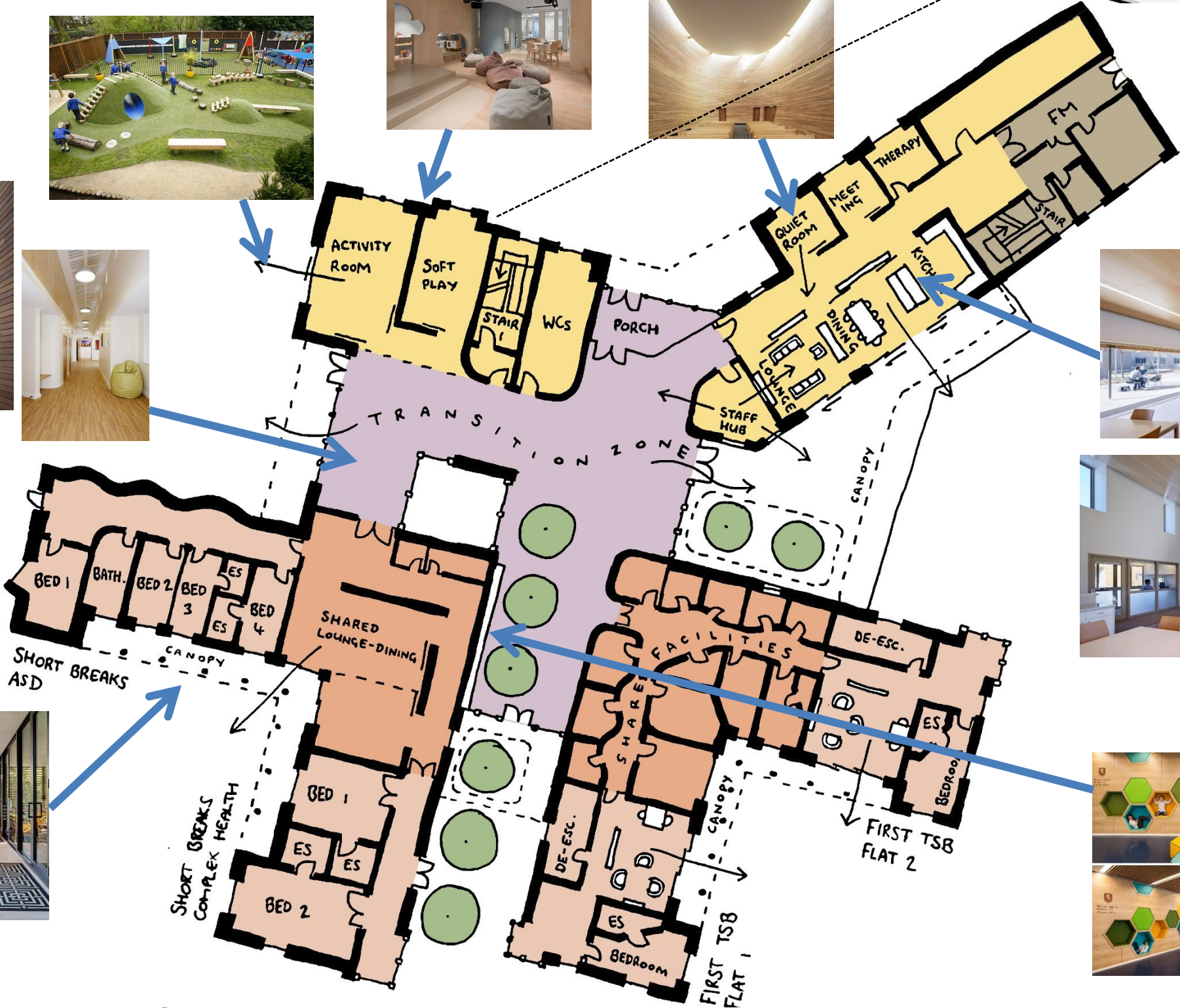
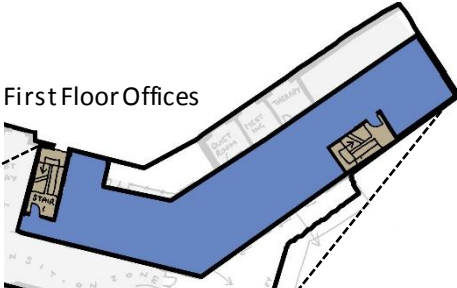
### Interior Spaces Precedents



# 3

# Annex B – Draft Layout Plan

First Floor Offices



# 4

## Annex B – Concept Overview

Building Approach and Front Entrance



5

# Annex B – Concept Overview

Rear view



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## Annex C

### Centre of Excellence Finance Business Case

The proposed revenue budget for the new centre of excellence is funded by the current glen budget, part of the H&D and out of city placement budgets that currently support some of the young people expected to use the new facility. The proposed budget also delivers the 2018/19 directorate savings for these areas (£75k for the glen and £100k for out of city placements), plus the 2017/18 £75k glen saving already removed from the current glen budget. The breakdown of the detail is contained below:

#### Current Budgets

|                          | The Glen       | H&D            | Out of City Placements | Total            |
|--------------------------|----------------|----------------|------------------------|------------------|
| Staffing costs           | 815,440        | 578,470        |                        | 1,393,910        |
| Operational costs        | 58,080         | 4,510          | 3,094,000              | 3,156,590        |
| DSG Grant                | (167,000)      |                |                        | (167,000)        |
| Placement Income         | (73,220)       |                |                        | (73,220)         |
| Saving Targets - 2018/19 | (75,000)       |                | (100,000)              | (175,000)        |
| <b>Total</b>             | <b>558,300</b> | <b>582,980</b> | <b>2,994,000</b>       | <b>4,135,280</b> |

#### Proposed Budgets

|                   | Centre of Excellence | H&D            | Out of City Placements | Total            |
|-------------------|----------------------|----------------|------------------------|------------------|
| Staffing costs    | 1,648,320            | 401,790        |                        | 2,050,110        |
| Operational costs | 130,010              | 4,510          | 2,113,100              | 2,247,620        |
| Capital Repayment | 148,000              |                |                        | 148,000          |
| Placement Income  | (310,450)            |                |                        | (310,450)        |
| <b>Total</b>      | <b>1,615,880</b>     | <b>406,300</b> | <b>2,113,100</b>       | <b>4,135,280</b> |

#### Centre of Excellence Funding

|                          | The Glen       | H&D            | Out of City Placements | Total            |
|--------------------------|----------------|----------------|------------------------|------------------|
| Staffing costs           | 815,440        | 176,680        |                        | 992,120          |
| Operational costs        | 58,080         |                | 880,900                | 938,980          |
| DSG Grant                | (167,000)      |                |                        | (167,000)        |
| Placement Income         | (73,220)       |                |                        | (73,220)         |
| Saving Targets - 2018/19 | (75,000)       |                |                        | (75,000)         |
| <b>Total</b>             | <b>558,300</b> | <b>176,680</b> | <b>880,900</b>         | <b>1,615,880</b> |

## **Comments**

- The proposed budgets can be contained within the total of all current budgets for the relevant services, including delivery of the previously agreed savings targets
- Some out of city placements provision will still be required, with the revised out of city placement budget still set at a level in excess of 2017/18 predicted spend

The details of the proposed Centre of Excellence budgets are:

## **Staffing**

- Staff numbers to increase from 24.5 FTE's to 40.5 FTE's, due to:
  - Increased community and outreach support for young people and families
  - Less reliance on casual employees
  - Increased service for children who would in the past gone to out of city placements and would now be provided for in the new facility

## **Operational Costs**

- These include
  - Transport costs (+£20k) - Due to the increase in staff and for increased outreach/family support
  - Centre Repairs/Additional items (+£20k) - New facility & garden will need to replace & renew items over time
  - Equipment (+£10k) - Additional equipment will be needed from the items currently provided
  - Training (+£20k) - Moving from 24 FTE's to 40 FTE's will require additional training needs to support the more complex placement types within the new facility

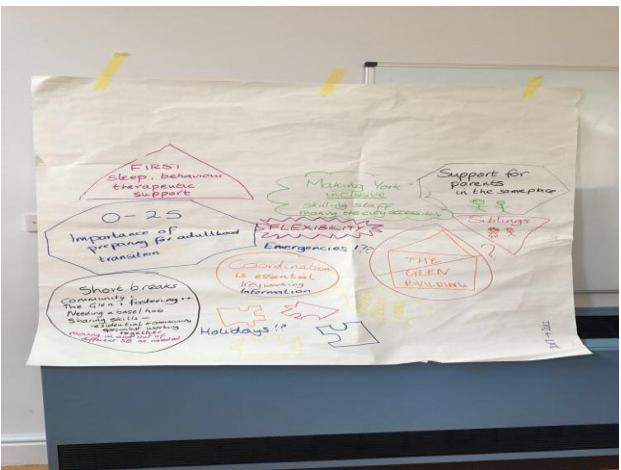
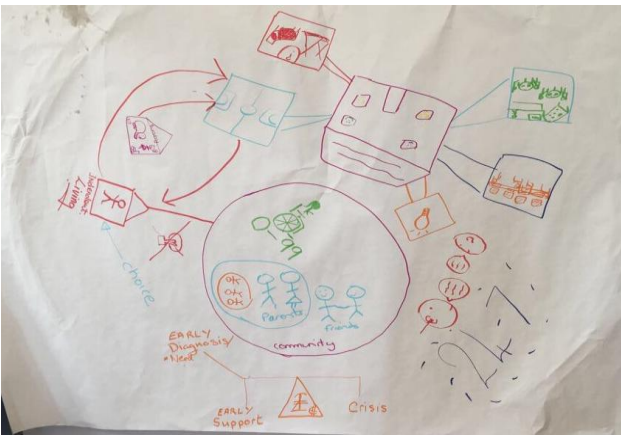
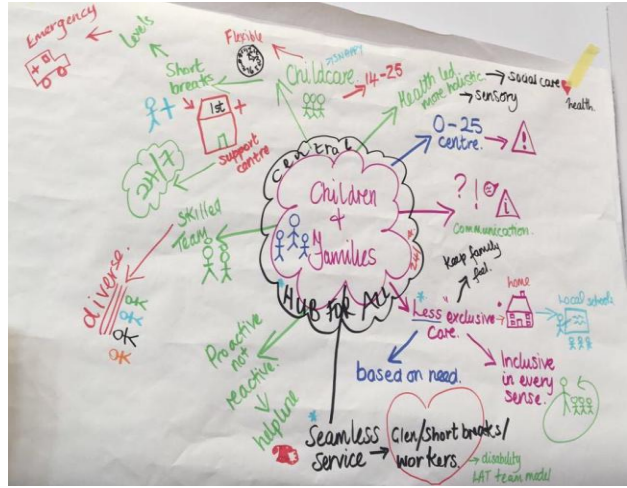
## **Capital repayments**

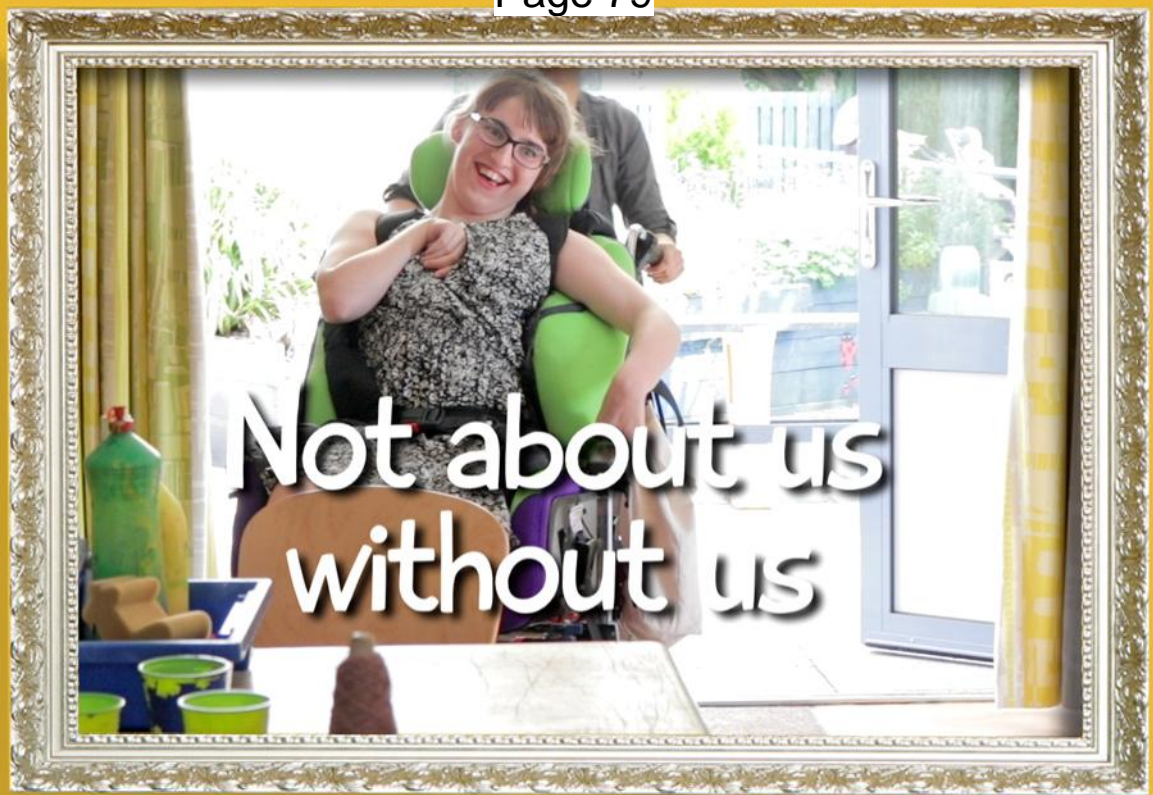
- The build cost is estimated as being £4.272m, including a contingency of £320k
- The net receipt from the sale of the glen of £1.25m less the cost of the assumed Windsor House receipt of £400k (which is already factored in to the Older People's Accommodation Programme) have also been included in the assumptions
- Treasury charge of £175 000 on the net capital for 30 years has been assumed within the revenue budget

## **Income**

- Assumed placement income from other LA's of £310k per annum, split between:
  - FIRST provision - £200k
  - Autism provision - £47k
  - Complex Health provision - £63k

# Annex D Examples of co production engagement with parent / carers





Not about us  
without us



We're very excited about how  
we can further develop our services



One, two, three, four, five, six, seven



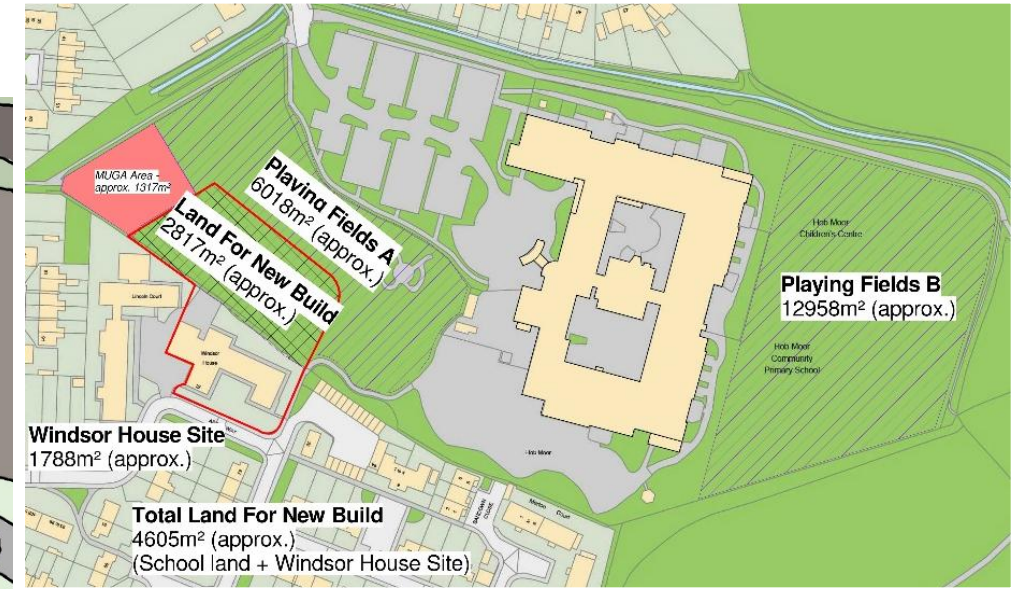
Coming here  
the first time  
I thought...



# 1

## Annex F – Recommended Option

### Windsor House Site & Part Playing Fields



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**Executive**

**25 January 2018**

Report of the Assistant Director, Housing and Community Safety

Portfolio of the Executive Member for Housing and Safer Neighbourhoods

**Re-procurement of Managed Stores Service for Buildings Services and Highways Departments**

**Summary**

1. To seek approval to proceed with the re-procurement of the Managed Stores service for Building Services and Highway departments.
2. The following report is submitted in line with City of York Council's (CYC) finance and governance requirements regarding the procurement of services with a value in excess of £500k.

**Recommendations**

3. Executive is asked to approve the request to proceed with the procurement as set out in this report.
4. Delegated authority to be given to the Assistant Director for Housing and Community Safety to approve the award of contract once tender process is complete.

**Reason**

5. The above award approval process is in line with CYC's internal governance rules and our Public Contract Regulations obligations (PCRs). It also facilitates a quicker route into the critical mobilisation phase of the project.

## **Background**

6. Following a review of the Council's existing materials store and supply service, and the future supply requirements for Building Services and Highways departments, it is proposed that CYC re-procure an on-site Managed Stores solution, to commence upon the existing contract's expiry in September 2018.
7. Given its value and importance to effective service delivery, a project board made up of senior managers, and officers, from Procurement, Building Services, Highways and Legal, and the University of York has been established to oversee the procurement of this service contract.
8. The existing service is delivered via a framework agreement supplied by Crown Commercial Services (CCS), which has now expired. CYC entered into the framework agreement jointly with the University of York (UoY) in 2013. The respective annual throughput for each organisation is currently £2.1m for CYC (this includes £1.6m of reactive repairs spend, and an additional £500k of capital maintenance, facilities management, highways and street lighting spend), and £800k for UoY.
9. The existing supplier leases warehouse storage and office premises from us at Hazel Court, through which we derive an income of £65k pa. The lease runs concurrently with the supply contract, terminating in September 2018. We would seek to replicate this arrangement in any re-procured contract.

## **Procurement compliance**

10. As the estimated contract value of the re-procured contract exceeds the relevant EU Threshold set out in the Public Contracts Regulations 2015 (PCRs), CYC is required to procure the contract in accordance with the PCRs. Current procurement rules mean that the term of a framework agreement shall not exceed 4 years, unless exceptional circumstances apply. The subject matter of this procurement is unlikely to fall within exceptional circumstances. Therefore, if the re-procurement were to be via a framework agreement (there are a number of managed stores framework agreements in existence, e.g. YPO, Cirrus, Fusion) it would be restricted to a maximum duration of four years. However service managers are keen to secure a longer term contract in order to

access further value for money and service quality; deriving these improvements by providing greater certainty for any supplier, plus a higher value throughput. In addition framework agreements do not provide suppliers with exclusivity; therefore CYC and UoY would be unlikely to benefit from further economies of scale if we were to continue to operate through this type of contract.

11. In order to secure a contract that is compliant with the PCRs and with a longer term than 4 years we will need to procure the goods and services through a contract based on our own terms and conditions. Our Procurement team have provided the Project Board with the necessary assurance that they possess both the necessary experience and capacity to undertake a 'bespoke' procurement of this nature.
12. It is therefore proposed that we procure a contract for a period of 6 years, with a right for CYC or UoY to request that the service provider agree to the extension of the service contract term up to 8 years and then subsequently up to 10 years. (As CYC owns the premises at Hazel Court where the service will be based, CYC will need to grant the service provider a lease of those premises for a term of 6 years but with provision for CYC and the service provider to enter into further leases corresponding with any extensions of the service contract term). The Project Board's felt this format provides sufficient additional throughput to encourage better pricing; continuity to both CYC and supplier to form a the stable platform necessary for innovation; whilst also making early 'no fault' exit possible should performance fall below required levels.

### **Anticipated efficiencies**

13. In order to maximise potential efficiencies it is proposed that the managed stores service is expanded to accommodate supply of materials for our HRA planned maintenance services, and our highways service. The total combined financial throughput, including UoY, for the new contract is anticipated to be in excess of £3m pa.
14. UoY carried out a bench marking exercise of the existing contract against best prices available on-line, both for their own assurance, and on behalf of CYC. This showed that the contract was achieving value for money for both organisations. With an average saving across the top 20 items purchased by CYC of 3%.

15. In short our research has shown us that a managed stores approach is a tried and tested route to achieving value for money, high quality service provision, and securing a rental income. It is the view of officers that continuance of this approach will ensure existing benefits are maintained, and that further efficiencies will come as a result of a larger financial throughput, and increased continuity and certainty for the supplier.

### **Contract Management**

16. Overall management responsibility for the contract for CYC rests with the Head of Building Services.
17. Operational, day to day management lays with the Planned & Cyclical Maintenance Manager and the Reactive Repairs & Voids Manager in Building Services
18. We are currently exploring options with UoY with regard to establishing a dedicated contract coordination role linked to the lifetime of the contract, which would be jointly funded by the parties based on the anticipated value of each organisations throughput . Should we agree to proceed with this proposal we will need to agree under which organisation the post will sit; the specific funding mechanisms and costs; and seek the comments of both organisations' HR departments.

### **Implications**

#### **Financial**

18. The costs of materials and equipment purchased through the managed stores contract is funded through a number of council budgets the most significant being the Housing Revenue Account general repairs budgets. There are however other budgets including Housing capital, highways revenue and capital as well as some service property repair budgets. It is anticipated that the costs arising from the new service will be accommodated within these budgets. Any variations resulting from changes in the costs will be reported through the council's regular quarterly monitoring reporting.

## **Human Resources (HR)**

19. The proposal is for a re-procurement exercise which may result in a service change between external providers. There are therefore no staffing implications for CYC as the Transfer of Undertaking (Protection of Employment) TUPE regulations would only apply between the outgoing and incoming service providers .
20. Where jointly funded posts are agreed one of the organisations (in this case either the Council or University of York) will need to host the post and be the employer. To support such an arrangement it is recommended that a formal agreement be put in place between both organisations detailing how the arrangement will be managed and funded, including any indemnities that may be needed. “

## **Equalities**

21. See Better Decision Making assessment attached in appendix 2

## **Legal**

22. As mentioned above CYC and the service provider will need to enter into a lease of CYC-owned premises at Hazel Court which the service provider will need to occupy for a term equal to the duration of the service contract (excluded from the automatic renewal/security of tenure provisions of the Landlord and Tenant Act 1954).

CYC proposes to require the service provider to pay an all-inclusive rent (i.e. also including rates, service charge contribution towards the cost of maintaining communal facilities etc and utilities) of £65,000 per annum to CYC for the lease of the premises. That figure accords with Property Services' opinion of an open-market all inclusive rent for a lease of the premises. Section 123 of the Local Government Act 1972 gives the Council power to grant a lease of its property without obtaining Secretary's consent provided that best consideration reasonably obtainable is received in return. (If best consideration is not being received then specific consent would need to be obtained from the Secretary of State (for Communities and Local Government) unless CYC considers (under the General Consent Order) that:

- (i) The purpose of the disposal will facilitate the improvement of the economic, environmental and social well-being of the area

And

- (ii) The difference between the consideration being obtained and best consideration/full market value is less than £2 Million).

23. It is proposed that CYC procures the contract via the open procedure under the PCRs, although before the formal process is launched CYC engages in soft market-testing to help determine the suitability of the open procedure as the route to the market. Soft market testing will also allow CYC to measure market interest and market values for the supply of goods/service.

### **Crime & Disorder**

24. None

### **ICT**

25. Supplier will be expected to provide necessary links into CYC systems.

### **Property**

26. Storage will remain on site at Hazel Court in existing premises. The rental income of £65k will return to CYC via Property Services.

### **Risk Management**

25. High value materials stock on CYC premises will require the supplier to provide rigorous security and insurance provision. Storage of chemicals will require appropriate safe storage and compliance with all necessary fire safety/suppression measures

**Contact Details**

**Author:**

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Head of Building Services  
Tel No. 01904 553095

**Chief Officer Responsible for the report:**

Tom Brittain  
Assistant Director Housing & Community  
Safety

**Report  
Approved**

✓ **Date** 22/12/17

**Wards Affected:**

All

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

**Background Papers:**

None

**Annexes:**

Annex 1 – Better Decision-making Tool

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The 'Better Decision Making' tool has been designed to help you consider the impact of your proposal on the health and wellbeing of communities, the environment, and local economy. It draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services by considering the equalities and human rights implications of the decisions we make. The purpose of this tool is to avoid decisions being made in isolation, and to encourage evidence-based decision making that carefully balances social, economic and environmental factors, helping us to become a more responsive and resilient organisation.

The Better Decision Making tool should be used when proposing new projects, services, policies or strategies, or significant amendments to them. The tool should be completed at the earliest opportunity, ideally when you are just beginning to develop a proposal. However, it can be completed at any stage of the decision-making process. If the tool is completed just prior to the Executive, it can still help to guide future courses of action as the proposal is implemented.

**The Better Decision Making tool must be attached as an annex to Executive reports. A brief summary of your findings should be reported in the One Planet Council / Equalities section of the report itself.**

Guidance to help you complete the assessment can be obtained by hovering over the relevant question.

Please complete all fields. If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

#### Introduction

|   |                          |
|---|--------------------------|
| <b>Service submitting the proposal:</b>                       | Housing Services         |
| <b>Name of person completing the assessment:</b>              | Denis Southall           |
| <b>Job title:</b>   | Head of Housing Services |
| <b>Directorate:</b>   | HHASC                    |
| <b>Date Completed:</b>  |                          |
| <b>Date Approved (form to be checked by head of service):</b> |                          |

#### Section 1: What is the proposal?

|     |  |
|-----|--|
| 1.1 | <b>Name of the service, project, programme, policy or strategy being assessed?</b><br>Reprocurement of the managed stores service contract for Building Services   |
| 1.2 | <b>What are the main aims of the proposal?</b><br>To successfully reprocure the managed stores service contract in order to maintain and improve on current level of service and financial performance                             |
| 1.3 | <b>What are the key outcomes?</b><br>Consistently great value materials costs, and timely and efficient supply/delivery of those materials, tools, and appliances for our reactive repairs, voids and planned maintenance services |

#### Section 2: Evidence

|     |   |
|-----|---|
| 2.1 | <b>What data / evidence is available to support the proposal and understand its likely impact?</b> (e.g. hate crime figures, obesity levels, recycling statistics)<br>benchmarking of the existing managed stores contract has been carried out against the best prices available through on-line suppliers - this shows an average saving of 3% against the top 20 items used. The same managed stores methodology/mode of operation is replicated in the reprocurement proposal - benchmark detail is attached in appendix 1 of report                  |
| 2.2 | <b>What public / stakeholder consultation has been undertaken and what were the findings?</b><br>key stake holders across CYC - including staff, and managers in Building Services, Housing & Community Safety SMT, Highways, Procurement and Legal - Staff from University of York's Procurement team  |
| 2.3 | <b>Are there any other initiatives that may produce a combined impact with this proposal?</b> (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)<br>The restructure of Building Services (due to complete in January 2018), and establishment of new team leader posts, and contract coordinators posts, will introduce improved performance management, contract management, and budgetary management skills into the department - ensuring that the benefits of this contract are maximised. |

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**Executive****25 January 2018**

Report of the Corporate Director of Children, Education and Communities

Portfolio of the Executive Member for Culture, Leisure and Tourism and the Executive Leader (incorporating for Finance and Performance)

**Future Operation of Rowntree Park Lodge and Park****Summary**

1. The report seeks an Executive decision to invest in Rowntree Park Lodge in order to keep this valuable park asset in good condition, used for public benefit and secure a long term income stream for the Park. Rowntree Park is York premier municipal park, first Green Flag recipient and heavily used site. Given the Lodge's very visible position within the Park, its use, in part by York Explore as a Reading Cafe, investment into the property will contribute significantly to maintaining the parks reputation.
2. This report also highlights the challenges faced by the authority in running its parks and open spaces within the legal framework which places both restrictions and obligations on what is possible.

**Recommendations**

3. The Executive is asked to:
  - a) To recommend to Council the allocation of £150,000 capital budget to facilitate the regeneration of the upper floors of the Lodge. This capital allocation will be funded from the revenue receipts generated from future use.
  - b) To agree that any net revenue generated should be ring fenced for the upkeep of the Park.
  - c) To lease the upper floors of Rowntree Park Lodge as a Holiday Letting subject to obtaining consent of the beneficiary of the covenants imposed

when the ownership of the park (including the site of the Lodge) was transferred to the Council.

Reason: To support Rowntree Park and its stakeholders in developing the facilities on a long term sustainable future.

## **Background**

4. With the retirement of a Public Realm employee the upper floors of the Rowntree Park Lodge have become vacant. This created an opportunity to explore new uses for the space which can contribute in a positive way to the future care and appearance of the Park. Leaving the property vacant risks it falling into disrepair and open to vandalism, which in turn has a negative impact on the park's high standards and reputation.
5. Central to the design of Rowntree Park is the Lodge. Situated adjacent to the entrance on Richardson Street, this tall 4 story structure makes best use of the higher ground to provide a focal point for the park. The upper floors consist of two storeys of living accommodation, incorporating a living room; kitchen; dining room; one large double bedroom, one smaller bedroom and recently refurbished bathroom. Additionally there is a large storage area which could be turned into further living accommodation.
6. Use of the Lodge has remained fairly constant for nearly a hundred years consisting of park keeper's accommodation with parking, a cafe and store rooms. See annexes 1 and 2 for a location plan and photographs of the property.
7. Rowntree Park is York's first municipal park. It was laid out between 1919 and 1921 and is the only known public park designed by Frederick Rowntree who was a distinctive architect in the Arts and Crafts Movement tradition. The park was presented to the City of York by Messrs Rowntree & Co. as a memorial to the Cocoa Works staff that fell and suffered during World War I. The Terry Avenue gates were added as a memorial following the Second World War and are Grade II\* listed. The park is on the English Heritage Register of Parks and Gardens of Special Historic Interest and was York's first Green Flag park in 2004.
8. The net running cost of the park is between £60,000 to £80,000 per annum. This includes grounds maintenance, arboricultural management, locking and unlocking, utilities, play ground inspection and care, and repair and maintenance. It is this last area of cost which has the greatest effect on annual running costs. For example in 2016 the toilet hand washer / drier units needed replacement due

to 15 years of use and repeated flooding. Expenditure is offset by income from the car park and cafe rental.

9. In addition to the day to day costs there is significant ongoing capital investment in the park, for example £140,000 was spent on renewing the Skatepark in 2017, and £40,000 will be spent on play area improvements in 2018.
10. Supporting such ongoing expenditure in the current climate is challenging and over the last three years expenditure on the care of parks and open space has had to be reduced. The impact of which can be seen in the move to a mobile workforce instead of dedicated park keepers, closure of park toilets, leaving sites open overnight, moving away from seasonal bedding to herbaceous planting and an increasing reliance on volunteers.
11. In response to this situation, in May 2016 the Executive Member for Economic Development & Community Engagement, established a challenge fund, administered via CVS, to develop volunteering in green spaces. This scheme is operating across five sites where community groups are taking care of a defined space. The Friends of Rowntree Park, working with YUMI Intercultural York (York Unifying Multicultural Initiatives), are maintaining and developing the Central Avenue and two of the adjoining side gardens.
12. In parallel with this initiative officers have worked with local parks communities and users to transfer facilities over to direct community management. In Rowntree Park the tennis courts have been transferred to Rowntree Park Tennis Club to administer bookings and maintain the courts. This allowed for the reduction in parks staff. Similar projects have happened and continue to be developed which reduce staff input and/or save on future facility care: These include
  - West Bank Park where the bowling greens have transferred to the users to care for and manage,
  - Hull Road Park where the old Ranger base is now the home to the Men's Shed project, and Flourish, a dementia friendly gardening project, operate out of the main pavilion.
  - Glen Gardens where the bowling greens have transferred to the users to care for and manage, and, the park pavilion is now a community cafe / kiosk managed by the Friends of Glen Gardens
  - Clarence Gardens where the bowling greens have transferred to the users to care for and manage, and, discussions have started about transferring the park pavilion over to community use.

13. In summary, like all parks across the country, increased working with local communities and making best use of park assets to assist with their care and development has become the "norm".

## Options

14. Given the Lodge's prominent position within the Park, its use, in part by York Explore as a Reading Cafe, and the need to maintain the parks high standards officers have explored options which :

- ensure the building is occupied and maintained to a high standard,
- retains a recreational use, and,
- generates an income stream to supplement core funding.

15. In developing the options to achieve these objectives officers have considered the impact of restrictive covenants, and property and planning law. The options listed below are:

Option 1 – Sell the leasehold on the open market

Option 2 – Lease the property for private residential accommodation

Option 3 – Lease the property for social residential accommodation

Option 4 – Commercial rental use

Option 5 – Expand the Library / Cafe Use

Option 6 – Lease the Property as a Holiday Letting

16. For all options it is assumed that the existing parking area formerly used by the Park Keeper would be retained to support the use of the Lodge.
17. All options have been tested against appropriate Local Government and Open Space legislation. This is explored in more detail in the following sections but does place significant restrictions on what is possible.

## Analysis

**Option 1** - Sell the leasehold on the open market

18. Whilst The Lodge forms part of a multi occupied property which would make disposing the freehold interest difficult, a long lease (virtual freehold) of The

Lodge could be granted in exchange for an upfront premium payment. Given the unique nature of the property it is difficult to estimate its' market value until it is actually marketed. Permanent use as a home has the potential for tension between the householder and the Council regarding use of the park and the Council would lose considerable control of the asset.

19. By retaining the freehold the Council would remain liable for external/ structural repairs but could potentially recoup proper and reasonable costs through a service charge arrangement.

**Option 2** – Lease the property for private residential accommodation.

20. A monthly letting income of £1,000 - £1,100 per month is considered achievable if the property was let in an unfurnished but modernised condition.

**Option 3** – Lease the property for social residential accommodation.

21. A monthly letting income of £180 per month is the likely attainable income for such an arrangement. As with option 2 modernisation works will be required. The property would then be subject to the Right to Buy legislation and may in time transfer into private ownership.

**Option 4** – Commercial rental use

22. As the space is laid out to residential accommodation, there would be considerable conversion costs in providing a commercial use such as office use and this would also require a planning permission for a change of use.
23. Option 1, 2, 3 and 4 are not recommended as they do not comply with the recreational use requirement contained within the legal implications section.

**Option 5** – Expand the Library / Cafe Use.

24. The current cafe is managed by York Explore. The cafe is a popular destination and the accommodation forming The Lodge could be incorporated within an expanded operation.
25. Planning permission for change of use and external alterations would be required, whilst any rental income achievable is likely to be minimal. The small additional revenues from option 5 would enhance the park and public recreation opportunities connected with the library such as literary festivals.

26. Library use to the upper floors would be complex and expensive modification requiring either a lift or extensive remodelling of the exterior to create ramped access. If a lift was provided to address the access issue, this would necessitate a lift shaft being constructed which would take up substantial parts of the floor space area currently used as the cafe and also substantial parts of the basement and upper floors of the Lodge.
27. The cost of installing a lift is estimated to be in the region of £250,000. An estimated further £275,000 would be required to take into account alterations to provide full access to all areas of the upper floors, providing a total cost estimated in the region of £525,000. An alternative would be to install an external ramp to replace the current steep set of steps leading up to the property. However, it is considered that to cover the height required, a ramp would have to be substantial, it would take up land in the park and furthermore it would not enable full public access to the upper floor of the accommodation.
28. Given the high cost of the works required, the relatively small amount of additional space that would be created, that full DDA access cannot be achieved and that there would be insufficient additional income to repay the capital costs this option is not recommended.

**Option 6 – Lease the Property as a Holiday Letting.**

29. The Lodge would be an extremely attractive holiday rental property, benefitting from York's position as one of the UK's top city break locations with a unique park location close to the city centre and the river. It currently provides two bedroomed accommodation but could also readily be converted into three bedrooms. The property also has the benefit of a private garden and parking spaces. As with previous options, modernisation works will be required, together with the need to furnish the property. The cost of property improvements, furnishing and fittings is estimated to be £150,000.
30. If the property was refurbished to provide high quality accommodation local letting agencies consider a hire fee of £1,000 to £1,300 per week could be achieved depending on the time of year. Obviously total income would depend on occupancy rates but we are advised that agencies work typically on the basis of 70% occupancy in York which would provide, on that assumption, £36,000pa at the £1,000 a week rate and £47,000pa at the £1,300 per week rate. Running costs would be deducted from the income. Management fees would be between 15-20% with cleaning costs of around £3,000 per annum
31. Option 6 is not without risk of legal challenge, however the use of a building designed as a small domestic dwelling for public recreation is extremely



challenging, and in particular ensuring compliance with statutory disability access requirements.

32. The business case for a holiday let is anticipated to pay back the capital investment and thereafter any profit would be ring fenced to the park. It would achieve an active use of a space that otherwise is likely to remain empty and therefore become an increasing liability and drain on the investment in the park and public recreation
33. Officers have spoken to letting agents and they have confirmed that this property would be attractive to visitors. The figures in the table below suggest that a breakeven position is achieved at approximately 60% occupancy. The most likely outcome will be around 70% occupancy. Income could be higher if a premium is charged at certain times of the year, e.g. race meetings, or by offering mid-week and weekend breaks. Given the unique and desirable location a higher occupancy rate than 70% is considered possible and the sensitivity analysis below provides projections on likely net income with higher occupancy levels.

|                        | <b>Occupancy rates</b> |        |        |        |
|------------------------|------------------------|--------|--------|--------|
|                        | 60%                    | 70%    | 100%   | 100%   |
| £1,300 pw for 9 months | 60%                    | 70%    | 100%   | 100%   |
| £1,000 pw for 3 months | 60%                    | 70%    | 70%    | 100%   |
|                        | £                      | £      | £      | £      |
| Net Rental Income      | 31,850                 | 37,158 | 49,833 | 53,083 |
| Letting Agent          | 5,733                  | 6,689  | 8,970  | 9,555  |
| Running costs          | 12,420                 | 12,720 | 13,440 | 13,620 |
| Prudential borrowing   | 13,491                 | 13,491 | 13,491 | 13,491 |
|                        | 31,644                 | 32,900 | 35,901 | 36,666 |
| Net Income             | 206                    | 4,259  | 13,932 | 16,417 |

- Based on £150k capital expenditure
- Income is subject to VAT

34. A decision to invest now will enable a quick start to be made on tendering the refurbishment work in order to bring the property back into use and reduce the likelihood of any misuse during a void period.

## Consultation

35. Future uses of the Lodge have been discussed with the Friends of Rowntree Park in August this year and again at their AGM on the 19<sup>th</sup> October. The Friends of Rowntree Park have provided this position statement.

“As the flat is now vacant, we understand that the Council needs to decide what should be done with the property. We believe that the Friends’ views on the potential development are relevant, as they are the views of local residents who care about the park.

Future use of the flat should benefit the park in some way, as it was part of the original gift to the people of York. This benefit might be financially, or in-kind.

We understand that the property seems unsuited to community space, such as hireable rooms, but we consider that it might work well as a small business hub, artists’ studios or for holiday letting, as well as ‘normal’ domestic occupation.

The property should not be sold off.

Any occupation would need to be compatible with the nature of the park and the needs of its diverse users, as well as the operation of the café.

If income was generated from the property, we think that the park should directly benefit from it. In particular, the park is beginning to suffer badly from the lack of regular gardening maintenance. The Friends’ and other volunteers cannot fill this gap entirely, but income from the flat could be put towards gardeners to be employed in the park, for example.

Whilst the discussions about development are in progress, we believe that the flat is vulnerable to damage, and that it should be protected by occupation, preferably of a 24 hour (domestic) nature. There are various companies which supply suitably-reviewed, short-term property guardians. This needs to happen immediately. “

36. Discussions have also taken place around Library usage. The Reading Cafe is very popular and celebrates the joy of reading in new and exciting ways. It is a response to the changing ways that people want to access books and information. Explore, who currently operate York’s library service are developing plans to improve the existing space and looking at how they can deliver events and activities that support our objectives across the wider park, working with the Council and the Friends of Rowntree Park.

37. Explore have said they support the Holiday Let for the Lodge, recognising that the flat does not meet the current standards for access for a library and the room sizes are quite modest. It would be prohibitively expensive to make the space fully accessible. Micklegate Ward members have been consulted. They have been reassured that the Friends views on the future use of the building have been considered and have been informed that it is proposed that the net revenue should be ring fenced to the upkeep of the Park. Councillor Hayes would prefer to see the Lodge used for rental accommodation or an expansion of the Explore Reading Cafe but understands why these are not possible. Councillor Crawshaw is on balance happy to accept that a Holiday Let be put forward and would prefer to see a social enterprise / not for profit company managing the letting if possible.

### Council Plan

38. This proposal will support and contribute to Council Plan priorities:

- A prosperous city for all
  - Everyone who lives in the city can enjoy its unique heritage and range of activities.

### Implications

39. Implications

- **Financial.** The improvement works will need to be funded through prudential borrowing which would be paid back over 15 years. Income from option 6 is estimated in the region of £1,000 to £1,300 per week, for 70% of the year. This would potentially give a net income in the range £4,000 - £5,000 depending on the cost of the improvements.
- **Human Resources (HR)** There are no HR implications.
- **One Planet Council / Equalities** There are no Equalities implications.
- **Legal:** The Lodge (and Park) is subject to various encumbrances/third party rights including a covenant contained in Conveyances dating from 1919 which prohibits the land from being used for purpose other than a public park, public pleasure ground, public playing fields or other like purposes of public recreation. In addition the Property is subject to a covenant that no buildings within the land may be used for the sale or distribution of alcohol, nor used for betting and gaming. Any of the options would thus need the consent of the benefactor of the covenant.

- Section 123 of the Local Government Act 1972 prohibits local authorities from 'disposing' of 'open space' unless they have first advertised the proposed disposal in a local newspaper in two consecutive weeks and considered any objections received (disposal would include the granting of a lease, including for use as holiday accommodation). As Rowntree Park has been used by the general public for recreational purposes for many years the Park is clearly 'open space'. The general public however have not enjoyed access to the Lodge (since it was occupied by the former caretaker of the Park). However, despite this, it could therefore be considered that (pursuant to a recent High Court decision) the Lodge could still be classed as 'open space' for the purposes of the relevant legislation because it was constructed within Rowntree Park and used for a purpose ancillary to Rowntree Park's function of an outdoor public recreation facility.
- Section 10 of the Open Spaces Act 1906 ('Section 10') obliges local authorities which own open space to hold and administer it in trust to allow the enjoyment of it by the public as open space 'for no other purpose'. The effect of this 'statutory trust' (according to the High Court decision referred to above) is that local authorities have a duty to allow general public access to their open space (including by the city's residents) with the consequence that any disposal of open space property by a local authority should ensure/reserve a right for use by the general public for recreation. When the Lodge was needed as, and in use for, park keeper's accommodation it was necessary to exclude public access to it. Now that the Lodge is not being used for that purpose, any new use should be public recreation. A library is (according to case law) capable of being a 'public recreation' use.
- However it is considered that the other options referred to in this report may not be classed as public recreation use, including holiday letting, since it could be considered to restrict access to those persons who might be willing to and able to afford the fee for hiring the Lodge for their private holiday accommodation. This is however not dissimilar to the ability to book exclusive use of the Tennis Courts. Use for residential or commercial accommodation would definitely not comply with the public recreation use requirement. The risk for the holiday let option therefore needs to consider the ability of the public to access the Lodge, all be it at a cost and thereafter for a defined period have exclusive access to part of the park. This principal is an extension of chargeable Car Parking, Hiring Tennis Courts and allowing clubs such as the Canoe Club to have exclusive use of elements of the park. Ultimately interpretation of the legislation will be a matter for the Courts.
- Any money generated from Rowntree Park (including the Lodge) can only be used towards the upkeep of Rowntree Park. The courts have made it clear in

various cases that a local authority cannot make a profit from any open space land which it owns – monies received from such land must be reinvested in maintaining it for public recreational use with the holiday letting proposal maximising the benefit to the park and public recreation.

- **Crime and Disorder:** Keeping the building in use prevents deterioration of the asset, and provides a presence in the park which in turn provides passive surveillance.
- Whilst The Lodge is not at risk of flooding, the surround park can and does flood to a level just below the cafe veranda. For safety reasons the park is closed when the risk of flooding reaches the base of the flood protection wall and only reopens when water levels recede. People are excluded from the park in case the flood wall fails in which case a sudden inundation would occur. If the park does flood it is kept closed whilst the clean up operation takes place. To prevent people entering potentially dangerous situation permanent security fencing is being installed at either side of The Lodge.
- **Information Technology (IT)** - None.
- **Property** See main body of the report.
- **Public Health** – “Access to open spaces ... has direct and indirect impacts on people’s physical and mental health, but can also enable people to build social capital” (Kings Fund)
- **Planning (Conservation and Design)** – During 2000-2002 much of Rowntree Park was refurbished with the assistance of the Heritage Lottery Fund. As part of this work a design template for the Park was established; this included exterior finishes to buildings and a colour template. Any exterior alterations would need to follow this design template. As long as the building stays in residential use and in its current form planning permission would not be required.

## Risk Management

40. In compliance with the Council’s risk management strategy, the main risks associated with the reuse of the upper floors of the Lodge are as follows:

- Option 1, 2, 3 and 4 are clearly not capable of being considered as available for public recreation and therefore the risk of legal challenge cannot be mitigated.

- The quality of public recreational space at Rowntree Park is at risk in the current Public Sector Funding Environment. The opportunity to make available for the Lodge to be periodically occupied by the public for a fee and provide revenue to enhance the wider park mitigates against this risk.
- The use of the Lodge as a building designed and constructed as a domestic dwelling for an open public access facilities has significant risks of being detrimental to the aesthetic of the building and creating a low quality public building.
- In discussion with York Explore the current provider of the library within the wider Lodge building, they considered on balance due to the difficulties of adopting the building structure of the Lodge the public recreation opportunities through enhanced investment in the park for events such as literary festivals would be a better outcome for the future of the library service.
- Operational – failure to find a suitable managing agent and therefore the Council having to directly manage bookings, and,
- As with the principal of listed buildings the functional use of buildings is the best mitigation against deterioration and loss of building and structures and therefore due to the prohibitive costs of opening the Lodge to public use, the use of the Lodge as a holiday let is the best risk option for the preservation of this building.
- Reputational – the building remains unused, visibly deteriorates and detracts from the wider park experience.

**Contact Details**

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**Chief Officer Responsible for the report:**

Jon Stonehouse - Corporate Director,  
Children, Education and Communities

**Report**  **Date** 08.12.17  
**Approved**

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

Implication Financial  
David Gladders  
Accountant  
Tel No. 01904 551101

Implication Legal  
Gerard Allen  
Senior Solicitor (Property)  
Tel No. 01904 552004

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

Micklegate, plus Guildhall and Fishergate (to reflect the park usage)

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

**Background Papers:**

**Decision Session – Executive Member for Economic Development & Community Engagement**, in consultation with the Executive Members for Environment, and Culture, Leisure & Tourism. 10<sup>th</sup> May 2016 Supporting the Local Delivery of Improvement to York’s Parks, Gardens, and Open Spaces

**Annexes –**

Annex 1 Location plan  
Annex 2 Lodge photographs

**List of Abbreviations Used in this Report:**

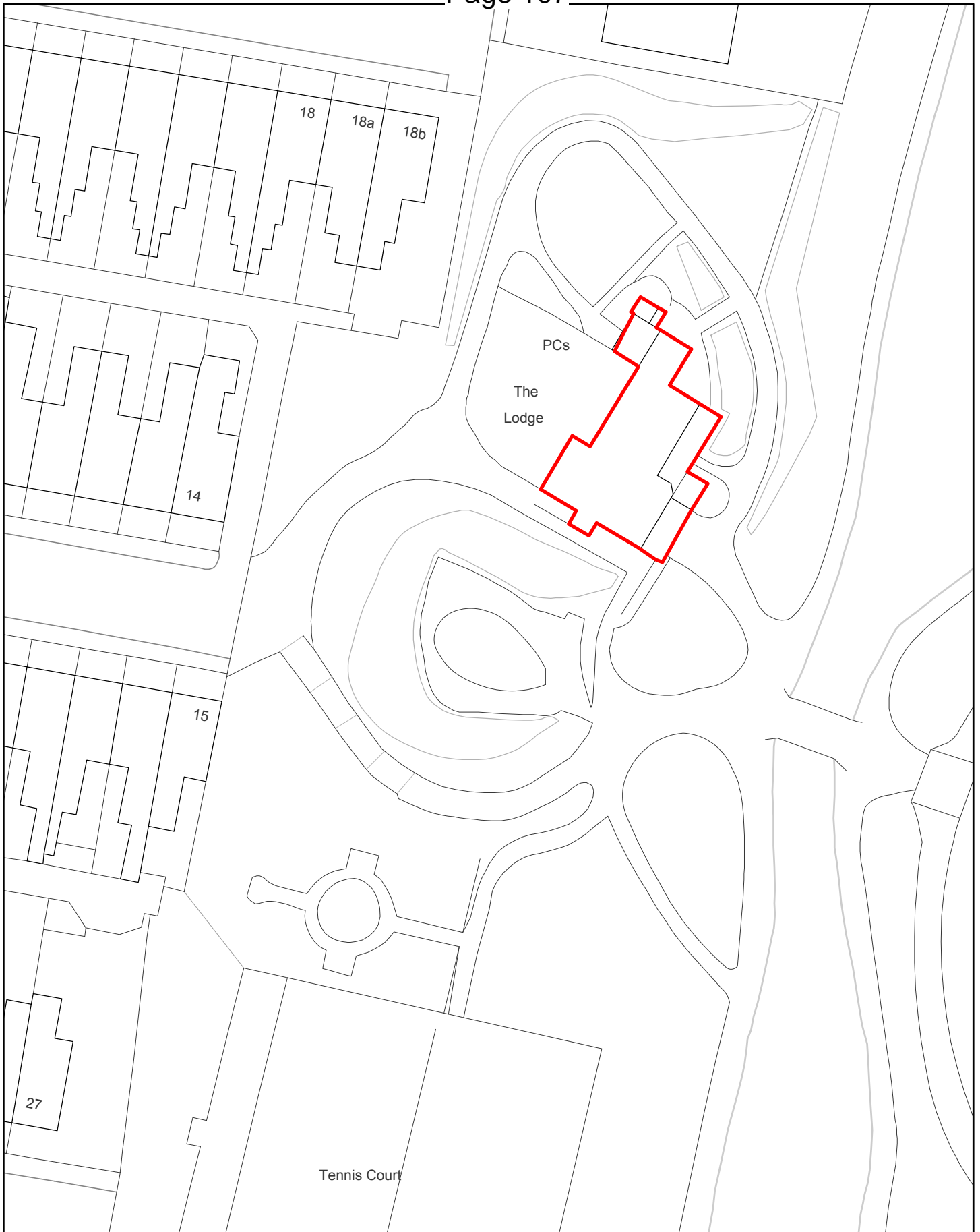
CVS – Council for Voluntary Services

DDA – Disability and Discrimination Act

VAT – Value Added Tax

YUMI - York Unifying Multicultural Initiatives





*Resources*  
**Property Services**

# Rowntree Park Dwellinghouse



SCALE 1:500

DRAWN BY: CC

DATE: 16/02/2011

Originating Group:

Drawing No.

**E01411**

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Annex 2

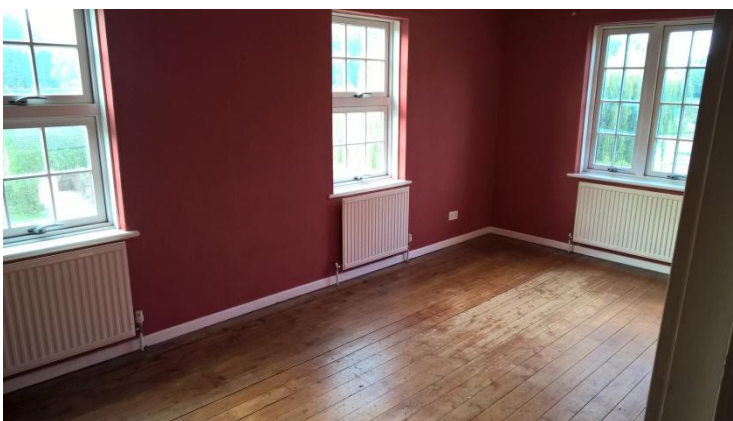
Elevation Facing Rowntree Park



Kitchen



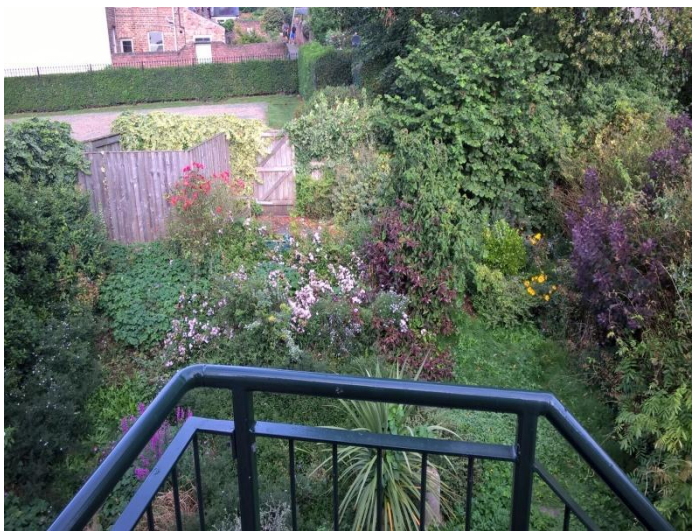
Living Room



View from the Living Room



Rear private garden



View from Bedroom





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**Executive****25 January 2018**

Report of the Corporate Director of Economy and Place

Portfolio of the Executive Member for Environment and the Executive Member for Transport and Planning

**A Clean Air Zone for York including Anti Idling Enforcement****Summary**

1. This report sets out options for:
  - a. The introduction of a local bus based Clean Air Zone (CAZ);
  - b. The introduction of an improved minimum emissions standard for CYC contracted local bus services;
  - c. Adoption of anti-idling measures (including enforcement).

Proposals for the introduction of a bus based CAZ and anti-idling awareness raising activities were approved in principle during the adoption of the third Air Quality Action Plan (AQAP3) (December 2016) but the Executive Member for Environment requested further assessment be undertaken prior to implementation.

**Recommendations**

2. The Executive is asked to note the content of the report and to:
  - a) Approve the introduction of a CAZ in 2020 subject to a consultation on the details of the proposed CAZ.
  - b) Consider if the Executive wishes to indicate an option preference within the consultation.
  - c) Approve a minimum Ultra Low Emission Bus standard for all CYC contracted bus services when new contracts are awarded.

- d) Approve the use of enforcement to supplement the existing awareness raising activities to reduce stationary vehicle idling in York as set out in paragraphs 66 to 69 of this report

Reason: To improve air quality in York through the acceleration of improvements to bus emissions levels and the reduction of vehicle engine idling.

## **Background**

### **Local Air Quality Management in York**

3. Poor air quality has a detrimental impact on the health of York's residents, creates an unpleasant environment for visitors, damages historic buildings and places an additional financial burden on local health service providers. The main air pollutants of concern in York are nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM). These are linked to lung diseases (asthma, bronchitis and emphysema), heart conditions, cancer and more recently neurological conditions such as reduced IQ in children and the onset of dementia. The main source of these pollutants in York is traffic. It should be noted that even zero-tailpipe emission vehicles still produce particulate matter due to braking and tyre wear.
4. The Environment Act 1995 requires all local authorities to review and assess air quality in their areas and to declare Air Quality Management Areas (AQMAs) where UK health based air quality objectives are not being met.
5. Where an AQMA is declared, an Air Quality Action Plan (AQAP) must be developed to demonstrate how the local authority intends to improve air quality. The national air quality objectives apply at all outdoor locations where members of the public are regularly exposed to pollution over the averaging times of the various objectives.<sup>1</sup>
6. York declared three AQMAs due to exceedances of the NO<sub>2</sub> air quality objectives: city centre (inner ring road and radial routes), A19 Fulford and Salisbury Terrace (see maps at Annex 1). AQAPs (2004, 2006,

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<sup>1</sup> For example, a short term one hour objective (set to prevent acute impacts of air pollutants) applies in busy shopping areas and at sports grounds where people spend relatively short periods of time, longer term annual average objectives (set to prevent chronic impacts of air pollution) apply at facades of buildings such as houses, hospitals and schools where people often spend prolonged periods of time.

2013) and a Low Emission Strategy (LES, 2012) have been adopted by CYC to deliver air quality improvement.

7. Since 2010-11 air quality has generally improved at most locations in York and the Salisbury Terrace AQMA has recently been revoked. Concentrations of NO<sub>2</sub> in the Fulford Road AQMA have also fallen to the objective level and the AQMA will be reviewed again in 2018. However, there are some locations in the city centre where the annual average objective for NO<sub>2</sub> is still persistently exceeded. Therefore further emission reduction measures are proposed to improve air quality and health.
8. The main reason for the continued exceedance of the annual average NO<sub>2</sub> objective in the city centre is emissions of NO<sub>2</sub> from diesel vehicles which have not reduced as rapidly as predicted. This is due to a combination of factors which may include:
  - Increased uptake of diesel vehicles in the national fleet (driven by carbon based tax incentives) combined with an increase in average vehicle size, weight and engine size
  - Inefficient driving techniques, inefficient operation of vehicle emission controls and vehicle idling within the urban environment
  - A number of ageing diesel buses
  - Cumulative traffic impacts of development
  - The relative cost of city centre parking versus cost of P&R (which influences the total number of vehicle trips in the city centre).
  - Failure of successive Euro emissions standards to meet emission targets in real world driving conditions
9. York's Low Emission Strategy (LES, 2012) introduced a number of technology based measures to help to reduce vehicle exhaust emissions. There is a particular emphasis on diesel buses, taxis, HGVs and LGVs which currently play an important role in delivering the transport needs of the city. Balancing the economic needs of York with improving air quality is a key challenge for the city. The LES aims to promote and incentivise the use of low emission vehicles, particularly

those which run on electric, compressed natural gas (CNG), bio-methane and /or make use of hybrid technologies. The current AQAP3 is the main delivery document for the LES.

10. There has been good progress with the introduction of low emission vehicle measures in York since the adoption of the LES and AQAP3, including:
  - Provision of a public electric vehicle recharging network to encourage uptake of electric vehicles by members of the public
  - Low emission taxi incentives and improved emission standards
  - Electric buses operating at Poppleton Bar and Monks Cross P&R
  - Electric tour buses
  - Low emission car clubs (including use by CYC staff)
  - Low emission planning requirements to ensure electric vehicle recharging points are provided in new developments
  - Eco-stars fleet recognition scheme<sup>2</sup>
11. Buses are responsible for about 3% of the total vehicle kilometres travelled but up to 27% of the NO<sub>x</sub> emitted. Older diesel buses also emit high concentrations of diesel particulates, for which there is no known safe level. As buses have a disproportionately high impact on NO<sub>x</sub> emissions, reducing emissions from buses remains a high priority for the city. Proposals for the introduction of a bus based CAZ and anti-idling measures were accepted in principle during the adoption of AQAP3 subject to further assessment and consultation with bus operators prior to implementation.
12. The Air Quality Annual Status Report for the 2016 calendar year (ASR, June 2017)<sup>3</sup> provides further information on air quality in each of the AQMAs and progress with delivery of the AQAP and LES. Previous Air Quality Management (LAQM) are available for download from:  
<http://jorair.co.uk/data-downloads/reports/>

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<sup>2</sup> Eco-stars is a CYC funded voluntary scheme for fleet operators which enables them to access free information and advice on how to reduce emissions from their fleet and to obtain a star rating for their fleet based on emission performance.

<sup>3</sup> Available online at <http://jorair.co.uk/wordpress/wp-content/uploads/2017/06/ASR2017.pdf>



## Compliance with EU limit values in York

13. The *'National Air Quality Action Plan for Nitrogen Dioxide – July 2017'*<sup>4</sup> identified 29 local authorities where DEFRA has indicated that further action is needed locally to meet EU limit values for NO<sub>2</sub>. These authorities are being encouraged to introduce CAZs unless they can identify equally effective measures to deliver rapid compliance with EU limit values. Birmingham, Leeds, Nottingham, Derby and Southampton were *'mandated'* by DEFRA to introduce Charging Clean Air Zones by 2020. In these CAZs vehicles that do not comply with DEFRA specified CAZ emission standards will be charged to travel through the CAZ. Leeds has just gone out to public consultation on its' proposals to improve air quality including a charging CAZ where buses, coaches and HGVs will be charged £100 and taxis / private hire vehicles charged £12.50 each time they enter the CAZ, if they do not meet the emission standards. A charging CAZ does not ban polluting vehicles from a CAZ but puts them at a considerable financial disadvantage.
14. These cities were identified as having potential breaches of the EU limit value for NO<sub>2</sub> using a national air quality model which only considers the UK's major road network. York was not included because the national air quality model is only required to consider a small number of major roads in York and to model locations at 4 metres from the roadside. This approach does not highlight the local air pollution issues in York. These tend to arise on smaller roads where residents often live within four metres of the roadside and there is limited opportunity for pollution dispersal. In some cases the locations identified by DEFRA as exceeding EU limit values have no residents or regular public exposure.
15. Comprehensive air quality monitoring in York over successive years has, however, demonstrated ongoing breaches of the annual average national air quality objective for nitrogen dioxide. Unlike the EU limit values national air quality objectives apply to all locations where there is relevant population exposure. There remains a statutory duty to work towards full compliance with all the national air quality objectives, based on accurate local monitoring and modelling data and consideration of all locations where the public are regularly exposed to air pollution. Therefore the AQMAs declared in York are a better indicator of where local air quality improvements are needed for the protection of public health.

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<sup>4</sup> Available online at <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>

16. Following adoption of the LES, a number of studies were commissioned to determine the feasibility of some of the proposed measures in terms of air quality improvements, emission reduction and a cost benefit analysis, including:
- a Low Emission Zone (LEZ) corridor
  - electric buses
  - anti-idling

### **Low Emission Zone feasibility study (see Annex 2)**

17. A LEZ is an area where only vehicles meeting a specified Euro emission standard are allowed to enter. CYC commissioned a LEZ feasibility study to investigate air quality improvement that might be achieved through a city centre low emission bus and coach corridor with various Euro standards for buses and coaches and hybrid buses.
18. The study concluded that a Euro 3 based LEZ would make air quality worse, Euro 4 and Euro 5 LEZ would reduce NO<sub>2</sub> concentrations but wouldn't meet the air quality objectives at all locations, but that electric / hybrid P&R buses would significantly improve air quality. The study indicated that applying zero emission standards to a small number of frequent bus services could be more effective at reducing NO<sub>2</sub> concentrations than blanket Euro diesel standards across all bus services.

### **Low Emission Bus feasibility study (see Annex 3)**

19. The study identified around 65 scheduled bus routes through the city centre serviced by approximately 200 individual buses of varying age and emission standards. It found 82% of all bus movements were carried out by only 49% of the bus fleet and that these buses operated on a small number of routes (including all the P&Rs). As demonstrated by the LEZ feasibility study, due to their intensive use and emissions, these 'frequent flyers' had a disproportionate impact on local air quality.
20. Due to their short, frequent, round trip cycles the 'frequent flyer' buses were found to be ideal for the adoption of electric drive technology, leading to zero tailpipe emissions, quieter buses and an enhanced overall passenger experience. This comprehensive evidence base was used to support external funding bids resulting in the introduction of electric buses on the Poppleton Bar and Monks Cross P&R routes. Their successful operation over 3 years has demonstrated that electric buses could be introduced more widely to reduce emissions in York.

## **Anti-idling feasibility study**

21. Anti-idling policies aim to prevent unnecessary emissions from stationary vehicles and can take a variety of forms ranging from provision of basic advice and signage through to adoption of anti-idling legislation and the issuing of fixed penalty notices. In 2013 CYC commissioned an anti-idling feasibility study to examine current levels of vehicle idling and to assess the cost-effectiveness of introducing various types of anti-idling policy in York (including enforcement).
22. The study indicated that if a vehicle is expected to be stationary (parked, waiting or loading) for more than 1 minute it is both economically and environmentally desirable to switch off the engine. Observations at a number of city centre locations identified significant idling by all vehicle types.
23. Anti-idling campaigns may include one or all of the following:
  - Anti-idling signage (either with or without enforcement)
  - Anti-idling promotion and marketing campaigns
  - Working with vehicle operators to achieve improvements
  - Issuing of fixed penalty notices (FPNs)
24. The study reviewed activities of other LAs and found promotion and marketing campaigns (either with or without signage) and a visible presence of officers was sufficient to reduce idling without the need for FPNs. However, since the study, further complaints have been received from the public and enforcement powers may be an additional deterrent to idling vehicle drivers.
25. Since the study was undertaken, 'stop-start' technology became available on a range of new Euro 6 buses in Autumn 2016. This functionality ensures that the engine switches off automatically when a bus is loading or unloading passengers at bus stops. Fewer than ten buses operating in the York area are currently fitted with stop-start. It is anticipated that this will increase as the number of Euro 6 vehicles in operation increases.
26. Much of the existing bus fleet operating in the York area is, however, fitted with cut out devices which will switch off after 2-3 minutes when the bus is stationary. Whilst many of the bus operators in York have adopted anti-idling policies, this technology can, however, be overridden by the individual driver so more needs to be done to ensure that this behaviour is prevented.

### **AQAP3 proposals for CAZ and anti-idling measures**

27. The feasibility studies led to the following proposals in AQAP3:

- a) Introduction of a bus based Clean Air Zone (CAZ) within the inner ring road where bus emissions would be controlled based on frequency of entry of individual buses into the city centre.
- b) The undertaking of a promotion and marketing campaign aimed at reducing vehicle idling emissions in the city (and an option for anti-idling enforcement, if necessary).

The Executive Member requested further assessment, consultation and approval prior to implementation of these measures.

28. The term 'Clean Air Zone (CAZ)' in York means:

*'an area of the city where bus emissions are controlled based on their frequency of entry'.*

This is because it is not just the emissions from a vehicle, but the frequency it is used which identifies the most polluting vehicles in York and these are mainly vehicles used on registered local bus services. In targeting the most polluting vehicles, significant reductions in air pollution levels can be achieved through emission standards affecting relatively small numbers of vehicles.

The CAZ comprises a strict emissions standard for high and medium frequency bus entries and depending on the option chosen, a lesser mandatory or no standard for low frequency bus entries, thereby reducing the impact on smaller operators.

The lesser standard is also important as this sets the minimum standard for the city, and reduces the risk of older buses being cascaded into York from other areas in the UK where emissions standards are in force or due to be (see paragraph 13 above).

The main differences between York's CAZ and LEZ proposals were:

- The CAZ would apply to the whole of the inner ring road and the area within;
- The CAZ would apply only to local bus services and not to coaches nor to school bus services;
- In a CAZ emission standards for individual buses would be set depending on the frequency of their entry onto the inner ring

road. The most frequent services would be required to meet an ultra low emission standard whilst less frequent services (mainly rural services) would initially be set a lower minimum emission standard and given a longer period to upgrade to ultra low emission technology. Under the LEZ approach every bus would be required to meet the same 'blanket' emission standard irrespective of the number of times it entered the city each day.

A table showing the original emission restriction proposals for the York CAZ (as included in AQAP3) can be found at Annex 4.

### **Revised CAZ proposals for York**

29. The introduction of a CAZ would see the acceleration of bus emissions improvements in the York area. This would be achieved through an acceleration of capital fleet investments that the commercial bus operators might otherwise propose to make over a longer period.
30. A review of the current bus fleet in York has been undertaken and discussions held with operators about their anticipated fleet renewal programmes and ability to meet various emission standard options. This has taken place at the same time as applications for external funding for further electric Park& Ride buses in York and the re-issuing of the P&R contract which included minimum emission standards for buses.
31. In August 2017 CYC was awarded £3.3 million from DfT's Ultra Low Emission Bus Scheme to support the delivery of high capacity, fully electric buses and charging infrastructure for the remainder of York's Park & Ride sites. Subject to key deliverability assessments undertaken by the Park & Ride operator (First York) in conjunction with CYC, the Low Emission Bus Scheme will assist in delivering an electric Park & Ride network by February 2019. The new buses will join the 11 existing electric buses already operating at Poppleton Bar and Monks Cross.
32. Following award of the P&R contract and the successful Low Emission Bus Scheme bid, the level of future investment in York's bus fleet is now more certain than it was at the time AQAP3 was approved. The original CAZ proposals set a "roadmap" for reducing emissions from buses in York. Although there has been significant achievement in terms of electrifying York's buses the original CAZ proposals (see Annex 3) will not be met.
33. The definition of an Ultra Low Emission Bus (ULEB) is a bus which meets or exceeds the level of pollution abatement required for the Euro

6 bus standard. Example technologies are: Diesel engine, CNG engine, Electric motor or Hydrogen fuel cell.

34. It should be noted that Euro 6 diesel engines and exhausts require appropriate maintenance to ensure that they continue to meet the commensurate emissions standard.
35. First Leeds, First York's sister operation, recently announced in December 2017 an investment of £71m to introduce 284 new Euro 6 buses to meet the emissions requirements of the forthcoming Leeds CAZ.
36. At a value of £250k per bus and with a total of c.70 vehicles in the non-Park & Ride fleet, this would require First York to make a capital injection of c.£17.5m, if it was to do the same in York.
37. Alternatively, a range of retro fitting of Selective Catalytic Reuptake Technology (SCRT) exhaust systems solutions exist that can prolong the life of older buses whilst delivering emissions improvements. This solution would be likely to cost a far more modest c.£15k per bus. On the assumption that all c.70 First York vehicles could be retro-fitted, a far more modest cost of £1.05m to achieve the Euro 6 emissions standard would be required by the company.
38. Clearly the decision to retro-fit or to buy new would be one for First and other local bus operators to make for their respective fleets.

## **Options**

39. Two revised options for delivery of a CAZ (and timescales for introduction) have been drawn up.

### *Option 1*

40. This option proposes the introduction of a CAZ by January 2020 with a three tier approach mandating emissions standards for all vehicles operating on registered local bus services in York. Such an approach has no precedent in the UK to date.
41. Option 1 builds on the original CAZ proposals, focussing attention in the first instance on the highest frequency buses using or crossing the inner-ring road into the city centre. This option identifies timescales for the mandatory introduction of an Ultra Low Emission Bus service across the whole York bus fleet.
42. Table 1 provides details of the current baseline, as well as timescales for improvement under option 1.

Table 1

| <b>Mandatory minimum emissions standards required for:</b> |  |  |   |
|--|--|--|---|
|  | <b>High frequency bus entries</b><br>(10 times per day or more)  | <b>Medium frequency bus entries</b><br>(5 – 9 times per day)   | <b>Low frequency bus entries</b><br>(under 5 times per day)   |
| January 2018<br>(Baseline)                                 | <i>1554 visits in to the city centre per day (85%). This represents approximately 100 individual buses. Some of the buses in this category are still Euro 2. Most are Euro 3-5. 12 are fully electric.</i> | <i>170 visits in to the city centre per day (9%). This represents approximately 26 buses. All of these buses are Euro 3 or better.</i> | <i>102 visits in to the city centre per day (6%). This represents approximately 28 buses. Some of the buses in this category are still Euro 2. Most are Euro 5-6.</i> |
| January 2020 (CAZ introduction date)                       | ULEB (see definition at para 30)   | Euro 4   | Euro 3  |
| January 2022   | ULEB   | ULEB   | Euro 4  |
| January 2024   | ULEB   | ULEB   | Euro 5  |
| January 2028   |  | ULEB   | ULEB  |

*Option 2*

43. This option proposes the introduction of a CAZ by January 2020 with a single emissions standard for a majority of vehicles operating on registered local bus services in York. Certain lower frequency buses would remain exempt from the mandatory standard.
44. This option is broadly based on the LEZ introduced in Oxford in January 2014. The Oxford LEZ is governed by a Traffic Regulation Condition (TRC) imposed by the Traffic Commissioner on all local bus service registrations operating on certain streets in Oxford city centre.
45. Should the Traffic Commissioner agree to the Council's request, an equivalent arrangement in York would see the implementation of a single emission standard applicable to all local bus services using or

crossing the York inner-ring road (with the exception of very low frequency buses which would be exempted).

46. It is envisaged under this option that York would still implement a Clean Air Zone as outlined at paragraph 27 above but the controls for the least frequent services would not be mandatory as initially suggested. Table 2 provides details of the minimum emission standards for the majority of the fleet under option 2 and proposes minimum levels which operators of buses making very low numbers of entries to the CAZ should work to achieve.

**Table 2**

|   | <b>Mandatory minimum emission standard for:</b>   | <b>Advisory minimum emission level for:</b>   |
|---|---|---|
| <b>Implementation date</b>                    | <b>CAZ required vehicles</b><br>(5 or more entrances to the CAZ per day)  | <b>Exempted vehicles</b><br>(fewer than 5 entrances to the CAZ per day)   |
| <i>January 2018<br/>(Baseline)</i>            | <i>1724 visits in to the city centre per day (94%). This represents approximately 126 buses. Some of the buses in this category are still Euro 2. Most are Euro 3-6. 12 are fully electric.</i> | <i>102 visits in to the city centre per day (6%). This represents approximately 28 buses. Some of the buses in this category are still Euro 2. Most are Euro 5-6.</i> |
| January 2020 ( <u>CAZ introduction date</u> ) | ULEB  | Euro 4  |
| January 2022                                  | ULEB  | Euro 5  |
| January 2024                                  | ULEB  | ULEB  |

## Analysis

47. Since the CAZ was first proposed, there have been a number of improvements to the environmental credentials of some of the bus fleet operating in the York area. A summary detailing approximate total fleet size for each operator, the number of ULEB (Euro 6 or better) vehicles operated by each operator and plans for improvements to their respective fleets can be found at Annex 5 to this report.
48. Following approval, the option selected by members will be consulted on with local bus operators. A further paper will be brought back to the Executive in Spring 2018 summarising the consultation with bus operators, the views of any other parties on the proposal, outlining any



significant obstacles to delivery and confirming the intended CAZ introduction date.

49. The precise mechanism for enforcement of the preferred option will also be determined.

### ***Option 1***

50. This option initially focuses attention on the highest frequency buses operating in the City Centre and is closely aligned to the division of services as defined in the previous CAZ proposal. Option 1 would also ensure continued emission improvement for all other buses over a longer period with all services reaching ULEB emission status by 2028.

51. Where low emission areas have already been introduced in relation to local bus services they have usually been applied to all local buses operating in the area (e.g. the Low Emission bus zones in London which commenced earlier this year), or to most buses with some low frequency exemptions (e.g. the Oxford LEZ which excludes buses entering the city making fewer than 25 visits to the zone per week). Option 1 would set standards for all buses (graduated over 3 classifications depending on frequency of entry).

52. Further work would need to be undertaken on the means by which a CAZ with three distinct air quality requirements could be enforced. Whilst there is no precedent for this option from elsewhere in the UK, officers are confident that this option is achievable.

53. The 'high frequency' category of services defined in option 1 includes the following:

- All of First York's commercially operated local bus services, including the University of York local bus service network;
- The York Park & Ride network operated by First York;
- City Sightseeing operated by Transdev York;
- Connexions commercially operated local bus service;
- CYC contracted local bus services currently operated by Arriva, Connexions and Reliance.

*Park & Ride & City Sightseeing*

54. The Park & Ride and City Sightseeing network will meet the proposed option 1 CAZ emission standards ahead of the proposed 2020 introduction.

*CYC contracted local bus services*

55. A number of the CYC subsidised local services already operate the required Euro 6 standard vehicles. It is envisaged that Euro 6 would be set as a minimum standard for any future tendering rounds subject to agreement by the Executive. In the Council's most recent tendering round (Spring 2017), the additional cost of procuring a brand new Euro 6 single vehicle operation instead of a Euro 5 operation equated to a cost of £1,700 per annum. Clearly, this only applies when a new tender is being undertaken and cannot be introduced part way through an existing contract as an operator will have made a significant investment in vehicles previously.

*Commercially operated local bus services*

56. The viability of commercially operated services is dependent, often, on utilising vehicles which are purchased second hand or which have been transferred from other services within a large group. By way of example, the 'Cityzap' fleet will be modernised this year with vehicles which have been previously used on other routes within the wider Transdev operation.
57. First York will be making a significant capital investment in to the Park & Ride service to deliver one of the largest electric bus fleets in the UK outside London. To date, however, neither First York nor Connexions has shared any form of vehicle replacement programme for their non-contracted operated services.
58. In the event that a number of bus services were de-registered (or their frequency significantly reduced), CYC would have to consider what measures it would be prepared to take to ensure continuity of service. CYC would also need to consider the additional costs likely to be attributed to its existing subsidised bus network resulting from the emissions requirements.

## ***Option 2***

59. Option 2 merges the higher and medium frequency bus entries identified in option 1. This will have the effect of ensuring that medium frequency services are subjected to more stringent emissions standards, capturing almost all of the buses operating in to the York area but allowing complete exclusion of the very infrequent services. The services which would be excluded from the mandatory requirements under option 2 would be:
- A small number of NYCC or CYC tendered services operating relatively long routes, serving rural villages;
  - Coastliner and EYMS services operating long distance inter-urban services (Leeds to the Coast and York to Hull respectively).
60. It should be noted that in the case of the latter category, these routes are already principally operating using Euro 6 buses.
61. This option takes its precedent from the Oxford LEZ, now in its fifth year of operation. The York CAZ would be applied through use of a TRC based on a single emission standard (this is a well established approach in Oxford and could be readily adopted for use in York). Whilst this would require that a greater number of buses are upgraded to the ULEB minimum standard more quickly, recognition is given to the fact that it would take longer to achieve a fully ULEB bus network as the standard for low frequency bus visits would remain advisory .
62. In line with option 1 (and as per the fleet improvements laid out in annex 5), it should be noted that a number of York's operators have not currently shared any form of vehicle replacement road map.

## ***Ongoing review***

63. It is proposed that the emissions standards would be reviewed in 2020 and then on a minimum two yearly basis to ensure that the CAZ is delivering the necessary improvements to air quality levels. The review would also enable consideration to be given to technological or standards changes which could have a material impact on the minimum emissions level required.

## Anti-idling proposals for York

64. The AQAP3 report initially recommended a promotional and educational approach only to anti-idling. Following consultation the final AQAP3 was amended to include an option for anti-idling enforcement. CYC has continued to receive complaints about idling.
65. On National Clean Air Day (NCAD) 15 June 2017 CYC and volunteers from AMEY and the University of York undertook pro-active anti-idling awareness raising within coach parks and at other city centre locations. The approach taken was to thank drivers who had already switched off engines and to try to engage drivers of idling vehicles in a conversation about NCAD and the need to switch off engines. All approaches were made informally with no mention of legislation or potential fines. Volunteers wore high visibility vests for safety reasons but were not in uniform. The majority of drivers approached on NCAD were willing to engage in a conversation with volunteers and switched off when asked.
66. Currently complaints about idling emissions from identifiable vehicles are brought to the attention of the vehicle owner /operator in writing. Complaints about local buses are referred to the bus operator via the existing bus partnership. Vehicle ownership details based on number plate observations can only be obtained from DVLA if a locally adopted anti-idling enforcement policy is in place and an offence has been witnessed by an officer designated to undertake anti-idling enforcement duties. As CYC does not currently have an adopted anti-idling enforcement policy or designated officers, it is currently not possible to write to owners of unmarked vehicles. This limited approach to dealing with stationary idling complaints can be continued at no additional cost.
67. The current proposals in AQAP3 aim to discourage vehicle idling by highlighting the cost and health implications of idling via a variety of media, supported by periodic on street 'advisory' patrols. This would be in addition to the existing approach as outlined. Actions would include:
  - erection of permanent and temporary anti-idling signage at locations where idling has been identified as an issue (see Annex 6)
  - initial local media campaign to highlight the cost and health implications of idling followed up by periodic 'refresher' campaigns (potentially on an annual basis in conjunction with NCAD)
  - pro-active anti-idling patrols and provision of anti-idling advice by council officers (and / or trained volunteers). Frequency of patrols would be subject to other service demands and availability of

volunteers but would include an initial period of activity (to coincide with the launch of the media campaign) and increased activity around events such as NCAD or following complaints

- ad-hoc high profile anti-idling events to be held outside schools / hospital/ station etc, including rotation of temporary anti-idling signage throughout the year
  - reminders to CYC fleet drivers to lead by example
68. Estimated costs for the current AQAP3 proposals for the first 5 years are £13,500 (see Annex 6)
69. In addition to the approaches outlined in paragraphs 66 and 67, an option to designate anti-idling enforcement powers to specific officers has also been investigated. Under this option any driver failing to respond to a request by an authorised officer to switch off an engine to prevent an idling offence could be reported for a summary offence (level 3 fine) or issued with a Fixed Penalty Notice for £20 (increasing to £40 if not paid within the specified period). Enforcement action would only be taken as a last resort and would only be applicable to offences taking place on the public highway. Occasional enforcement activities can be carried out within existing resources (subject to a small amount of additional administration and officer training). There may be some legal and debt recovery costs associated with serving a small number of FPNs.

## **Council Plan**

70. Poor air quality affects the health and economy of York's residents and businesses. Whilst electric buses are cheaper to operate, require less maintenance and can at least be part funded through grants, they have higher capital costs. The council's anti-idling policies are partly in response to complaints by local residents and growing concerns about air pollution and its impact on health.

## **71. Implications**

### **Financial** (*Contact – Director of Resources*)

It is envisaged that enforcement of both the CAZ and the council's anti-idling policies would be undertaken within existing resource.

The cost of implementing a Traffic Regulation Condition is thought to be very modest and does not require on-street signage.

**Human Resources (HR)** (Contact – Head of HR) – N/A

**One Planet Council / Equalities** (Contact – One Planet Council Officer / Equalities Officer)

The proposals are significant measures to improve air quality and reduce emissions of carbon and traffic pollution in the city.

**Legal** (Contact – Head of Legal and Democratic Services)

Provisions for the serving of FPNs and introduction of a TRC will be undertaken in consultation with Legal Services

**Crime and Disorder** (Contact - Senior Partnerships Support Officer, Community Planning & Partnerships) - N/A

**Information Technology (IT)** (Contact – Head of IT) – N/A

**Property** (Contact – Property) – N/A

**Other** – N/A

## **Risk Management**

72. Air pollution is a significant risk in the local plan. Measures to reduce emissions from buses are important measures in AQAP3. Failure to introduce a CAZ could lead to older buses being moved to York from other parts of the UK or Ireland where emissions standards are in place. This could result in possible legal challenge for failure to take the swiftest and most effective action to improve air quality. It should be noted that Bristol City Council has already been threatened with legal challenge by Client Earth regarding the content of its draft air quality action plan.
73. There is a risk that commercial bus services which offer only a marginal return to their operators would be at risk of being withdrawn as a result of the additional investment required to bring the vehicles up to ULEB standard. If such steps were taken, the Executive would then have to consider whether it wished to use Council subsidy to ensure the continued operation of the services.

74. There is also the possibility that some bus operators would re-register their bus routes in such a way that they avoided the Clean Air Zone. It is believed that this would be unlikely, however, as the bus routes would no longer be connecting their customers to the city centre: a key destination.
75. There is a risk that the Traffic Commissioner would not agree to the introduction of a TRC. Option 2 is, however, believed to be the lowest risk as it broadly replicates an existing TRC in Oxford.

### Contact Details

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**Report**  **Date** 03.01.2018  
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**All**

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## **Background Papers:**

1. Every breath we take – The lifelong impact of air pollution – Royal College of Physicians (February 2016)
2. Air quality – A briefing for Directors of Public Health - DEFRA and PHE (March 2017)
3. Adoption of a Low Emission Strategy for York – Executive Report (9 October 2012)
4. Adoption of York’s Third Air Quality Action Plan – Executive Member Report (14 December 2014)
5. Air Quality – Annual Status Report – Executive Member for the Environment Report (7 August 2017)
6. National Air Quality Action Plan for Nitrogen Dioxide – DEFRA (July 2017)
7. Clean Air Zone Framework - DEFRA (May 2017)

## **List of Annexes**

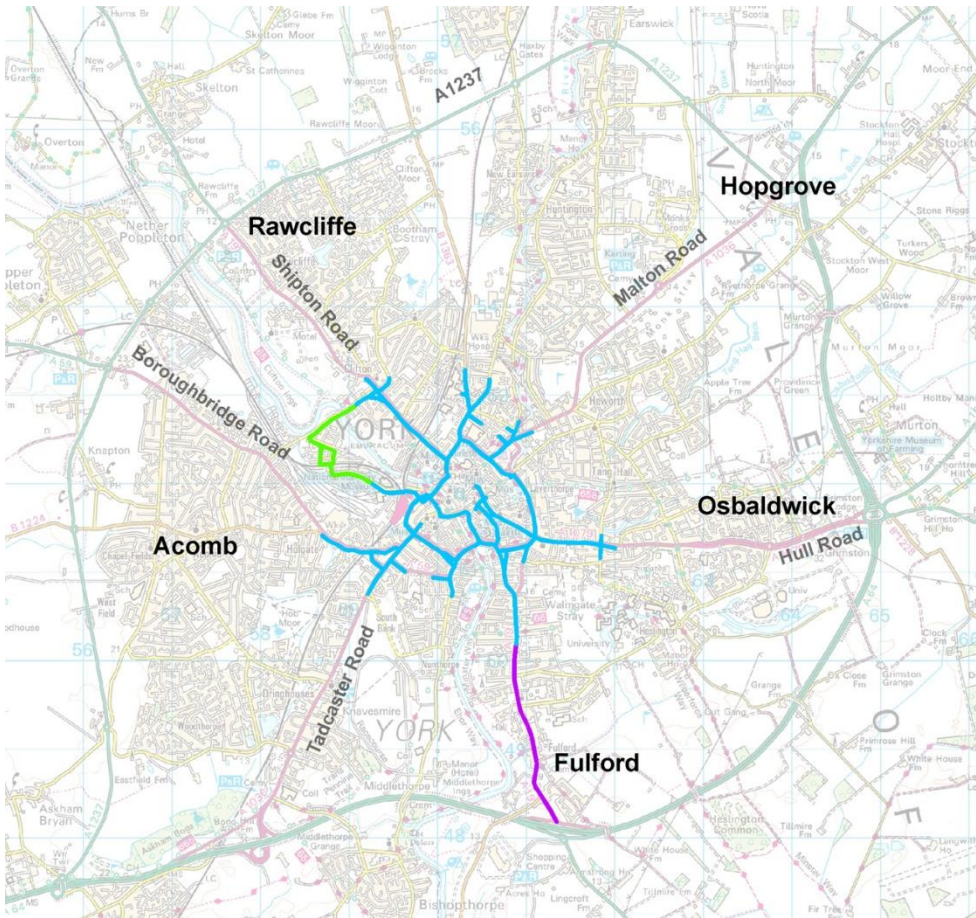
1. Map of York’s Air Quality Management Areas
2. Low Emission Zone study 2011
3. *Low Emission Bus feasibility study 2013*
4. Original CAZ emission control proposals (AQAP3 - Dec 2016)
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## **List of Abbreviations Used in this Report**

|                 |  |
|-----------------|--|
| AQAP            | Air Quality Action Plan                                |
| AQMA            | Air Quality Management Area                            |
| CAZ             | Clean Air Zone   |
| DEFRA           | Department for the Environment, Food and Rural Affairs |
| FPN             | Fixed Penalty Notice                                   |
| LES             | Low Emission Strategy                                  |
| LEZ             | Low Emission Zone                                      |
| NO <sub>2</sub> | Nitrogen dioxide                                       |
| PHE             | Public Health England                                  |
| PM10            | particulate matter less than 10 micron diameter        |
| TRC             | Traffic Regulation Condition                           |
| ULEB            | Ultra Low Emission Bus                                 |



# Annex 1 Map of AQMAs



## Air Quality Management Areas (AQMAs)

**AQMA Order No. 1**  
(declared Jan 2002,  
revised September 2012)

**AQMA Order No. 2**  
(declared April 2010)

**AQMA Order No. 3**  
(declared April 2012,  
decision to revoke 2017)

An AQMA is an area where breaches of the Government's Health Based Air Quality Objectives have been monitored in recent years.

The AQMA includes roads and some properties either side of the road.

## Annex 2 Summary of LEZ study 2011

A LEZ is an area where only vehicles meeting a specified emission standard are allowed to enter. Vehicle emission standards are set by the EU with new vehicles required to meet increasingly stringent emission standards for specific pollutants over time. Oxford and Norwich operate low emission zones for buses whilst London has a much larger LEZ which applies to large vans, minibuses, buses and HGVs. CYC commissioned a LEZ feasibility study in November 2011 to investigate the level of air quality improvement that might be achievable through the creation of a low emission bus and coach corridor along Ousegate, Rougier Street, George Hudson Street and round to Lendal Bridge. Because the majority of scheduled bus services pass through this small area any policy applying emission controls to this corridor was expected to effectively create a city wide LEZ for scheduled bus services. The study included a cost-benefit analysis which considered the cost to operators and CYC of implementing the LEZ bus corridor and the likely air quality / health benefits that would be achieved.

The LEZ feasibility study considered the following scenarios:

- Euro 3 LEZ for buses and coaches (all bus services in the study area assumed to be upgraded to meet the criteria)
- Euro 4 LEZ for buses and coaches (all bus services in the study area assumed to be upgraded to meet the criteria)
- Euro 5 LEZ for buses and coaches (all bus services in the study area assumed to be upgraded to meet the criteria)
- All the scenarios above but also including HGVs
- A hybrid P&R scenario which could reflect either the use of full electric buses or hybrid diesel-electric buses on the P&R routes (with battery operation within the AQMAs). This scenario was modelled separately from the other LEZ scenarios and could be implemented in conjunction with any of the other scenarios.

The study showed that the introduction of 'blanket' Euro 4 and Euro 5 emission controls for all buses and coaches passing through the modelled LEZ corridor would be unlikely to deliver the national air quality objectives at all locations in the city centre AQMA. However, some sizeable reductions in NO<sub>2</sub> concentrations could be expected in areas with the highest concentration of bus movements such as Rougier Street. The introduction of a Euro 3 standard was found to be unacceptable as this had the potential to increase NO<sub>2</sub> concentrations (due to changes in the operation of vehicle

abatement technologies following the introduction of successive Euro emission standards).

The scenario considering the introduction of electric / hybrid P&R buses demonstrated a potential to deliver a reduction in  $\text{NO}_2$  of  $1.0 \mu\text{g m}^{-3}$  across the study area compared with  $0.1 \mu\text{g m}^{-3}$  in the Euro 3 (all buses) scenario to  $2.6 \mu\text{g m}^{-3}$  in the Euro 5 (all buses) scenario. This indicated that applying zero emission controls to a small number of frequent bus services could potentially be more effective at reducing  $\text{NO}_2$  concentrations than applying a blanket Euro 3 or 4 emission standard across the whole fleet (assuming that the use of electric vehicles in York could be practically achieved).

### **Annex 3 Low Emission Bus feasibility study 2013**

The study included:

- A low emission bus technology review - considering both electric and gas powered solutions
- Development of a roadmap for introducing low emission buses into York based on matching the real life duty cycles of current services with the most suitable low emission technology.
- An operations and economic analysis to support the proposed low emission bus road map.

The study identified around 65 scheduled bus routes through the city serviced by approximately 200 unique buses of varying age and emission standards. It was found that at the time of the study 82% of all bus movements were carried out by only 49% of the bus fleet and that these buses operated on only 20 routes (including all the P&Rs). As demonstrated by the LEZ feasibility study these 'frequent' flyers were shown to be having a disproportionate impact on local air quality.

Due to their short, frequent duty cycles the 'frequent flyer' buses operating on the 20 main routes were found to be well suited to adoption of electric bus technology. Converting these services to electric was predicted to offer substantial benefits for air quality as well as 60% reduced greenhouse gas impact with additional noise reduction benefits and enhanced passenger experience. This comprehensive evidence base was used to support external funding bids and resulted in the introduction of electric buses at the Poppleton Road and Monks Cross P&R sites. These services have now been operating successfully for over 2 years and have clearly demonstrated that with the right level of investment and operator commitment electric buses can play a significant role in the future delivery of York's P&R services.

**Annex 4 Original CAZ emission control proposals (AQAP3, 2016)**

|            | <b>High frequency bus services</b><br>(10 times per day or more) | <b>Medium frequency bus services</b><br>(5 – 9 times per day) | <b>Low frequency bus services</b><br>(under 5 times per day) |
|------------|--|---|--|
| April 2015 | Euro 3<br>(82% of bus traffic)                                   | Euro 3<br>(11% of bus traffic)                                | No standard<br>(7% of bus traffic)                           |
| April 2018 | Zero emission<br>(82% of bus traffic)                            | Euro 4<br>(11% of bus traffic)                                | Euro 3<br>(7% of bus traffic)                                |
| April 2021 | Zero emission<br>(85% of bus traffic)                            | Euro 5<br>(9% of bus traffic)                                 | Euro 4<br>(6% of bus traffic)                                |
| April 2024 | Zero emission<br>(87% of bus traffic)                            | Euro 6<br>(8% of bus traffic)                                 | Euro 5<br>(5% of bus traffic)                                |

## Annex 5 York local bus operator vehicle emissions improvements to date and future proposals

| Operator   | Improvements achieved to date  | Planned improvements   | Fleet size (Number) | Euro 6 | ULEV |
|------------|--|--|---------------------|--------|------|
| Arriva     | <ul style="list-style-type: none"> <li>All Arriva buses operating into or in York are Euro 5 standard;</li> <li>All vehicles are fitted with 'Econospeed', which is a fleet fuel saving system, using dynamic acceleration control to reduce fuel consumption and cut CO2 emissions. By limiting acceleration to simulate that of a fully laden or part laden vehicle, EconoSpeed removes the ability of the driver to waste fuel with excessive acceleration demand. Best performance is delivered on frequent stop-start journeys and in variable driving conditions.</li> </ul> | <ul style="list-style-type: none"> <li>No specific vehicle improvements planned, but the vehicle engine quality will improve as the fleet is replenished over time.</li> </ul>   | 29                  | 0      | 0    |
| Connexions | <ul style="list-style-type: none"> <li>Use of 'Dipetane' fuel additive across fleet - reduces Nox and other emissions as well as delivering a 10% fuel saving;</li> </ul>  | <ul style="list-style-type: none"> <li>Euro 6 bus deployed on CYC tendered route 16 from September 17;</li> </ul>  | 9                   | 1      | 0    |
| EYMS       | <ul style="list-style-type: none"> <li>Across the fleet of 275 buses, 80 EYMS buses are built to Euro 5 or 6 standard (21 of which are Euro 6); Average fleet age is 9 years;</li> <li>Euro 6 investment has been focussed on York with the conversion of the main Hull – York X46 corridor completed in 2017;</li> <li>Use of the 'Green Road' system which has delivered fuel use, engine idling and safety improvements.</li> </ul>   | <ul style="list-style-type: none"> <li>This will rise to 97 Euro 5 or 6 (38 of which will be Euro 6) – a £3m investment;</li> <li>Two Pocklington based services operating in to York (routes 45/46) will be converted to Euro 6 late 2017.</li> <li>Full conversion will take some time, so some non-Euro 5 buses will still be seen in the City for</li> </ul> | 275                 | 21     | 0    |

|             |  | now.  |                     |        |      |
|-------------|--|---|---------------------|--------|------|
| Operator    | Improvements achieved to date  | Planned improvements  | Fleet size (Number) | Euro 6 | ULEV |
| First York  | <ul style="list-style-type: none"> <li>• 2002 – all fleet fitted with automatic engine cut out to prevent idling;</li> <li>• 2010 – Bio-diesel use introduced;</li> <li>• 2010 - Use of the ‘Green Road’ system which has delivered fuel use, engine idling and safety improvements introduced;</li> <li>• 2014 – Introduction of 4 diesel/electric hybrid buses on York network;</li> <li>• 2014 – Introduction of 12 fully electric buses (EV) on Park &amp; Ride accompanied with staff training to &amp; support to improve energy efficient driving styles;</li> <li>• 2016 – ‘Viricity’ telematics remote vehicle management system introduced to maximise use of EV fleet (reducing the deployment of diesel substitute buses);</li> <li>• The York fleet totals 108 buses, all of which are Euro 2 or better.</li> </ul> | <ul style="list-style-type: none"> <li>• Further increase of EVs on later evening services planned for 2017.</li> <li>• Introduction of further EVs on the Park &amp; Ride network.</li> </ul>                      | 102                 | 0      | 12   |
| Reliance    | <ul style="list-style-type: none"> <li>• One new Euro 5 and one new Euro 6 bus introduced in the past few years;</li> <li>• Conversion of two further buses to Euro 5 using Green Urban Technology. All four of these buses operate on routes in to the York area on a daily basis.</li> </ul>   |   | 10                  | 1      | 0    |
| Stephensons | <ul style="list-style-type: none"> <li>• Largely modern fleet</li> <li>• Stricter policies with regards engine idling introduced – Engines will be switched off for service buses waiting at any given stop for more than 1 minute</li> </ul>  | <ul style="list-style-type: none"> <li>• Consideration of introducing an upgraded tracking system to more closely monitor driver behaviour and also consideration of ways to incentivise improved driver</li> </ul> | 10                  | 0      | 0    |

| <b>Operator</b> | <b>Improvements achieved to date</b>   | <b>Planned improvements</b>   | <b>Fleet size (Number)</b> | <b>Euro 6</b> | <b>ULEV</b> |
|-----------------|--|---|----------------------------|---------------|-------------|
| Transdev        | <ul style="list-style-type: none"> <li>• 1x Fully electric converted City Sightseeing bus in operation;</li> <li>• 10x Euro 4 buses on Coastliner replaced with 10 x Euro 6 buses in January 2017;</li> <li>• Use of the 'Green Road' system which has delivered fuel use, engine idling and safety improvements.</li> </ul> | <ul style="list-style-type: none"> <li>• 2017/18: 5x City Sightseeing buses to be converted to fully electric operation (100% of City Sightseeing fleet in 2018)</li> <li>• 2018: 3 x Euro 3 City Zap buses to be upgraded to Euro 6 standard.</li> </ul> | 30                         | 10            | 1           |
| York Pullman    | <ul style="list-style-type: none"> <li>• 2 x Euro 6 mini-coaches operating extensively in the CYC area</li> <li>• 11 x Euro 5 coaches</li> <li>• 32 x Euro 4 coaches</li> <li>• All coaches are Euro 2 or 3 minimum</li> <li>• Euro 6 bus operating on CYC contracted local bus service</li> </ul>                           | <ul style="list-style-type: none"> <li>• 10 x Euro 5 buses on delivery for home 2 school transport;</li> </ul>  | 2                          | 1             | 0           |



## Annex 6 Anti idling details

| Service element  | Option 1 | Option 2 | Option 3 | Additional cost to CYC (£)  | Source of funding               | Comment   |
|--|----------|----------|----------|---|---------------------------------|---|
| Write to owners of vehicles identified as idling (not applicable to unmarked vehicles)                     | ✓        | ✓        | ✓        | none  | -                               | Already undertaken by air quality officers  |
| Liaise with bus companies on idling issues   | ✓        | ✓        | ✓        | none  | -                               | Already undertaken by sustainable transport team via Quality Bus Partnership (QBP)  |
| Updating of CYC website and JorAir websites to include anti-idling information and public reporting system | ✓        | ✓        | ✓        | none  | -                               | Some anti-idling information is already available on Jorair and will be updated following decisions from this report.   |
| Erection of anti-idling signage  | x        | ✓        | ✓        | <b>£4000</b><br>(estimated)<br><br>25 x Metal signs<br>approximately<br>£60 each<br>(fitted)<br><br>10 x bus<br>timetable signs<br>approximately<br>£250 (fitted) | Existing air quality grant fund | It is likely that a combination of metal 'dog fouling style' signs and larger 'bus timetable style' signs will be required. An initial survey has shown that locations for additional signage are limited. This is an upper estimate. It may not be possible to erect this amount of signage in practice. |
| Media campaign and ad hoc anti-idling events   | x        | ✓        | ✓        | <b>£7000</b>  | Existing air quality grant fund | To be delivered mainly in house by air quality and marketing and communications staff using social media. Budget will allow for use of some external  |

|  |          |          |   |              |                                 |   |
|--|----------|----------|---|--------------|---------------------------------|---|
|  |          |          |   |              |                                 | advertising via posters, radio, cinema and attendance at ad-hoc events.   |
| Ad-hoc anti-idling awareness raising patrols | <b>x</b> | ✓        | ✓ | <b>£2500</b> | Existing air quality grant fund | Patrols will be taken on an ad-hoc basis by CYC staff and volunteers. Budget will allow for provision of high visibility vests with anti-idling message and production of campaign materials to support patrols. To include stickers, give-aways etc. |
| Anti-idling enforcement patrols              | <b>x</b> | <b>x</b> | ✓ | <b>£1000</b> | From within existing resources  | Patrols will be taken on an ad-hoc basis by existing CYC staff. Budget will allow for additional officer training. Excludes any processing and legal costs for FPNs (expected to be insignificant).   |
| Follow up FPN work – debt recovery etc       | <b>x</b> | <b>x</b> | ✓ | unknown      | Routine legal work              | Would be incorporated into existing legal and debt recovery work within CYC   |

## Signage

Although not legally required to support anti idling enforcement signage can act as a deterrent and provides a clear message to the general public that vehicle idling is not a socially acceptable practice.

Signage would need to be erected on existing street furniture. An initial survey has indicated that available space for anti-idling signage is currently very limited and would probably need to be limited to existing blue bus stop posts. Signage cannot be placed in the windows of the bus shelters as these belong to JC Decaux. There are also constraints relating to the height at which signage needs to be placed to prevent accidents.

The following locations have been identified as possible initial signage locations but all are subject to further internal discussion with the appropriate officers.

| Location  | Comments   |
|---|--|
| Bus stops outside railway station                             | Limited space for signs but at least 4 needed in this area. Further discussion needed with the station to establish if anything could be fixed to station building |
| Bus / coach pick up point near memorial gardens (Leeman Road) | Limited space but 1 sign needed in this location   |
| Rougier Street / George Hudson Street                         | Some bus stops available. 3 signs in this locality.  |
| Museum Street – Park and Ride bus stop near library           | Erection of sign on P&R bus stop   |
| Exhibition Square / Theatre Royal                             | 3 signs needed in this area  |
| Clifford Street / Tower Street                                | Some space available on bus stops. 3 signs in this area  |
| Stonebow bus stops  | Would aim to erect 2 signs in this location. To review once works at Stonebow house are complete.  |
| Piccadilly – near Merchant Adventurer's Hall                  | 2 signs (one either side of the road).   |
| Merchantgate  | One sign near bus stops  |
| Barbican coach pick up point                                  | One sign required – may require new street furniture   |
| Coach waiting areas on Knavesmire Road                        | 4 signs in this vicinity mounted on existing street lights.  |
|   | <b>25 signs – mixture of metal plate and bus timetable style to suit individual locations. Further permissions to be sort prior to implementation.</b>             |

Other potential sign locations:

- Wiggington Road level crossing
- Strensall level crossing
- Haxby level crossing
- Adjacent to taxi ranks
- Approach to Hazel court civic amenity site
- Outside schools

Widespread erection of anti-idling signage within key shopping streets such as Coney Street, Davygate, Petergate, Stonegate etc to address emissions from delivery vehicles will be difficult due to lack of available street furniture. Any signage in these areas would need to be erected on buildings through negotiation with owners which is likely to be costly and time consuming.

## Sign designs

Three types of sign are proposed to be used. The exact wording and images on the signs will be determined on the level of enforcement to be applied in York:

**1) Metal plate signs** (similar to those used for dog fouling and litter).



Example of metal anti-idling sign from Windsor. Exact wording of York signs subject to further agreement. May or may not make reference to fines (subject to member decision on enforcement) Message can be updated at a later date if necessary using adhesive stickers.

## 2) Bus stop style signs



To be used where erection of metal plates is not possible due to height restrictions. Frames must be blue to match bus stops and would contain a suitable anti-idling message which could be easily updated as required.

## 3) Temporary banner signs

These could be used outside schools, in coach parks and at other anti-idling events to raise awareness and can be rotated to different locations throughout the year. Three are currently available following National Clean Air Day. More could be made at £25 each.





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**Executive****25 January 2018**

Report of the Assistant Director, Housing and Community Safety

Portfolio of the Executive Member for Housing and Safer Neighbourhoods

**Homelessness in York****Purpose of the report**

1. Updating the Homelessness Council motion, and update the Executive on the preparation for Homeless Reduction Act.
2. At Full Council in October 2017, Council resolved that officers consider the motion proposed by Cllr Craghill, seconded by Cllr Kramm.

“Council is appalled by the growing homeless crisis nationally and here in York and notes with regret the following:

- The recent sudden death on the streets of York of one of our long term rough sleepers;
  - A report published in August this year by ‘Crisis’, the national charity for homeless people, which shows that almost a quarter of a million people are experiencing the worst forms of homelessness across Britain, with rough sleeping set to rise by 76% in the next 10 years unless policies are changed;
  - The fact that the official number of street homeless in York rose from 2 in Nov 2011 to 18 in 2015 and has stayed at that level for the last two years;
  - The lack of sufficient temporary accommodation in York and the lack of sufficient affordable one bedroom homes for people to move into.
3. Council acknowledges the achievement of the Council’s Housing Options team in being awarded a ‘Gold Award’ for their work and the

large number of people inside and outside the Council in the voluntary and community sector striving to support people who are homeless.

4. However, Council recognises that more always needs to be done and therefore asks for a report to the Executive following up on its Homeless Review 16/17 which was reported to the Executive Member for Housing and Safer Neighbourhoods in July 2017 and the Homelessness Strategy set out in the multi-agency 'A City Partnership to Prevent Homelessness 2013-2018' regarding any further measures which could further assist homeless individuals in York."
5. Motion asks for
  - Immediate measures to provide additional temporary accommodation and avoid if at all possible any further deaths on our streets this winter;
  - Any further measures that can be actioned in a short/medium timescale to prevent this crisis from spiralling out of control in York. These might include an extension of the Housing First model; the provision of daytime facilities in the city centre to improve the health of people who find themselves on the streets; and the options for closer working with partners across the region to improve outcomes for homeless people.
  - Plans for engagement with people living on the streets, in temporary accommodation and other homeless people to learn from their views and ideas."

## Recommendations

6. The Executive meeting is asked to
  - Note the progress made in response to this motion and agree the recommendations in Option 1. In particular note the recommendation to offer a continuous severe weather provision until Feb 28<sup>th</sup> 2018 which will address the immediate issue and reduce the number of rough sleepers in York and additional actions that are not already being considered as part of Homeless Strategy action plan.
  - **Reason** – To look at further ways to tackle the challenge of rough sleeping in York, recognising that there is not an immediate

solution due to the chaotic lifestyle of some of the customers and the potential implications of the Homeless Reduction Act 2017.

### **Work ethics**

7. Agencies in York have a committed and dedicated employees working with people that are experiencing homelessness.
8. There is extensive multi-agency working to tackle homelessness and agencies are continually looking at ways to improve services.
9. The current homeless strategy and action plan 2013-18 has resulted in significant improvements to services and to quality of accommodation and the development of the Homeless Strategy and action plan 2018-23 is currently in progress
10. Agencies are working together to tackle the future demands of homeless reduction act and new statutory duties
11. The position regarding rough sleepers needs to be seen in the context that, despite all efforts, some individuals choose not to engage with services opting to remain on the streets. It is important to have a better understanding why people would choose this option, the Joint Strategic Needs Assessment (JSNA) needs assessment that is currently in progress is looking to provide some insight into this question. The results will be available in spring and the results will be reported to The Health and Wellbeing Board (HWBB) and will also inform the new homeless strategy that will be published in July.

### **Background**

12. Rough sleepers are the most prominent customer group and can access the services delivered by City of York Council and partner agencies. Services are divided into 2 specific areas (statutory homeless and single homeless - resettlement).
13. Historically rough sleeping, statutory homelessness and use of temporary accommodation and B&B was high in York (early 2000's) but with concerted effort has reduced significantly over the years, although rough sleeping has increased in recent years.
14. The Local Authority has had a statutory duty to assist people that are homeless under the Housing Act 1996 and Homelessness Act

2002. There is new legislation due to come into force on 3/4/18 – Homeless Reduction Act 2017.

15. The service provided under the Housing Act 1996 is dependent upon meeting specific criteria. If an applicant is homeless, eligible and believed to be in priority need, the Local Authority would have a duty to provide temporary accommodation while investigations under the Housing Act 1996 are completed.
16. Only if someone meets all 5 criteria homeless, eligible, in priority, unintentionally homeless and has a local connection is there a duty to offer permanent accommodation.
17. This statutory duty will be extended to prevention and relief of homelessness under the new Homeless Reduction Act 2017 but does not remove the current duties.
18. Temporary accommodation is currently provided at Ordnance Lane, Howe Hill family block, Crombie House and Holgate Road (50 units available) plus occasional use of B&B, respite rooms and dispersed accommodation. As of 30/9/17 there were 58 households in temporary accommodation. It is the intention to amalgamate all temporary accommodation into 57 units at James House. This is currently at planning stage and if agreed should be available from the end of 2018 / early 2019.
19. Single Homeless - Resettlement Services are a specialist service for single people that generally do not meet the criteria of the homeless legislation (not priority need or are intentionally homeless). Individuals can access housing advice via the Housing Options Team, Youth Homeless Workers, Specialist Housing Adviser (frail older and vulnerable) or the contracted Early Intervention and Prevention Team (current contract holders are Salvation Army).
20. Resettlement accommodation is accessed via the Single Access Point (SAP). For those with no local connection, and for who it is safe to return a limited service is offered while arrangements are made to help someone return to the local area (reconnection).
21. The resettlement model offers single homeless and rough sleepers access to supported hostel accommodation. For the more complex this is tier 1 (24/7 staffed hostels). Individuals are expected to adhere to basic hostel rules, pay their rent and amenity charges, plus engage with support and education services. When ready, individuals will move onto tier 2 shared housing, with more



independence before ultimately moving into self contained accommodation. For those with no issues they will be helped into independent accommodation (private rented sector).

22. Accommodation is predominately provided by City of York Council and Changing Lives (who were awarded the Adult Community Wellbeing contract in February 2017). York has a range of front line tier 1 accommodation for single people that are homeless and have vulnerability.

- Union Terrace Hostel 39 beds (Changing Lives)
- Peasholme Centre 22 beds (CYC).
- Howe Hill for Young People 23 beds (CYC).
- Robinson Court women's hostel 13 beds (Changing Lives)
- Robinson Court young peoples service 4 beds (Changing Lives)

All referrals are via Single Access Point

[https://www.york.gov.uk/info/20094/homelessness/816/hostels\\_and\\_emergency\\_accommodation](https://www.york.gov.uk/info/20094/homelessness/816/hostels_and_emergency_accommodation)

23. There are currently approximately 90 units of tier 2 accommodation (shared housing with visiting / on site staff not 24/7), supported lodgings and move on flats.

24. Additional services for rough sleepers include:

- Salvation Army Early Intervention and Prevention Team carry out regular street walks and constantly monitor and offer advice to rough sleepers. This service is commissioned by CYC
- MEAM (Making Every Adult Matter) engages people with complex needs. MEAM customers must be homeless, have mental health issues, offending issues and substance issues. This service is commissioned by CYC
- No Second Night Out (NSNO). Where a person is new to rough sleeping, York has adopted the NSNO approach. This means that someone who has slept out for 1 night will be offered an emergency bed and asked to engage with Salvation Army to secure longer term accommodation.  
[https://www.york.gov.uk/downloads/file/8527/no\\_second\\_night\\_out\\_nsno\\_and\\_emergency\\_bed\\_protocolpdf](https://www.york.gov.uk/downloads/file/8527/no_second_night_out_nsno_and_emergency_bed_protocolpdf). York has extended NSNO to include new rough sleepers and entrenched rough

sleepers offering emergency beds and provides up to 11 NSNO spaces.

- Severe Weather Provision operates between over 1<sup>st</sup> Nov and 28<sup>th</sup> February every year, opening only when the temperatures is freezing or below. This provides an additional 5 emergency placements to the NSNO beds.

Despite being aware of severe weather provision some entrenched rough sleepers do not utilise this service.

- Housing First <http://hfe.homeless.org.uk/principles-housing-first>

Housing First provides self contained accommodation with intensive, flexible and person-centred support to individuals with complex needs.

CYC has adopted the Housing First model and uses existing CYC stock to house a small number of complex rough sleepers who are engaging with MEAM and for whom this is the most suitable housing option. All MEAM customers are homeless and have mental health, offending, substance misuse issues and they require intensive, often daily visits for long term support for many years. Housing First is not an appropriate option for everyone. Some people benefit from living in supported housing before moving onto independent accommodation.

We have significant success with those people that engage and move through resettlement services. Last year we resettled 70 people into permanent tenancies, plus a small number of individuals with complex individuals using the Housing First model.

- That the Street Link rough sleeper reporting line operates 24/7 co-ordinated via Salvation Army. Close working between homeless services, NY Police, BID and Community Safety to concerns and respond to complaints about rough sleepers.

## Recent statistics and update of annual homeless review

### 25. Homeless acceptances (duty under Housing Act 1996)

| Date    | Unintentional & in priority need | Intentional | Not Priority Need | Not Homeless | ineligible | Total decisions |
|---------|----------------------------------|-------------|-------------------|--------------|------------|-----------------|
| 2012/13 | 146                              | 43          | 22                | 7            | 0          | 218             |
| 2013/14 | 109                              | 44          | 17                | 9            | 1          | 180             |

|                |     |    |    |    |   |     |
|----------------|-----|----|----|----|---|-----|
| 2014/15        | 102 | 31 | 24 | 30 | 0 | 188 |
| 2015/16        | 91  | 23 | 16 | 33 | 0 | 163 |
| 2016/17        | 97  | 37 | 18 | 34 | 0 | 186 |
| Q1 and Q2 2017 | 43  | 15 | 8  | 21 | 0 | 87  |

## 26. Temporary accommodation (end of quarter)

| Date      | Bed & Breakfast Hotels | Hostels/<br>Women's<br>Refuges | LA/HA Stock | Total No of Households |
|-----------|------------------------|--------------------------------|-------------|------------------------|
| 31-Mar-12 | 6                      | 24                             | 63          | 93                     |
| 31-Mar-13 | 5                      | 17                             | 77          | 99                     |
| 31-Mar-14 | 2                      | 14                             | 49          | 65                     |
| 31-Mar-15 | 2                      | 18                             | 45          | 65                     |
| 31-Mar-16 | 1                      | 17                             | 38          | 56                     |
| 31-Mar-17 | 2                      | 17                             | 43          | 62                     |
| 30-Sep-17 | 1                      | 20                             | 37          | 58                     |

## 27. Prevention

| No of Successful Preventions (Prevented/Relieved) |             |
|---|-------------|
| Period  | No of Cases |
| 2012/13   | 746         |
| 2013/14   | 683         |
| 2014/15   | 664         |
| 2015/16   | 630         |
| 2016/17   | 752         |
| Q1 and 2 2017                                     | 324         |

28. Rough sleepers (official count). The annual Street Count evaluation is based on a typical night and is submitted to central government. It is determined by a strict methodology, used nationally and is not a simple street walk head count. Since 2010 this figure has increased year on year and a count of 29 was reported in November 2017. Rough sleeping has increased by 132% nationally since 2010. The charity Crisis predicts there will be a 76% rise in rough sleeping nationally over the next decade.

|         | 2003 | 2006 | 2008 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|---------|------|------|------|------|------|------|------|------|------|------|
| York    | 14   | 2    | 0    | 2    | 8    | 9    | 13   | 18   | 18   | 29   |
| England |      |      |      |      |      | 2414 | 2744 | 3569 | 4134 | TBC  |

29. Reducing rough sleeping by using additional emergency beds 365 days per year under NSNO and an additional 5 units during severe weather (Nov - Feb) and Nightstop.
30. A further 3 beds per night are provided at Arc Light via Bed-a-Head (hospital discharge).
31. These provisions benefit individuals who are at risk of homelessness or recently homeless and engage with services, who can be helped into accommodation quickly but there may not be accommodation available for more complex / entrenched because of their behaviour or their lack of engagement. These are the most visible rough sleepers.
32. Wherever possible agencies make contact with all known rough sleepers and are aware of their individual circumstances, all rough sleepers have been offered support and help to access accommodation, although for those with no local connection to York it may not be in the district. It should be noted that a significant number of current rough sleepers have previously used the services available but have been excluded because of their behaviour. Before anyone is excluded services confer and manage individuals to avoid the need for exclusion if at all possible. A number of rough sleepers are entrenched and refuse any form of help including support from MEAM.

|   | Howe Hill  | Peasholme  | Arc Light | Robinson Court | Nightstop | Bed-a head | Total       |
|---|------------|------------|-----------|----------------|-----------|------------|-------------|
| 2016/17 NSNO and Severe weather                 | 747        | 1511       | 202       | 197            | 169       | 108        | 2934        |
| <b>1/4/17 – 1/12/17 NSNO and Severe weather</b> | <b>209</b> | <b>878</b> | <b>40</b> | <b>104</b>     | <b>75</b> |            | <b>1306</b> |

<http://www.homeless.org.uk/our-work/campaigns/policy-and-lobbying-priorities/no-second-night-out-campaign>

33. As of 1/1/18 there were 29 people on the waiting list for tier 1 accommodation of whom 13 did not currently need accommodation (in prison, respite care, in tenancy awaiting eviction), 6 were accommodated in emergency beds, 14 were either sofa surfing or in emergency beds and 2 were rough sleeping. As of 3/1/18 there were 9 rough sleepers in York.

## Recent changes

34. There have been a series of changes since 2008 which have impacted on homeless services
- In 2008 the Government set Local Authorities a target to reduce temporary accommodation by 50% by 2010. On 31<sup>st</sup> March 2008, there were 209 statutory homeless households in temporary accommodation. The target was 120 in temporary accommodation by 31/3/10. This was achieved (79) and has remained low (September 2017 – 58)
  - Homeless Prevention Grant – loss of ring fencing / loss of services, including 1 post at Salvation Army (Early Intervention and Prevention Team 2007/8) after which rough sleeping began to rise again
  - A national change to the substance misuse policy and funding has meant less options for the engagement of clients within the criminal justice system and those presenting with anti social behaviour. In addition reduced funding has impacted on the resources available to assertively respond to complex cases where they are choosing not to engage with support services for drug or alcohol related issues. Services are nationally focused on outcomes and customers working towards abstinence as a life long goal which is a difficult aim for those individuals who are homeless and don't have the personal resources to contemplate this as an aim.
  - Supporting People funding, loss of ring fencing March 2012, the report presented to the Executive on 28<sup>th</sup> April 2016 indicated that the budget for the (all) housing related support services was £2.5m of which £750K efficiencies was identified through re-modelling of provision. This saving covered all contracts not just Community Wellbeing contract.
  - Adult Wellbeing Contract –changes in strategic direction for partner landlords, properties no longer identified as fit for purpose and loss of support contracts for providers that were also property owners resulted in the loss of accommodation units – 5 beds at Feversham Crescent, 5 beds at Southlands Road, 5 beds at East Mount Road, 5 beds at Heslington Road and 4 beds at Vine Street. The maximum numbers of move on properties (CYC

properties leased to ACW contract holder) that can be used is 12 and this is being utilised more fully than previous contract holder.

- Mental Health – recent loss of 6 beds New Lane, and future decisions required about long term mental health accommodation. There is no specialist accommodation for people with complex needs / dual diagnosis.
  - Universal Credit and welfare benefit reforms has had a significant impact on single homeless, many rough sleepers choosing not to ‘sign on’ but this restricts access to accommodation. York full roll out started in July 2017.
35. Close working between homeless services, NY Police, BID and Community Safety to respond to complaints about rough sleepers. Any enforcement action is linked to anti-social behaviour and not to ‘rough sleeping’ per say. That all enforcement action takes place in conjunction with other services to assist someone into accommodation.
36. York is a lucrative city with a vibrant night time economy which attracts begging. Not all beggars are rough sleepers. Of 11 prolific beggars 4 are in accommodation, 1 has never been seen rough sleeping and 6 are homeless. There is no longer a requirement for a busking permit in York and as such a number of rough sleepers will busk / beg.
37. That the changes to sentencing and post sentencing has resulted in shorter sentences, increased offender homelessness. That there are targets for Community Rehabilitation Company (CRC) to secure accommodation for offenders leaving prison placing additional demands on services. National Probation Service aim to secure accommodation for people leaving prison if they are homeless.

## **Consultation**

38. There has been significant consultation in recent months with stakeholders, staff and customers around the homeless consultation and Homeless Health Needs Assessment. Findings will inform the Homeless Strategy 2018-23.

## Existing action in progress

39. Making Every Adult Matter (MEAM) was introduced in York in 2014 with funding from Arc Light and North Yorkshire Probation. This funding ended in 2016 and has been supported on a temporary basis by CYC homelessness prevention grant. Securing long term funding for MEAM was an action in the 2013-18 homeless strategy action plan and has now been achieved. Funding is now in place for 2 MEAM posts through mainstreaming within the Adult Community Wellbeing Support contract.
40. To provide additional 3 hostel bed spaces at Peasholme and Howe Hill for Young People. Refurbishment work currently in progress.
41. To implement Homeless Reduction Act 2017. This new legislation places new duties on the Local Authority which provides an opportunity to improve / develop services but there is concern that the demand for advice and accommodation will increase. New burdens funding (£68,367 over 3 years) is unlikely to meet the anticipated need (100% increase in workload). Intention to appoint an additional Housing Options Worker and a Housing Options Support Worker and to use existing resources. The full implications of the changes are difficult to gauge and will be subject to review. Initial findings will be reported in the annual review that will be presented to the executive member for housing and safer communities in the summer of 2018.
42. A recent funding application by Peasholme Charity has been shortlisted for final consideration. The application is for £50,000 grant would fund the delivery of 'Next Steps' an intensive support and tenancy coaching service for homeless people or those at risk of homelessness; the project will focus on the delivery of support to people with multiple complex needs but not MEAM customers who are facing barriers within existing housing pathways. A specialist lead worker, the Tenancy Coach, will support clients to move an individual from a point of rough sleeping or insecure accommodation, to hostel accommodation or independent living.
43. To expand day services. Carecent is currently looking to expand facilities (WC and shower) and hours. Provisional start date for building works is April 18.
44. Early Intervention and Prevention contract is going out to tender early 2018. Contract start date is 1/8/18.

45. We have a comprehensive Homeless Strategy 2013-18 and a new one is currently being written / consulted on for 2018-23, including a Health and Homelessness assessment which will be reported to Health and Wellbeing Board to be included in JSNA. In light of new Homeless Reduction Act 2017, the action points will focus on prevention, provision of accommodation and support and partnership working.
46. Mental health housing review – ongoing piece of work to address housing needs of around 15-20 individuals with very complex needs who find themselves in a ‘revolving door’ – between homelessness, hospital, prison, and supported housing – because York does not currently have the right type of accommodation and support available to properly meet their needs.
47. Affordable housing programme. In 2017/18 there are 98 affordable homes due to complete (this is housing association and CYC). In 2018/19 it is estimate delivery of 61 general needs affordable homes (again CYC and HA).
48. Development of James House (temporary accommodation). Completion date autumn 2018.
49. That re-classification of Howe Hill family block (6 units) to resettlement when the move to James House is complete.
50. Agreement to set up a Housing Development Company with the aim of building a range of housing including social rented. The intention is to maximize the use of the council’s land asset and increase the housing supply in the city.
51. To work with Changing Lives (current AWC holders) to manage additional shared housing properties. To work with CYC and Registered Social landlords to identify suitable replacement shared housing or to purchase suitable shared housing. The purchase of properties would be possible through Housing Revenue Account. Revenue costs would be met by existing Adult Community Wellbeing contract.
52. Work with NY Police to prioritise city centre enforcement / begging / Anti social behaviour.
53. Work with Tees, Esk, Wear Valley NHS Trust, CCG and mental health services to provide relevant supported accommodation (ongoing via mental health review). A report went to the HWBB on



24<sup>th</sup> January 2018 there will be a further report in the summer that will provide more detail on setting up a resettlement pathway.

54. Work with individuals to help and support them to access welfare benefits in conjunction with DWP, CYC and partner agencies

## Options

55. **Option 1.** To agree the proposed changes developed in response to the Council motion
56. To operate severe weather continuously throughout winter period, until 28/2/18 rather than only on cold nights. This was agreed by accommodation providers on 12/12/17.
57. That there is agreement in Housing Revenue Account business plan to use £20m to build a significant number of new council properties to rent (affordable social rent). We intend to work with Housing Development Team to advocate for some affordable one bedroom homes, including exploring the opportunity to look to innovative ideas to build more 1 bedroom properties – maybe consider ‘off the shelf’ properties (circa £30,000 plus VAT) or modular build, plus land purchase. This would need support from local Councillors, CYC planning department.
58. That consideration is given to expanding the number of emergency beds in the city. There is £125,000 available over a 3 year period to pilot an innovative scheme to meet the needs of the city.
59. To consider employing a Private Rented Officer to work with existing services to assist individuals to access the private rented sector. To offer support and contact for landlords
60. **Option 2.** To reject proposed changes

## Analysis

61. To operate severe weather will maximise access to emergency beds during the winter period. Total of 16 plus 3 Bed-a-Head.
62. The investment in new council housing and the creation of a development company will increase housing stock and widen the availability of housing the different tenures

63. The expansion of emergency beds would reduce rough sleeping but those individuals unwilling to engage or those that have been excluded from services due to their behaviour may still rough sleep
64. A private rented officer will assist rough sleepers and single homeless to access PRS accommodation, in particular complex customers.

## Council Plan

65. The proposals and actions to tackle rough sleeping in York contribute to the three
  - **a prosperous city for all** - where local businesses can thrive and residents have good quality jobs, housing and opportunities
  - **a focus on frontline services** - to ensure all residents, particularly the least advantaged, can access reliable services and community facilities
  - **a council that listens to residents** - to ensure it delivers the services they want and works in partnership with local communities.

## Implications

66. **Financial:** The provision of the current severe weather facility is predominantly met by accommodation services, but the small cost for food and laundry will be met from current budget.
67. An additional £35k re-occurring budget has been identified and will meet the costs of increasing the numbers of emergency beds. Procurement has advised that the additional Housing funding made available could be commissioned through a pilot project. We could advertise a tender opportunity for interested providers to deliver an innovative service on behalf of the council for an initial 1 year with an option to extend for up to a further two years with an estimated total contract value of £125k. This would provide a suitable timeframe for the council to assess the impact of the pilot on reducing rough sleeping and meeting the outcomes of our customers.
68. A further £75k non re-occurring budget has been identified to meet cost of expanding Housing First and PRS officer.
69. **Human Resources (HR):** Appointment of PRS officer

- 70. **Equalities**– Community Impact Assessment has been completed.
- 71. **Legal**- None other than procurement (discussed in finance)
- 72. **Crime and Disorder** – Reducing rough sleeping and begging in York would contribute to reducing crime and disorder
- 73. **Information Technology (IT)** – None.
- 74. **Property** – None
- 75. **Risks**- any additional services will reduce rough sleeping and the associated risks
- 76. **Other**- None

### Contact Details

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**Chief Officer Responsible for the report:**

**Tom Brittain**

Assistant Director Housing and Community  
Safety

Report  
Approved



Date  
3/1/18

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

All

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

**Annexes** – none

**Background papers:**

Health, Housing and Adult Social Care Policy and Scrutiny Committee -  
Provision for homeless people over the winter period 12/12/17

<http://democracy.york.gov.uk/ieListDocuments.aspx?CId=671&MId=9947&Ver=4>  
(Agenda reports pack page 59 onwards)

Homeless Strategy and action plan 2013-18

[https://www.york.gov.uk/downloads/file/1948/homelessness\\_strategy\\_2013pdf](https://www.york.gov.uk/downloads/file/1948/homelessness_strategy_2013pdf)

[https://www.york.gov.uk/downloads/file/7874/homelessness\\_action\\_plan](https://www.york.gov.uk/downloads/file/7874/homelessness_action_plan)

Homeless review 2016-17 and appendix

[https://www.york.gov.uk/downloads/file/11323/homeless\\_review\\_201617](https://www.york.gov.uk/downloads/file/11323/homeless_review_201617)

[https://www.york.gov.uk/downloads/file/11324/homelessness\\_performance\\_201617](https://www.york.gov.uk/downloads/file/11324/homelessness_performance_201617)



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**Executive****25 January 2018**

Report of the Assistant Director, Planning and Public Protection

Portfolio of the Executive Leader (incorporating Finance & Performance) and Deputy Leader

**City of York Local Plan****Summary**

1. This purpose of the report is:
  - (i) To provide a background summary of the previous iterations of draft policies and the circumstances which led to the rationale of the Executive decision to approve the Pre-Publication Draft Local Plan for consultation;
  - (ii) To provide a summary of the present national policy and legislative context, including the “soundness” requirement and potential for Government intervention;
  - (iii) To report responses to the Autumn 2017 Pre Publication Draft Local Plan Consultation;
  - (iv) To provide Officers’ advice regarding appropriate responses to the Consultation outcomes; and
  - (v) To seek Member approval of the next steps in the York Local Plan making process.

These issues were considered at Local Plan Working on 23<sup>rd</sup> January 2018 and the minutes will be circulated to Executive.

## Recommendations

2. Members are asked to:

- (i) Consider any potential changes to the pre publication draft Local Plan (Regulation 18) based on the information included within this report and associated annexes and confirm the basis on which the Local Plan should be progressed to the Regulation 19 stage including a city wide consultation.

Reason: So that an NPPF compliant Local Plan can be progressed.

- (ii) Following decisions on the matters referred to in (i) above authority be delegated to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve all policies necessary for the production of a composite Local Plan for the purposes of public consultation.

The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Plan can be progressed

- (iii) Delegate to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader the consideration and approval of further technical reports and assessments to support the Local Plan including, but not limited to the SA/ SEA, HRA, Viability Study and Transport Assessment.

The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Plan can be progressed.

- (iv) Delegate authority to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve a consultation strategy and associated material for the purposes of a city wide consultation and to undertake consultation on a composite plan in accordance with that agreed strategy.

The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Plan can be progressed.

### **Background**

3. Officers produced a publication draft Local Plan in Autumn 2014. This process, however, was halted by Council resolution on the 9th October 2014. Following the Local Government Elections in May 2015 the agreement between the Conservative and Liberal Democrat Groups, to establish a joint administration for City of York Council from May 21st 2015 states that:

*'We will prepare an evidence-based Local Plan which delivers much needed housing whilst focusing development on brownfield land and taking all practical steps to protect the Green Belt and the character of York.'*

4. In 2016 a Preferred Sites Consultation was undertaken. It began on 18<sup>th</sup> July 2016 and ended on 12<sup>th</sup> September 2016. 1,766 individual responses were received from members of the public, developers and statutory consultees. After the Preferred Sites Consultation concluded the Ministry of Defence (MOD) announced as part of its Defence Estate Strategy on 7<sup>th</sup> November 2016 the release of three substantial sites in York:
  - Imphal Barracks, Fulford Road;
  - Queen Elizabeth Barracks, Strensall; and
  - Towthorpe Lines, Strensall.

Technical work was carried out which established that the sites represented 'reasonable alternatives' and, therefore, should be considered as part of the Local Plan process.

5. At the Executive in July 2017 Officers sought approval to undertake a full consultation on a Pre publication draft Local Plan (Reg 18). To support this process the report included a Strategic Housing Market Assessment (SHMA) which made a recommendation on the level of housing growth

for York, an Employment Land Review (ELR) and a series of sites to meet the related arising demand. It also included recommendations on non sites related policies.

6. The Local Plan Preferred Sites Consultation (2016) included an annual housing figure of 841 dwellings pa. The SHMA produced by GL Hearn suggested increasing this figure to 867 dwelling and including an uplift of 10% to the baseline household projections for York to allow for market signals (lifting it to 953 dwellings per annum). Members accepted the higher baseline figure, but not the 10% uplift on the basis that the figure of 867 dwelling represented a significant step change in past delivery. They considered Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attached little or no weight to the special character and setting of York and other environmental considerations. The employment land requirements included in the ELR were agreed.
7. A city-wide consultation on the Local Plan Pre Publication Draft (Reg 18) commenced on the 18<sup>th</sup> September 2017 and finished on 30<sup>th</sup> October 2017. It was carried out in compliance with the Council's adopted Statement of Community Involvement (2007). The consultation included contacting individuals and organizations on the Local Plan database, public exhibitions, meetings, a special edition of 'OurCity', and information provided via conventional and social media.

### **National Policy Context**

8. On 7<sup>th</sup> February 2017, the Department for Communities and Local Government (DCLG) published a Housing White Paper. As part of which, DCLG also consulted on changes to planning policy and legislation in relation to planning for housing, sustainable development and the environment. It is anticipated that the outcomes of the consultation will involve amendments to the National Planning Policy Framework (NPPF) and regulations. This is likely to be before the end of Summer 2018.
9. Following on from the White Paper on 14<sup>th</sup> September 2017 the Department for Communities and Local Government (DCLG) released 'Planning for the right homes in the right places: consultation proposals'.



These focused on streamlining the planning system and were primarily concerned with how local housing need is assessed. The consultation ran for eight weeks and closed on 9<sup>th</sup> November 2017. The Government indicated that after reviewing the responses to this consultation along with responses to the Housing White Paper it would publish a draft revised National Planning Policy Framework (NPPF) in 2018.

10. The DCLG November 2017 consultation included a proposed methodology for calculating housing need. This is based on three principles: simplicity, using publicly available data and producing realistic targets. The document applies this methodology to City of York and indicated a minimum of 1,070 dwellings p/a for the period 2016 to 2026. It should be noted that this methodology was the subject of consultation and formal changes to the NPPF have not yet been incorporated by the Government.
11. In addition, it should be noted that the figure of 1070 dwellings is based on 2014 sub-national population projections (released in 2016) which are due to be replaced with the 2016 sub-national population data in May 2018. The National Population Projections released in October 2017 (on which the 2016 sub-national population figures will be based) suggest slower growth than the previous (2014-based) projections. This is because of lower assumptions about future levels of fertility and international migration, and an assumption of a slower rate of increase in life expectancy.
12. A key change is that the proposed methodology put forward by DCLG is forward looking; conversely the current target included in the Pre-publication Local Plan involved considering under delivery from 2012 – 2017 and meeting this by adding to the future supply.
13. The consultation on the proposed new methodology made explicit reference to protecting Green Belt and acknowledged it as a constraint. It also highlights the extent of York's Green Belt. It is not however completely clear about the effects of this constraint and how it would effect York in setting Green Belt Boundaries for the first time.
14. It is proposed by DCLG that in the absence of an up-to-date local strategic plan that after 31<sup>st</sup> March 2018 the new method for calculating

housing need would be adopted. However, should the revised national planning policy framework be published after this date, subject to the outcomes of consultation, it will be introduced at that later date. Given the Government haven't yet responded to this consultation and the potential timeframe for the publication of the revision to NPPF the 31<sup>st</sup> March adoption date seems unlikely. For the purposes of this report we will continue to use the methodology reported to Members in July 2017.

15. The National Population Projections were published by the Office for National Statistics on 26<sup>th</sup> October 2017. We anticipate that the Sub-National Population Projections will be released in May 2018 in accordance with previous releases. The Sub-National Household projections to be released by the DCLG, which use the population ONS data, are likely to follow in July/August 2018. This reflects the nature of changing data sets that surround the plan making process.
16. On 16<sup>th</sup> November 2017 the Secretary of State for Communities and Local Government wrote to the Council. The letter emphasised the importance of up-to date local plans. He then expressed concern about the lack of progress City of York has made on plan-making. The last adopted detailed plan for the city was produced in 1956. The Council is asked to respond by 31st January 2018.
17. The Council is currently preparing a response to the Secretary of State emphasising the importance of responding through the Local Plan process to the release of the MOD sites in November 2016 and including a commitment to submit at the end of May 2018.

### **Local Plan Pre Publication Draft Consultation Response**

18. During the autumn 2017 consultation period we have received responses from circa 1,295 individuals, organisation or interest groups. In response to the Preferred Sites Consultation (2016) held in July - September 2016, we received 1766 responses from individuals and organisations.
19. In conjunction with this report all representations received will be published on line via the Council's website and will be available both electronically and in hard copy at West Offices reception. Those

representations received from members of the public will have personal information redacted to comply with the Data Protection Act 1998.

20. The representations received as a part of the consultation raise a range of issues some of which are complex in nature. These are provided in summary in Annex A to this report along with potential changes for Members' consideration.
21. Given the historical and national policy context associated with the development of the City of York Local Plan Members' attention is particularly drawn to the following key issues :
  - Housing Need and Land Supply; and
  - Employment Land Supply.

### **Housing Need and Land Supply**

22. The historical approach taken to housing need and the related changing national policy context is detailed above. In addition comments received during consultation on this matter are included in Annex A and provided in summary below.
  - Support was received for the principle of council meeting their entire objectively assessment housing need (OAHN).
  - Some parish representations supported the 867 dwellings per annum figure particularly in comparison to the Government's proposed standardised methodology.
  - In respect of housing numbers responses, particularly planning agents and developers, objected to using 867 dwellings per annum; the reasons for this included: the failure to comply with the Strategic Housing Market Assessment (2017) and the lack of conformity with both existing and emerging national policy.
  - Some respondents objected to the approach taken to backlog, student housing and windfalls.
  - The majority of responses from the public were in objection to proposed sites.

23. It is important to recognise that the proposed methodology included in the document produced by DCLG was for the purposes of consultation and may be subject to change (although at present it indicates the direction of travel anticipated for national policy). The methodology differs from that applied by the Council in reaching the housing need figures, and thus cannot be compared without further analysis. The reasons for this are outlined below.
24. As previously highlighted the Government's proposed methodology is forward looking and unlike the Council's methodology, does not add in any additional amounts for previously unmet demand. The City of York Local Plan has an effective start date of the 1<sup>st</sup> April 2012 in terms of population and housing. This is to fit with the position taken by Government in terms of their demographic projections. Using the Council's methodology, any under delivery against the housing target between 2012 – 2017 is accommodated over the life time of the plan.
25. In July the Executive agreed a figure of 867 dwellings per annum for the duration of the City of York Local Plan and Green Belt (until 2033 and 2038 respectively). As the Council's methodology includes provision to meet previous under supply within the 2012 to 2017 period, this means the plan as produced for the autumn 2017 consultation includes a sufficient overall supply to meet both these requirement.
26. Members must be satisfied that they consider the Submission Draft Plan meets the test of "soundness". This is a statutory duty. Officer's advice is that the direction of travel in national policy indicates that if the site proposals previously consulted on were increased this would be a more robust position. However, this is not to say that the proposals previously consulted on would be unreasonable; It is a matter for Members to determine the degree of risk they wish to take.
27. In Officer's opinion, an increase in the supply of housing would place the Council in a better position for defending the Plan proposals through the Examination process. However, Members will be aware of the counter arguments in particular the community responses to consultation. In addition in potentially increasing supply Members will also be mindful of

the time required for achieving this more robust position in line with legislative requirements. An important issue to consider is whether changes can be made to the plan without undertaking additional consultation. This is a critical issue if the Council is to meet the May 2018 deadline for submission.

28. In response to developer proposals submitted during the Pre Publication Draft Local Plan Consultation (details of which are included in Annex A), potential options for increasing the housing supply are set out in tables 1 to 4 below along with the potential risk in terms of the need for additional consultation. The table also highlights a small reduction on the Queen Elizabeth Barracks Site. This reflects outcomes from the Habitats Regulation Assessment.

**Table 1: Potential changes to housing sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With minor or no boundary changes)**

| <b>Allocation Reference</b> | <b>Site Name</b>                    | <b>No. Included in PPLP</b> | <b>Potential Revised Figure</b> |
|-----------------------------|-------------------------------------|-----------------------------|---------------------------------|
| ST5                         | York Central                        | 1500                        | 1700 - 2500                     |
| ST35                        | Queen Elizabeth Barracks, Strensall | 578                         | 500                             |

29. Following consultation discussions have been held with representatives from the York Central Partnership. This has indicated that York Central is capable of accommodating between 1700 – 2400 residential units and that the higher figure of 2500 units could be achieved through detailed applications by developers for individual plots and / or flexibility to increase residential at the margins of the commercial core. The figure of 1700 reflects land currently under the partnerships control; the higher figure includes land in private ownership or currently used for rail operations.
30. The higher number is proposed to be part of the partnerships planning application anticipated in summer 2018.

**Table 2: Potential changes to housing sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With boundary changes)**

| Allocation Reference | Site Name                    | No. Included in PPLP | Potential Revised Figure |
|----------------------|------------------------------|----------------------|--------------------------|
| ST 7                 | Land East of Metcalfe Lane   | 845                  | 975                      |
| ST 14                | Land West of Wiggington Road | 1348                 | 1,672                    |
| ST 15                | Land West of Elvington Lane  | 3,339                | 3,901                    |

31. Table 1 & 2 relates to increasing the capacity and extending existing site allocations. It is a matter of judgment as to whether the changes to the existing sites are “material”. However, in the context of the large strategic allocations, it is considered arguable by your officers that the additional land is not a material change. However, this is a matter of judgment, and there is a residual risk that the Examiner will take a different view and require the Council to undertake further consultation on this issue following submission.

**Table 3: Potential new housing site allocations , in response to developer proposals (previously rejected housing sites)**

| Site Reference | Site Name                                 | Potential Revised Figure             |
|----------------|---|--------------------------------------|
| H28            | Land North of North Lane, Wheldrake       | 88 dwellings / 3.15 ha               |
| H2b (132)      | Land at Cherry Lane                       | 18 dwellings / 0.44 ha               |
| H37 (6)        | Land at Greystone Court Haxby             | 34 dwellings / 3.47 ha               |
| SF10 (874)     | Land North of Riverside Gardens Elvington | 102 dwellings / 4.15 ha              |
|                |   |                                      |
| H2a (33)       | Racecourse stables off Tadcaster Road     | 98 dwellings / 2.44 ha (years 16-21) |
| 964            | Galtres Farm                              | 1575 dwellings / 75 ha (years 16-21) |

32. Table 3 includes sites that have in the past been assessed against the site selection criteria and rejected, but now given further work Officers feel should be considered. These could potentially be included in the Publication Draft without the need for a further additional consultation, as they have already been the subject of public scrutiny through previously published Local Plan evidence or SA/ SEA. There is however

a higher risk than tables 1 & 2 that the Examiner may find further consultation is needed.

**Table 4: Potential completely new housing site allocations in response to developer proposals**

| Site Reference | Site Name                               | No. Included in PPLP | Potential Revised Figure            |
|----------------|---|----------------------|-------------------------------------|
| 956            | Milestone Avenue, Rufforth              | n/a                  | 9 dwellings / 0.37 ha               |
| 959            | Land at Kettlestring Lane, Clifton Moor | n/a                  | 92 dwellings / 3.2 ha (years 16-21) |

33. Table 4 includes new sites that have emerged during the Autumn 2017 Consultation. Although they do meet the requirements of the site selection methodology and therefore potentially represent reasonable alternative, they have not been included in any previous consultation. If any of these sites were to be included in the next stage of the Local Plan the lack of consultation creates a risk to process and the Examiner could require further consultation before the Examination could proceed. Carrying out further consultation now about proposing to include these new sites would mean that the May 2018 date for submission could not be met.

### **Employment Land Supply**

34. The Employment Land Review (ELR) July 2016 published as part of the Preferred Sites Consultation used projections by Oxford Economics (OE) dated May 2015 as the forecast for employment land demand over the Local Plan period. These forecasts provided the starting point for determining the amount and type of employment land required to be identified in the Plan. The projections by Oxford Economics presented a baseline scenario for York forecasting a job growth of 10,500 jobs over the period 2014-2031. Two further scenarios were considered by OE; scenario 1 – higher migration and faster UK recovery, which identified an additional 4,900 jobs above the baseline over the same period and scenario 2 – re-profiled sector growth which identified 500 additional jobs above the baseline. Scenario 2 was endorsed as it reflected the economic policy priorities of the Council to drive up the skills of the workforce and encourage growth in businesses which use higher skilled staff.

35. To sensitivity test the original 2015 OE projections, the latest Experian economic forecasts within the Regional Econometric Model (REM) were used. The conclusion was that the original forecasts were still robust. At the Executive in July 2017 Members endorsed this position.
36. During the consultation a range of points were raised. These are provided in summary below:
- general support for the Local Plan as positively and proactively encourage sustainable economic growth, including tourism and leisure;
  - the approach to focusing retail development in the City Centre and reducing / limiting future development at out of town locations was also supported;
  - some representations recognised the uncertainties inherent in long term economic forecasting and therefore suggested that the using the baseline forecast to inform the employment land requirements of the Plan was over cautious;
  - it was also suggested that housing and employment policies are restrictive and the employment land supply will not cater for York's future needs;
  - the cost of housing impinging on companies and public services abilities to recruit staff was raised;
  - a perceived conflict was highlighted relating to acknowledging the universities importance for growth but failure to allocate land for expansion; and
  - a few members of the public were opposed to, or questioned, economic growth as a goal in of itself saying it is incompatible with sustainability.
37. Given comments made about economic growth Members may wish to consider increasing the employment land supply. The sites included in tables 5, 6 and 7 provided potential options. As with housing supply above it is important that this is balanced against whether changes can be made to the plan without undertaking additional consultation, a critical issue if the Council is to meet the May 2018 deadline for submission.



**Table 5: Potential changes to employment sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With minor or no boundary changes)**

| <b>Allocation Reference</b> | <b>Site Name</b> | <b>No. Included in PPLP</b> | <b>Potential Revised Figure</b> |
|-----------------------------|------------------|-----------------------------|---------------------------------|
| ST5                         | York Central     | 60,000 sqm                  | 100,000 sqm                     |

**Table 6: Potential changes to employment sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With boundary changes)**

| <b>Allocation Reference</b> | <b>Site Name</b>                 | <b>No. Included in PPLP</b> | <b>Potential Revised Figure</b> |
|-----------------------------|----------------------------------|-----------------------------|---------------------------------|
| ST27                        | University of York expansion     | 21.5ha                      | 26ha                            |
| ST26                        | Elvington Airfield Business Park | 10 ha/                      | 15 ha / 33,000sqm               |

38. Table 5 and 6 relates to increasing the capacity and extending existing site allocations. It is a matter of judgment as to whether the changes to the existing sites are “material”. In the context of the large strategic allocations, it is considered arguable by your officers that the additional land is not a material change. However, this is a matter of judgment, and there is a residual risk that the Examiner will take a different view and require the Council to undertake further consultation on this issue following submission.

**Table 7: Potential new employment site allocations , in response to developer proposals (previously rejected employment sites)**

| <b>Site Reference</b> | <b>Site Name</b>                         | <b>Potential Revised Figure</b> |
|-----------------------|--|---------------------------------|
| 795                   | Greenacres Murton Lane                   | 1.95ha / 6,000 sqm              |
| 864                   | Extention to Elvington Industrial Estate | 5.4ha / 17,820 sqm              |
| 940                   | Remaining Land at Bull Commercial Centre | 3ha/ 10,000 sqm                 |

39. Table 7 includes sites that have in the past been assessed against the site selection criteria and rejected, but now given further work Officers

feel should be considered. These could potentially be included in the Publication Draft without the need for a further additional consultation, as they have already been the subject of public scrutiny through previously published Local Plan evidence or SA/ SEA. There is however a higher risk than tables 5 & 6 that the Examiner may find further consultation is needed.

### **Transport Assessment**

40. To support the Local Plan Pre Publication Draft (Reg 18) Consultation, future year forecasting of the transport impacts of potential residential and employment allocations together with the inclusion of a number of infrastructure improvements that can realistically be expected to be put in place within the Plan period was undertaken. This is contained in the Transport Topic paper, 2017. This is important background to any further decision on sites.
41. The main outcome of this forecasting shows that from 2016 to 2032/33 on the network as a whole:
  - Total trips increase by approximately 20%
  - Total travel time increases by approximately 30%
  - Total delay increases by approximately 55%
42. More detailed mapping of the forecast changes in traffic volume, traffic speeds and changes in traffic speed from the baseline year (2016) to the end of the plan period (2032/33) show that the main parts of the network to be impacted on are:
  - The A64
  - A1237 Clifton Moor to A64 Hopgrove
  - A59/A1237 Roundabout /A59 / Wetherby Road
  - Malton Road
  - A19 / Fulford Road
  - Hull Road
  - Tadcaster Road
43. Although the more detailed mapping referred to in the preceding paragraph shows the changes in traffic volumes and vehicle speeds across the network they may not necessarily give the information that would be of direct relevance to road users undertaking journeys into, around, or through York. To provide a more relevant indication of how a

typical journey will be affected in the future year the changes on travel time on the fifteen routes that could be deemed to be representative of 'typical' trips on the network are shown in Table 8.

**Table 8 Comparison of future year modelled travel times with baseline year travel times**

| Trip      |                                   | 2016 Base year modelled peak hour trip time (min : sec) |       | Future Year (2032/33) Forecast           |       |   |        |  |      |
|-----------|-----------------------------------|---|-------|--|-------|---|--------|--|------|
|           |                                   |   |       | Modelled peak hour trip time (min : sec) |       | Increase from baseline year (min : sec) |        | Percentage increase in time from Baseline year |      |
| Route No. | Description                       | AM  | PM    | AM                                       | PM    | AM                                      | PM     | AM   | PM   |
| 1         | A1237 (Northbound)                | 26:38   | 34:46 | 28:03                                    | 32:34 | 01:25                                   | -02:12 | 5.3  | -6.3 |
|           | A1237 (Southbound)                | 26:28   | 25:55 | 28:26                                    | 28:34 | 01:58                                   | 02:39  | 7.4  | 10.2 |
| 2         | A64 (Northbound)                  | 14:05   | 14:06 | 16:06                                    | 16:06 | 02:01                                   | 02:00  | 14.3   | 14.2 |
|           | A64 (Southbound)                  | 14:07   | 14:47 | 15:42                                    | 17:15 | 01:35                                   | 02:28  | 11.2   | 16.7 |
| 3         | Inner Ring Road (Clockwise)       | 22:15   | 25:48 | 24:11                                    | 27:39 | 01:56                                   | 01:51  | 8.7  | 7.2  |
|           | Inner Ring Road (Anti-clockwise)  | 19:03   | 21:38 | 20:40                                    | 23:27 | 01:37                                   | 01:49  | 8.5  | 8.4  |
|           | A1036 Tadcaster Road (Inbound)    | 12:55   | 12:32 | 13:24                                    | 12:40 | 00:29                                   | 00:08  | 3.7  | 1.1  |
|           | A1036 Tadcaster Road (Outbound)   | 11:24   | 10:27 | 11:54                                    | 11:08 | 00:30                                   | 00:41  | 4.4  | 6.5  |
| 5         | A19 Fulford Road (Inbound)        | 15:46   | 14:18 | 19:31                                    | 18:49 | 03:45                                   | 04:31  | 23.8   | 31.6 |
|           | A19 Fulford Road (Outbound)       | 13:25   | 23:16 | 14:16                                    | 24:22 | 00:51                                   | 01:06  | 6.3  | 4.7  |
| 6         | A1079 Hull Road (Inbound)         | 17:46   | 15:17 | 19:40                                    | 16:59 | 01:54                                   | 01:42  | 10.7   | 11.1 |
|           | A1079 Hull Road (Outbound)        | 12:11   | 14:47 | 12:37                                    | 18:18 | 00:26                                   | 03:31  | 3.6  | 23.8 |
| 7         | A1036 Malton Road (Inbound)       | 07:40   | 08:12 | 08:04                                    | 9:04  | 00:24                                   | 00:52  | 5.2  | 10.6 |
|           | A1036 Malton Road (Outbound)      | 07:21   | 07:29 | 07:30                                    | 7:49  | 00:09                                   | 00:20  | 2.0  | 4.5  |
| 8         | B1363 Wigginton Road (Inbound)    | 14:08   | 13:35 | 13:56                                    | 15:05 | -00:12                                  | 01:30  | -1.4   | 11.0 |
|           | B1363 Wigginton Road (Outbound)   | 13:59   | 13:34 | 13:40                                    | 20:39 | -00:19                                  | 07:05  | -2.3   | 52.2 |
| 9         | A19 Shipton Road (Inbound)        | 14:23   | 09:57 | 12:30                                    | 09:55 | -01:53                                  | -00:02 | -13.1  | -0.3 |
|           | A19 Shipton Road (Outbound)       | 10:49   | 09:19 | 09:54                                    | 09:02 | 00:55                                   | -00:17 | 8.5  | -3.0 |
| 10        | A59 Boroughbridge Road (Inbound)  | 18:10   | 17:13 | 18:19                                    | 18:39 | 00:09                                   | 01:26  | 0.8  | 8.3  |
|           | A59 Boroughbridge Road (Outbound) | 15:50   | 19:20 | 17:16                                    | 19:58 | 01:26                                   | 00:38  | 9.1  | 3.3  |
| 11        | B1224 Wetherby Road (Inbound)     | 08:07   | 08:09 | 08:35                                    | 08:31 | 00:28                                   | 00:22  | 5.7  | 4.5  |
|           | B1224 Wetherby Road (Outbound)    | 07:53   | 07:53 | 08:03                                    | 08:12 | 00:10                                   | 00:19  | 2.1  | 4.0  |
|           | Haxby Road (Inbound)              | 15:24   | 11:29 | 14:45                                    | 12:13 | -00:39                                  | 00:44  | -4.2   | 6.4  |
|           | Haxby Road (Outbound)             | 11:18   | 11:41 | 11:21                                    | 14:23 | 00:03                                   | 02:42  | 0.4  | 23.1 |
| 13        | Water End (to northeast)          | 05:12   | 03:26 | 05:13                                    | 03:37 | 00:01                                   | 00:11  | 0.3  | 5.3  |
|           | Water End (to southwest)          | 03:38   | 03:40 | 03:35                                    | 03:37 | -00:03                                  | -00:03 | -1.4   | -1.4 |
| 14        | Leeman Road (Inbound)             | 05:11   | 03:38 | 05:11                                    | 03:37 | 00:00                                   | -00:01 | 0.0  | -0.5 |
|           | Leeman Road (Outbound)            | 03:25   | 05:41 | 03:25                                    | 05:40 | 00:00                                   | -00:01 | 0.0  | -0.3 |
| 15        | Bishopthorpe Road (Inbound)       | 09:52   | 08:38 | 09:53                                    | 08:40 | 00:01                                   | 00:02  | 0.2  | 0.4  |
|           | Bishopthorpe Road (Outbound)      | 08:34   | 08:42 | 08:40                                    | 09:08 | 00:06                                   | 00:26  | 1.2  | 5.0  |

44. If the housing supply for the Publication Draft Plan is increased from that in the Pre Publication Draft Local Plan it is likely that the transport impacts will be exacerbated. For example, if the level of growth is increased by the order of 10% it can reasonably be assumed that the impacts will increase by a similar scale. More detailed modelling will have to be undertaken to support the regulation 19 consultation.

### **Viability**

45. Ensuring sites are viable and deliverable in the context of planning policy is a requirement of national guidance. Thus, 'The City of York Local Plan and Community Infrastructure Levy Viability Assessment, 2017', was undertaken and issued for consultation alongside the Local Plan Pre-Publication Draft (Regulation 18).
46. For residential development policy testing was undertaken for each typology and strategic site. The policy testing comprised testing a series of policy layers. For each policy layer, the impact of those policy considered to have a notable impact on viability is then considered through adding policy 'layers' to judge the cumulative impact of these policies. These are:
- Policy layer 1 – This is a base layer, which includes open space and design cost allowances but no policy layer applied;
  - Policy layer 2 – This layer adds a S106 contribution at £3,300 per unit to the Policy layer 1;
  - Policy layer 3 – Policy layer 2 plus the policy requirement for affordable housing (Policy H10)
  - Policy layer 4 – Policy layer 3 plus the requirement for meeting sustainable construction standards (Policy CC2)
  - Policy layer 5 – Policy layer 4 plus an allowance for Gypsy and Traveller pitches where required (Policy H5).
47. The Viability testing for residential development shows that there is viability across all residential site typologies with the imposition of the average S106 contributions (i.e. policy layer 2). But at cumulative policy layer 3, when affordable housing is also applied, some of the smaller sites (delivering less than 10 units) are unable to meet the full policy requirements beyond the average S106 contribution per unit. All the

other tested typologies, including all sites within the urban area and all sites with 10 or more units in all locations (including the bespoke-tested Strategic Sites), are shown to be able to fully meet the Pre Publication Draft Local Plan Policy requirements (i.e. at cumulative policy layer 5).

48. Overall, for residential development the viability testing results imply that the cumulative policy requirements identified in the Pre Publication Draft Local Plan (2017) do not adversely affect the majority of development in most parts of the City of York area. The recommendations included within Annex A seek to address the outcomes of this work.
49. It should be noted however that allowing an increase in site size could in some cases allow the delivery of an increased level of planning gain relating to facilities and services for future residents.
50. For Non- residential development two policy layers were tested:
  - Policy layer 1 – This is a base layer, where no policies are applied; and
  - Policy layer 2 – This layer includes the requirement for achieving a BREEAM ‘excellent’ delivery in line with Policy CC2: Sustainable Design and Construction.
51. The viability assessment determined that all non-residential uses are unable to show viability with or without meeting proposed policy CC2 Sustainable Design and Construction with the exception of retail. However, the viability of non-residential uses is not necessary for supporting such allocations in the Local Plan, principally because non-residential development is generally more speculative than residential .

### **Sustainability Appraisal**

52. When producing Local Plans, authorities are required to consider, at each stage of production, the impacts their proposals are likely to have on sustainable development. The emerging Local Plan is subject to ongoing Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment (SA/SEA) as required through NPPF. SA/SEA is a means of ensuring that the likely social, economic

and environmental effects of the Local Plan are identified, described and appraised to identify how they support the Council's sustainable development objectives.

53. At the Pre publication stage of the Local Plan a SA/SEA was undertaken. 'The Sustainability Appraisal Summary 2017' is a detailed technical document; and is an important background paper to this report to inform Members decisions. It has also been used to inform the recommendations in Annex A and will be updated following Members decisions on this report. It will be made available as a part of the Local Plan Publication (Reg 19) consultation.

### **Duty to Cooperate**

54. The Localism Act 2011 introduced the Duty to co-operate (the Duty) that requires local planning authorities and other prescribed bodies to 'engage constructively, actively and on an on-going basis' to maximise the effectiveness of local plan preparation in relation to strategic matters.
55. The Act also extended the purposes of the plans Examination to include determination as to whether the Duty has been complied with. National Planning Practice Guidance makes it clear that Inspectors testing compliance with the duty at examination will assess the outcomes of co-operation rather than the process of dialogue. Failure to demonstrate compliance with the duty at the examination cannot be corrected after the local plan has been submitted for examination.
56. As it has developed the Local Plan has been subject to on-going and constructive engagement with neighbouring authorities and relevant organisations. This has included:
- the preparation and updating of a Duty to Cooperate Matrix (that has been generally circulated to the officer level groups for subsequent discussion and comment);
  - regular one-to-one officer meetings;
  - making representations, as appropriate, to other authorities Local Plan documents, and vice versa; and
  - regular technical discussions at regional sub-regional Member and officer groups.

57. Through the meetings highlighted Officers have sought to gauge the appetite of neighbouring authorities for a sub-regional approach to delivering housing within the context of the Duty to Cooperate. Whilst this wasn't supported for the current round of Local Plans there may be some support to consider this in the future.
58. Details on how the Council has fulfilled the requirements under the Duty was contained in the 'Demonstrating the Duty to co-operate (Interim Statement)' that is part of the supporting evidence base for the Pre Publication Draft Local Plan.
59. Several Prescribed Bodies including many of York's neighbouring authorities, the Local Enterprise Partnerships and Highways England returned representations during the Pre Publication Draft Local Plan consultation. These have been considered in coming to the recommendations included in Annex A. In addition they are summarised in Annex B to inform Members consideration of the recommendation associated with this report. The comments provided are broadly supportive of ongoing engagement and alignment with economic objectives, but stress the importance of an appropriate land supply for housing and the need for joint working on issues such as transport.
60. Post consultation reports on the City of York Local Plan have been considered at the following meetings:
  - Leeds City Region - Heads of Planning – 8<sup>th</sup> December 2017;
  - Leeds City Region Planning Portfolios Board 15<sup>th</sup> December 2017;
  - York, North Yorkshire East Riding and Hull - Directors of Development – 07<sup>th</sup> December 2017; and
  - North Yorkshire and York Spatial Planning and Transport Board 17<sup>th</sup> January 2018.

## **Options**

61. Officers request that Members consider the following options to enable a composite Local Plan Publication (Regulation 19) document to be produced for statutory soundness consultation prior to submission:

**Option 1:** *The additions of further housing sites from tables 1 – 4;*

**Option 2:** *The additions of further employment sites from tables 5 – 7;  
and*

**Option 3:** The proposed policy changes highlighted in Annex A.

### **Analysis of Options**

62. Members are being asked to consider amendments to the plan previously consulted upon and approve a Publication Draft Local Plan which ultimately will be subject to examination by a member of the Planning Inspectorate. They must therefore, when considering the options above, be aware of the procedures which the Council is required to follow when producing a Local Plan. These are derived from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012. The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:

- **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
- **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy:** enable the delivery of sustainable development in accordance with the policies in the Framework.

63. Members must consider whether in light of the consultation responses and changes in the national policy context the proposed Publication Draft Local Plan meets the above tests and is 'sound'. This includes the approach to both housing and employment need and supply.

### **Next Steps**

64. Following the Executive, if Members agree, Officers will produce a composite draft Plan and a city-wide proposals map. In addition this



document will be accompanied by a range of technical documents which will need to be prepared after the Executive. These will include (but not be limited to):

- SA/SEA;
- Habitat Regulation Assessment (HRA);
- City-wide transport model;
- Viability Assessment;
- Strategic Housing Land Availability Assessment (SHLAA);
- Any technical addendums necessary arising from the recommendations of this report relating to growth and sites.

65. Following the Regulation 19 consultation, Officers will report the responses received to Local Plan Working Group, Executive and Council seeking approval to submit a plan for public examination before the end of May 2018. Legislation requires that Full Council, having had regard to any consultation responses, determines whether the plan is 'Sound' to enable submission for independent examination under Regulation 20. The timetable highlighted is in conformity with the Council's published Local Development Scheme (LDS).

66. Officers will continue to seek dialogue with key partners including neighbouring authorities, the County Council and both LEPs. In addition dialogue will also be sought with both DCLG and the Planning Inspectorate.

### **Impacts**

67. **Financial (1)** – The work on the Local Plan is funded from specific budgets set aside for that purpose. Over the last four years, significant sums have been expended on achieving a robust evidence base, carrying out consultations, sustainability and other appraisals, policy development and financial analyses. Whilst this work remains of great value it is important that progress is made to ensure that unnecessary additional costs do not occur.

68. **Financial (2)** - It should also be considered that if the approach taken is subsequently judged to be non compliant with Government Guidance either before or after submission this could lead to further technical work

and additional consultation adding to the identified costs and creating delay.

69. **Financial (3)** - Managing the planning process in the absence of a Plan will lead to significant costs to the council in managing appeals and examinations.
70. **Human Resources (HR)** – The production of a Local Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within EAP.
71. **Better Decision Making Tool** – Attached as annex C.
72. **Legal** – The procedures which the Council is required to follow when producing a Local Plan derive from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012.
73. The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:
  - **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
  - **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - **Consistent with national policy:** enable the delivery of sustainable development in accordance with the policies in the Framework.
74. In order for the draft Local Plan to pass the tests of soundness, in particular the ‘justified’ and ‘effective’ tests, it is necessary for it to be based on an adequate, up to date and relevant evidence base. The Council also has a legal duty to comply with the Statement of Community Involvement in preparing the Plan. (S19(3) 2004 Act).
75. In addition the Council also has a legal “Duty to Co-operate” in preparing the Plan. (S33A 2004 Act).

76. In due course Council will be asked to approve the publication draft Local Plan for submission to the Secretary of State. It will then be subject to examination by a member of the Planning Inspectorate before being finally adopted. If the draft Local Plan is not prepared in accordance with legal requirements, fully justified and supported by evidence, the draft Local Plan is likely to be found unsound at examination and would not be able to proceed to adoption.
77. **Crime and Disorder** – The Plan addresses where applicable.
78. **Information Technology (IT)** – The Plan promotes where applicable.
79. **Property** – The Plan includes land within Council ownership.
80. **Other** – None

### **Risks**

81. The main risks in failing to progress a Local Plan for the City of York in compliance with laws, regulations and guidance are as follows:
- the plan is found ‘unsound’ at examination leading to ‘withdrawal’ or further work;
  - direct interventions by Government into the City’s Local Plan making;
  - inability to steer, promote or restrict development across its administrative area;
  - potential damage to the Council’s image and reputation if a development plan is not adopted in an appropriate timeframe; and
  - financial risk associated with the Council’s ability to utilise planning gain and deliver strategic infrastructure.

Measured in terms of impact and likelihood, the risks associated with this report have been assessed as requiring frequent monitoring.

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**Executive Members Responsible for the Report:**

Cllrs D Carr & A Waller

**Report  
Approved**



**Date** 15/01/18

**Specialist Implications Officer(s):**

Finance Manager  
Senior Solicitor, Planning

**Wards Affected:**

All

**Annexes**

Annexe A: Pre Publication Draft Local Plan (2017) Consultation  
Response Summaries & Recommendations

Annex B: Duty to Cooperate Responses

Annex C: Better Decision Making Tool

**Background Papers**

Transport Topic paper, 2017.

[https://www.york.gov.uk/downloads/file/14278/transport\\_topic\\_paper\\_2017](https://www.york.gov.uk/downloads/file/14278/transport_topic_paper_2017)

The City of York Local Plan and Community Infrastructure Levy Viability Assessment, 2017.

[https://www.york.gov.uk/downloads/file/14273/local\\_plan\\_and\\_community\\_infrastructure\\_levy\\_viability\\_assessment\\_2017](https://www.york.gov.uk/downloads/file/14273/local_plan_and_community_infrastructure_levy_viability_assessment_2017)

The Sustainability Appraisal Summary, 2017.

[https://www.york.gov.uk/downloads/file/14276/sustainability\\_appraisal\\_summary\\_2017](https://www.york.gov.uk/downloads/file/14276/sustainability_appraisal_summary_2017)

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**Annex B: Duty to Cooperate Responses****Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017**

| Prescribed Body                        | Summary of Representation   |
|--|---|
| East Riding of Yorkshire Council (ERC) | <ul style="list-style-type: none"> <li>• The draft plan, which has been based on ongoing co-operation between the two authorities throughout the plan making process.</li> <li>• Strongly supports the provision of sufficient housing within the York Local Plan to enable the full need for housing to be met within the York HMA.</li> <li>• Welcomes the identification of strategic highways network improvements at Grimston Bar in policy T4 and the need for joint working.</li> <li>• Expressed concern at the Breen Belt boundary being set precisely at 6miles from the city centre as this would encroach into East Riding.</li> <li>• More detailed comments relating to Site ST15 Land West of Elvington Lane</li> </ul>  |
| Environment Agency                     | <ul style="list-style-type: none"> <li>• On the whole, the Environment Agency's comments from previous consultations have been taken on board and the EA find the content of the plan positive. The section on green infrastructure is good and recognises the dual of both green open spaces and mitigation of current and future flood risk, as sustainable drainage systems (SuDS) or flood storage, can be achieved.</li> <li>• More detailed comments on policies relevant to its remit, e.g. Flood risk and land contamination.</li> </ul>  |
| Hambleton District Council (HDC)       | <ul style="list-style-type: none"> <li>• The document identifies sufficient land to meet the development needs of the City and establishes a Green Belt enduring 20 years. It does not safeguard land for development and recognises the build out time of the strategic sites will extend beyond the plan period. The proposed detailed boundaries of the Green Belt offer little opportunity to accommodate the increased level of growth proposed in the White Paper, should this be required.</li> <li>• If the City of York does not ensure that its longer term development needs are met this will place pressure on areas in neighbouring authorities.</li> <li>• The Local Plan has been subject to viability testing and the proposed allocations have been selected through a robust assessment process, but the level of assessment that has been undertaken to confirm the viability and deliverability of the allocated sites is unclear</li> </ul> |
| Harrogate Borough Council (HBC)        | <ul style="list-style-type: none"> <li>• No representation made at this stage but ongoing discussions under the Duty will continue as the plan is taken forward</li> </ul>  |
| Highways England (HE)                  | <ul style="list-style-type: none"> <li>• Welcome the emphasis on sustainable travel, high quality public transport links serving new sustainable communities and travel planning as key components of policy, and that new development sites are located with</li> </ul>  |

**Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017**

| Prescribed Body  | Summary of Representation   |
|--|---|
|  | <p>good access to public transport, walking and cycling networks, thereby minimising growth in traffic.</p> <ul style="list-style-type: none"> <li>• The Plan lacks recognition of the scale of the forecast traffic growth on the A64 trunk road and its junctions with local primary roads will require physical mitigation in the form of investment in highway infrastructure despite the extensive sustainable travel proposals.</li> <li>• The spatial distribution and particularly the development of land opportunities in the south and eastern parts of York should be dependent upon agreement between the Council and HE of a Management Strategy for the A64 and its junctions with the local primary road network.</li> <li>• HE expects that the strategic sites located around the A1237 Northern Ring Road will combine to have a significant impact on the junctions of the A1237 with that A64 east and west of York. It will need to have a good understanding of that cumulative impact if it is to be able to state that the Plan is sound at Publication Draft stage.</li> <li>• HE will continue to work in partnership with CYC to understand the impact of the Local Plan proposals on the operation of the A64 and its junctions with the primary road network.</li> <li>• Requested that the key principles in many of the Spatial Strategy (SS) policies for the strategic sites be modified to include HE as an organization to be consulted with by developers when demonstrating that all transport issues have been addressed.</li> <li>• Requested explanatory text to several Spatial Strategy (SS) policies for the strategic sites be modified to include the need for a Transport Assessment to support the key principles relating to demonstrating that all transport issues have been addressed.</li> </ul> |
| <p>Leeds City Region Local Enterprise Partnership (LCR LEP) / West Yorkshire Combined Authority (WYCA)</p> | <ul style="list-style-type: none"> <li>• The Plan forms a complete suite of local policies and directly addresses many aspects of the strategies in the SEP.</li> <li>• Land allocations for the provision of jobs will support sustainable economic activity with a focus on allocating enough sites to satisfy market demand and maximise connectivity to transport</li> <li>• The Plan supports the aim of increasing the amount of energy generated from renewable and low carbon sources, and supports proposals for renewable and low carbon infrastructure. These elements are well-aligned with the SEP</li> <li>• York has not applied the 10% market signals adjustment as recommended in the York 2017 Strategic Housing Market Assessment.</li> <li>• The Plan policies could strengthen the commitment to delivering better digital infrastructure which would support</li> </ul>  |



| Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017 |  |
|--|--|
| Prescribed Body  | Summary of Representation  |
|  | <p>the SEP priorities</p> <ul style="list-style-type: none"> <li>• Sites and policies are not supported by an up to date infrastructure delivery plan and one would be expected.</li> <li>• The Plan acknowledges that commuting to destinations outside York occurs. Welcome that improvements to York Railway Station are included in the plan to accommodate enhancements for the planned electrification of the Trans Pennine Line, HS2 and Northern Powerhouse Rail aspirations.</li> </ul>   |
| North Yorkshire County Council (NYCC)  | <ul style="list-style-type: none"> <li>• York is an important driver for growth both within the York, North Yorkshire and East Riding LEP area and the Leeds City Region. It is important that the City has a robust and high quality Local Plan in place that best enables it to unlock economic growth and prosperity for the benefit of its communities and those of its wider hinterland.</li> <li>• Welcome the commitments set out in Policy DP1: York Sub Areas. In particular that York will <i>'fulfil its role as a key driver in the Leeds City Region , York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) area...'</i> and <i>'The housing needs of City of York 's current and future population including that arising from economic and institutional growth is met within the York local authority area.'</i></li> <li>• Support the general thrust and intent of Policy SS1 : Delivering sustainable growth for York</li> <li>• Policy SS2: the Role of York's Green Belt - defining a clear and detailed inner boundary of the York Green Belt is welcomed and supported. In defining the Green Belt boundary it is important that the evidence underpinning the decision is clearly presented and included within the narrative accompanying the policy. NYCC recognise that the Plan makes provision up to 2038, providing for an additional 5 years beyond the plan period. In adopting this approach it is acknowledged that in the longer term consideration will need to be given to how future growth needs will be managed to provide confidence in relation to planning for infrastructure and services including within neighbouring parts of North Yorkshire</li> <li>• Any traffic impact on NYCC's local highway network that could arise from allocations need to be identified and considered. Where it is clear that a development will have a material impact on its local highway network, NYCC request to be included in agreeing the scoping for the Transport Assessment (TA) and Travel Plan (TP) in addition to being formally consulted during the application process.</li> <li>• Ask that within CYC's transport evidence account is taken of the traffic generated by the allocations of surrounding planning authorities., particularly Harrogate district and</li> </ul> |

| Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017 |   |
|--|---|
| Prescribed Body  | Summary of Representation   |
|  | <p>the Green Hammerton settlement and that committed developments within North Yorkshire that will impact on cross border issues are included.</p> <ul style="list-style-type: none"> <li>• The Development of the York Central site will provide new economic and residential uses and activity in the centre of the City in a location well connected to sustainable transport which will benefit from regeneration.</li> </ul>   |
| Ryedale District Council (RDC)   | <ul style="list-style-type: none"> <li>• No representation made at this stage but ongoing discussions under the Duty will continue as the plan is taken forward</li> </ul>  |
| Selby District Council (SDC)   | <ul style="list-style-type: none"> <li>• Broadly supports the Local Plan approach and its policies, and more specifically, Policy DP1</li> <li>• SDC notes Policy SS1 states that the plan will deliver a minimum of 867 dwellings per year .Having read the SHMA Addendum, it is also noted that this figure does not take into account the level of employment growth proposed by the Local Plan and that the SHMA has not undertaken a full update to the analysis of economic growth. Whilst the SHMA concludes that there is unlikely to be any justification for an uplift in housing numbers in York to support expected growth in employment, Selby District Council need to be confident that undertaking a policy-on approach to housing need would identify no more than 867 dwellings per annum.</li> <li>• CYC will also be aware of the proposed methodology for the calculation of housing need requirements set out in the in the DCLG consultation on 'Planning for the Right Homes in the Right Places', which if taken forward would increase York's housing requirement figure to 1,070 dwellings per annum. Whilst you are confident that you can realise the growth aspirations detailed within the Pre-Publication Local Plan within the City of York boundary, Selby District Council is concerned that any increases to this figure could raise significant cross-boundary issues.</li> <li>• Question whether a Green Belt boundary enduring for 20 years is sufficient to meet the NPPF as it pertains to the intended permanence of Green Belt boundaries in the long term so they are capable of enduring beyond the plan period.</li> <li>• Site ST15 is in a remote location and will require significant investment in public transport infrastructure. The cumulative impact of this proposed new settlement on the highways network, along with the proposed expansion of York University (Site ST27) and the employment allocation at Elvington Airfield will need to be mitigated. Selby District Council need more detail to that shown in the Transport Topic Paper, before providing any further comments on the potential impact this allocation may have on Selby district.</li> <li>• CYC as education authority, will need to be satisfied that</li> </ul> |

| <b>Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017</b> |   |
|---|---|
| Prescribed Body   | Summary of Representation   |
|   | <p>Wheldrake with Thorganby CE School is capable of meeting any additional demand generated by Site ST33, without any detriment to the population of Thorganbury (in Selby District)</p> <p>.</p>   |
| York, North Yorkshire and East Riding Local Enterprise Partnership (YNYER LEP)  | <ul style="list-style-type: none"> <li>• The quantum and nature of the proposed development will be of great strategic benefit to this LEP area and it is important that the Local Plan is advanced to adoption quickly to allow delivery of these sites.</li> <li>• Past issues of under delivery of housing, together with recent market signals for York mean that it will be essential to achieve the proposed minimum annual provision of 867 dwellings over the plan period, together with any additional homes to reflect under delivery.</li> <li>• Concerned at only 60,000m<sup>2</sup> of B1a office space at York Central, given the significantly higher figure in the EZ proposal and the pivotal role of such development on this site for the economy of York and the LEP area</li> <li>• Welcome the funding from WYCA to undertake feasibility and business case development for dualling the A1237</li> <li>• Grimston Bar junction, that already has capacity problems and faces increasing pressure through the Local Plan proposals, is important for east-west connectivity</li> </ul> |

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The 'Better Decision Making' tool should be completed when proposing new projects, services, policies or strategies.

This integrated impact assessment tool was designed to help you to consider the impact of your proposal on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services. The purpose of this new tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence.

**Part 1** of this form should be completed as soon as you have identified a potential area for change and when you are just beginning to develop a proposal. If you are following the All About Projects Framework it should be completed before going through Gateway 3.

**Part 2** of this form should be filled in once you have completed your proposal and prior to being submitted for consideration by the Executive. If you are following the All About Projects Framework it should be completed before going through Gateway 4. Your answer to questions 1.4 in the improvements section must be reported in any papers going to the Executive and the full 'Better Decision Making' tool should be attached as an annex.

Guidance to help you complete the assessment can be obtained by hovering over the relevant text or by following this link to the 'Better Decision Making' tool on Colin.

Guidance on completing this assessment is available by hovering over the text boxes.

**Please complete all fields** (and expand if necessary).

#### Introduction

|   |                     |
|---|---------------------|
| <b>Service submitting the proposal:</b>                     | Strategic Planning  |
| <b>Name of person completing the assessment:</b>            | Alison Cooke        |
| <b>Job title:</b>   | Development Officer |
| <b>Directorate:</b>   | Economy and Place   |
| <b>Date Completed:</b>                                      | 23rd January 2018   |
| <b>Date Approved:</b> form to be checked by service manager |                     |

#### Part 1

##### Section 1: What is the proposal?

|     |  |
|-----|--|
| 1.1 | <b>Name of the service, project, programme, policy or strategy being assessed?</b>   |
|     | Pre Publication Draft Local Plan 2017  |
| 1.2 | <b>What are the main aims of the proposal?</b>   |
|     | The main aim of the report is to update Members on the response to the Pre Publication Draft Local Plan Consultation 2017. It presents a background summary of previous iterations of draft policies and the circumstances which led to the rationale of the Executive decision to approve the Pre-Publication Draft Local Plan for consultation. It also provides a summary of the present national policy and legislative context, and Officers' advice on appropriate responses to the Consultation outcomes. |
| 1.3 | <b>What are the key outcomes?</b>  |
|     | The Local Plan is the planning policy document through which we aim to deliver York's sustainable development objectives in a spatial way through identifying policies to inform decision making and site allocations to meet development needs.   |

**Section 2: Evidence**

|     |   |
|-----|---|
| 2.1 | <p><b>What data / evidence is available to understand the likely impacts of the proposal?</b> (e.g. hate crime figures, obesity levels, recycling statistics)</p> |
|     | <p>The proposed changes as a result of the Consultation responses are set out in Annex A against each of the sites and policies.</p>                              |

|     |  |
|-----|--|
| 2.2 | <p><b>What public / stakeholder consultation has been used to support this proposal?</b></p>   |
|     | <p>The Local Plan process has been subject to several consultations, the latest of which was the Pre Publication Draft (2017). This set out the Council's preferred housing and employment need as well as sites to satisfy the demand. The outcomes of this consultation have been reviewed and incorporated into the emerging position. Annex A accompanies this report setting out the proposed changes, supported by the evidence base. Further consultation, subject to members decision, will take place in Spring 2018.</p> |

|     |  |
|-----|--|
| 2.3 | <p><b>Are there any other initiatives that may produce a combined impact with this proposal?</b> (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</p>   |
|     | <p>This report will ultimately feed into the Regulation 19 Local Plan wherein it is likely to be positive through meeting the city's spatial development needs and contribute towards meeting York's sustainable development objectives. Specifically in relation to communities, this will effect all people in York who engage with planning such as through obtaining planning permission as well as ensuring planning policies in place to meet the city's objectives for sustainable development.</p> |



**Part 1**

**Section 3: Impact on One Planet principles**

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents.  
 This section relates to the impact of your proposal on the One Planet principles.

For 'Impact', please select from the options in the drop-down menu.  
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

**Equity and Local Economy**

| Does your proposal? |  | Impact   | What are the impacts and how do you know?   |
|---------------------|--|----------|---|
| 3.1                 | <b>Impact positively on the business community in York?</b>  | Positive | The policies of the Local Plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. The Employment Land Review (2016 and update 2017) sets out our assumptions for identifying employment need. Meeting York's housing requirements is also likely to have a positive outcome for provision of affordable housing for workers within York. |
| 3.2                 | <b>Provide additional employment or training opportunities in the city?</b>                                | Positive | The policies of the local plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. Housebuilding and commercial development as a result of allocations in the Local Plan may provide some certainty over jobs in construction. The scale of employment activity depends on the growth targets agreed.                                     |
| 3.3                 | <b>Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?</b> | Positive | The plan supports the delivery of the city's economic objectives and social objectives, including promoting social inclusivity. The plan will help to unlock the further potential of the higher and further education sector in York through development and redevelopment.  |

## Health & Happiness

| Does your proposal? |  | Impact   | What are the impacts and how do you know?  |
|---------------------|--|----------|--|
| 3.4                 | <b>Improve the physical health or emotional wellbeing of staff or residents?</b> | Neutral  | The Local Plan aims to support healthy lifestyles and healthy environments across the city. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city, drawing on the Open Space Study (2014) and its 2017 update. Providing homes to meet the needs of people will also have a positive impact on people's well being.   |
| 3.5                 | <b>Help reduce health inequalities?</b>  | Positive | The community facilities section of the plan has been revised to have a greater focus on health and wellbeing. The new section covers the protection and enhancement of sports, healthcare, childcare, and community facilities. An additional policy related to healthy placemaking has been added which encourages designing environments that encourage health-promoting behaviours, helping to delivery York's Joint Health and Wellbeing Strategy and the Council Plan. There are also opportunities as part of new development for the provision of new services. These will have to be developed in tandem to avoid negatives impact in the short-term. |
| 3.6                 | <b>Encourage residents to be more responsible for their own health?</b>          | Neutral  | The Local Plan encourages healthy lifetsyles through the safeguarding and provison of different types of openspace and recreational opportunities. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city. See Annex 7 to this report to see updates to these policies.  |
| 3.7                 | <b>Reduce crime or fear of crime?</b>  | Positive | The plan includes a placemaking policy which seeks to balance the needs of urban design principles for good design against 'secured by design' principles to design out crime, helping to delivery the City of York Streetscape Strategy Guidance (2014). See Annex 7 to this report to see updates to these policies.   |
| 3.8                 | <b>Help to give children and young people a good start in life?</b>              | Positive | The Local Plan seeks to respond to the need to increase primary and secondary education provision, including addressing need arising from strategic development sites and supporting proposals to ensure that existing facilities can continue to meet modern educational requirements. See Annex 7 to this report to see updates to these policies.   |



**Culture & Community**

| Does your proposal? |   | Impact   | What are the impacts and how do you know?   |
|---------------------|---|----------|---|
| 3.9                 | <b>Help improve community cohesion?</b>   | Neutral  | Community cohesion and the development of strong, supportive and durable communities is promoted through the creation of sustainable, low carbon neighbourhoods.  |
| 3.10                | <b>Improve access to services for residents, especially those most in need?</b> | Positive | The plan will prioritise tackling existing gaps and prevent gaps from being created in the provision of key services and public transport, helping to support the Council's Transport Plan 2011-2031. The Plan's spatial strategy also uses access to services and transport as a key indicator for sustainability and uses this to help determine suitable sites for development. The majority of strategic allocations are also expected to incorporate local provision on site and have access to sustainable transport. |
| 3.11                | <b>Improve the cultural offerings of York?</b>                                  | Positive | A new cultural provision policy has been developed as well as strengthening references to culture throughout the plan. The new policy supports development proposals where they are designed to sustain, enhance and add value to the special qualities and significance of York's culture. See Annex 7 to this report to see the new and revised policies.   |
| 3.12                | <b>Encourage residents to be more socially responsible?</b>                     | Positive | Through consultation the local plan process actively encourages residents to shape their communities by commenting on the policies that will shape development in the future in line with the Council's Statement of Community Involvement (2007)   |

**Zero Carbon and Sustainable Water**

| Does your proposal? | Impact | What are the impacts and how do you know? |
|---------------------|--------|---|
|---------------------|--------|---|

|      |  |          |  |
|------|--|----------|--|
| 3.13 | <b>Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?</b> | Mixed    | The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet'. It will create energy efficient buildings, support the use of energy from renewable sources and ensuring York is climate ready. Notwithstanding this, development in York is likely to increase the city's resource consumption. LocalPlan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to these policies. |
| 3.14 | <b>Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?</b>    | Mixed    | The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet' city, ensuring that new development uses water efficiently and delivers sustainable drainage solutions. LocalPlan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to policy.   |
| 3.15 | <b>Provide opportunities to generate energy from renewable/low carbon technologies?</b>                        | Positive | A revised climate change section now more strongly ties the policies to the social and economic benefits of low carbon developments which consider sustainable design and construction principles. See Annex 7 to this report for updates to policy.   |

**Zero Waste**

| Does your proposal? |   | Impact   | What are the impacts and how do you know?  |
|---------------------|---|----------|--|
| 3.16                | <b>Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?</b> | Positive | The plan will contribute to the reduction of waste through supporting innovation and improvement of current waste practices and the promotion of recycling. Sustainable design and construction principles will be embedded in new developments. Local Plan policy relating to Waste management has been revised in line with the emerging Joint Minerals and Waste Local Plan being prepared by North Yorkshire County Council, City of York Council and North York Moors National Park. See Annex 7 to this report for updates to policy |

**Sustainable Transport**

| Does your proposal? |  | Impact   | What are the impacts and how do you know?   |
|---------------------|--|----------|---|
| 3.17                | <b>Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?</b> | Positive | The plan will help deliver a fundamental shift in travel patterns by ensuring that sustainable development and travel planning is a key component of future development, promoting sustainable connectivity, reducing the need to travel, helping to deliver the infrastructure to support sustainable transport and managing private travel demand. Helping to support the Council's Transport Plan 2011-2031. This has also been translated into the Site Selection process as a key stage in considering suitability of a potential development site. The outcomes of sites are referred to in annexes 3-5. See Annex 7 for revisions to policy. |
| 3.18                | <b>Help improve the quality of the air we breathe?</b>   | Positive | The plan supports measures to help reduce the emissions of Nitrogen Dioxide, Particulate, Carbon Dioxide and other greenhouse gases from both transport and other sources helping to deliver the Council's Low Emission Strategy (2012) and therefore features as a consideration throughout the Local Plan. See Annex 7 to this report for detailed updates to policy.   |

**Sustainable Materials**

| Does your proposal? |  | Impact | What are the impacts and how do you know?  |
|---------------------|--|--------|--|
| 3.19                | <b>Minimise the environmental impact of the goods and services used?</b> | Mixed  | Development advocated by the Local Plan will have an inevitable impact on the use of resources and waste. However, sustainable design and construction principles will be embedded in new developments through policy. See annex 7 to this report for detailed policy updates. |

**Local and Sustainable Food**

| Does your proposal? |  | Impact  | What are the impacts and how do you know? |
|---------------------|--|---------|---|
| 3.20                | <b>Maximise opportunities to support local and sustainable food initiatives?</b> | Neutral | n/a                                       |

**Land Use and Wildlife**

| Does your proposal? |   | Impact   | What are the impacts and how do you know?  |
|---------------------|---|----------|--|
| 3.21                | <b>Maximise opportunities to conserve or enhance the natural environment?</b> | Positive | York's Green Infrastructure, including open space, landscape, geodiversity, biodiversity and the natural environment will be both conserved and enhanced. This is a key consideration in the Local Plan and evidence base such as the Green Infrastructure and Openspace Study (2014, Openspace update 2017). The vision, spatial strategy and specific policies all support the conservation and enhancement of the natural environment. Furthermore, this is translated into the Site Selection methodology to determine a potential site's suitability for development . See Annex 7 for updates to specific policies and annexes 3-5 to see comments in relation to specific sites.  |
| 3.22                | <b>Improve the quality of the built environment?</b>                          | Positive | The Local Plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character and culture and encourages opportunities for rediscovering and reinterpreting those assets which make it an attractive, beautiful and accessible city. The Plan will do this through the conservation and enhancement of six defining characteristics of York's built environment; strong urban form, compactness, landmark monuments, unique architectural character, archaeological complexity and landscape setting set out in the Heritage Topic Paper (2014) and Heritage Impact Appraisal (tbc 2017).  |
| 3.23                | <b>Preserve the character and setting of the historic city of York?</b>       | Positive | The plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character. The Local Plan will ensure that the city's heritage assets are preserved and enhanced. Beyond the city centre, the key radial routes are of particular importance, and the surrounding villages and Green Infrastructure, including its valued strays, river corridors and open spaces that contribute to the city's setting. The Historic Character and Setting evidence base (2003 updated in 2013 and 2014) identifies areas of primary importance for this. The Plan will also create a Green Belt for York that will endure beyond the end of this plan period providing a lasting framework to shape the future development of the city. Its primary aim will be to preserve and enhance the special character and setting of York. It will also have a critical role in ensuring that development is directed to the most sustainable locations. |

|      |   |          |  |
|------|---|----------|--|
| 3.24 | <b>Enable residents to enjoy public spaces?</b> | Positive | Development will not be permitted which would harm the character of or lead to the loss of open space of environmental and or recreational importance unless it can be satisfactorily replaced. All residential development should contribute to the provision of open space for recreation and amenity. As supported by the open space study (2014) and its update and the Green Infrastructure Strategy. |
|------|---|----------|--|

|      |   |  |  |
|------|---|--|--|
| 3.25 | <b>Additional space to comment on the impacts</b> |  |  |
|      |   |  |  |

## Part 1

## Section 4: Impact on Equalities and Human Rights

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on **advancing equalities and human rights** and should build on the impacts you identified in the previous section.

For 'Impact', please select from the options in the drop-down menu.  
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'

## Equalities

Will the proposal **adversely impact** upon 'communities of identity'?  
 Will it **help advance equality** or **foster good relations** between people in 'communities of identity'?

|                                       | Impact            | What are the impacts and how do you know?  | Relevant quality of life       |
|---------------------------------------|-------------------|--|--------------------------------|
| 4.1 Age                               | Positive          | The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.   | Comfortable standard of living |
| 4.2 Disability                        | Positive          | The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.   | Comfortable standard of living |
| 4.3 Gender                            | Neutral           | None deemed likely   | n/a                            |
| 4.4 Gender Reassignment               | 23rd January 2018 | None deemed likely   | n/a                            |
| 4.5 Marriage and civil partnership    | Neutral           | None deemed likely   | n/a                            |
| 4.6 Pregnancy and maternity           | Neutral           | None deemed likely   | n/a                            |
| 4.7 Race                              | Positive          | Meeting Gypsy, Traveller and Travelling Showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2017)   | Comfortable standard of living |
| 4.8 Religion or belief                | Neutral           | None deemed likely   | n/a                            |
| 4.9 Sexual orientation                | Neutral           | None deemed likely   | n/a                            |
| 4.10 Carer                            | Neutral           | None deemed likely   | n/a                            |
| 4.11 Lowest income groups             | Positive          | The plan will meet housing needs and provide a range of house types. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this, including the need for affordable housing.   | Comfortable standard of living |
| 4.12 Veterans, Armed forces community | neutral           | The emerging Local Plan and supporting evidence considers the potential of the MOD sites in York for development following the Defence Infrastructure Estates Review (2016). The closure of these sites will have an impact on the armed forces community which is out of the remit of the Local Plan. | n/a                            |

## Human Rights

Consider how a human rights approach is evident in the proposal

|      |   | Impact  | What are the impacts and how do you know? |
|------|---|---------|---|
| 4.13 | Right to education  | neutral | None deemed likely                        |
| 4.14 | Right not to be subjected to torture, degrading treatment or punishment | neutral | None deemed likely                        |
| 4.15 | Right to a fair and public hearing                                      | neutral | None deemed likely                        |
| 4.16 | Right to respect for private and family life, home and correspondence   | neutral | None deemed likely                        |
| 4.17 | Freedom of expression   | neutral | None deemed likely                        |
| 4.18 | Right not to be subject to discrimination                               | neutral | None deemed likely                        |
| 4.19 | Other Rights  | neutral | None deemed likely                        |

|      |   |  |  |
|------|---|--|--|
| 4.20 | <b>Additional space to comment on the impacts</b> |  |  |
|      |   |  |  |

## Part 1

## Section 5: Developing Understanding

Based on the information you have just identified, please consider how the impacts of your proposal could be improved upon, in order to balance social, environmental, economic, and equalities concerns, and minimise any negative implications.

It is not expected that you will have all of the answers at this point, but the responses you give here should form the basis of further investigation and encourage you to make changes to your proposal. Such changes are to be reported in the final section.

**Taking into consideration your responses about all of the impacts of the project in its current form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?**

- 5.1 Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.

**What could be changed to improve the impact of the proposal on the One Planet principles? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)**

- 5.2 Preparation of the Local Plan is part of an ongoing process that involves monitoring the success and progress of its policies. The process will make sure it is achieving its objectives and making necessary adjustments to the plan if the monitoring process reveals that changes are needed. This enables the plan to maintain sufficient flexibility to adapt to changing circumstances. Furthermore, the plan is subject to ongoing Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment which appraises the plan and site allocations against a bespoke social, economic and environmental objectives to understand how the plan is contributing the sustainable development objectives for York.

**What could be changed to improve the impact of the proposal on equalities and human rights? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)**

- 5.3 No mixed or negative impacts on equality and human rights are considered likely.

## Section 6: Planning for Improvement

23rd January 2018

**What further evidence or consultation is needed to fully understand its impact? (e.g. consultation with specific communities of identity, additional data)**

- 6.1 Members will use the recommendations to decide the future approach for the Local Plan which will then be subject to public consultation. A publication draft plan will then be prepared before being submitted to the secretary of state for examination.



6.2 **What are the outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal?** Please include the action, the person(s) responsible and the date it will be completed (expand / insert more

| Action | Person(s) | Due date |
|--------|-----------|----------|
|        |           |          |
|        |           |          |
|        |           |          |
|        |           |          |
|        |           |          |
|        |           |          |

6.3 **Additional space to comment on the impacts**

**Part 2**

**Section 1: Improvements**

Part 2 builds on the impacts you identified in Part 1. Please detail how you have used this information to make improvements to your final proposal.

**Please note that your response to question 1.4 in this section must be reported in the One Planet Council implications section of reports going to the Executive.**

|     |  |
|-----|--|
| 1.1 | <p><b>For the areas in the 'One Planet' and 'Equalities' sections, where you were unsure of the potential impact, what have you done to clarify your understanding?</b></p> <p>Given the wide ranging policy areas covered in the plan and the process taken so far in preparing the plan there are inherent links and good understanding of the one planet principles and equalities.</p>   |
| 1.2 | <p><b>What changes have you made to your proposal to increase positive impacts?</b></p> <p>No changes considered necessary, however the monitoring element of the local plan process will ensure the success and progress of the policies are able to adapt to changing circumstances. For example, air quality will be monitored to ensure new development does not result in poorer air quality.</p>   |
| 1.3 | <p><b>What changes have you made to your proposal to reduce negative impacts?</b></p> <p>No negative impacts anticipated.</p>  |
| 1.4 | <p><b>Taking into consideration everything you know about the proposal in its revised form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</b></p> <p>Your response to this question must be input under the One Planet Council implications section of the Executive report. Please feel free to supplement this with any additional information gathered in the tool.</p> <p>Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.</p> |
| 1.5 | <p><b>Any further comments?</b></p>  |



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**Executive**

**25 January 2018**

Report of the Economy & Place Policy Development Committee

**Impact of Arts & Culture on the Economy Scrutiny Review - Cover Report**

**Introduction**

1. This cover report presents the final report from the Impact of Arts & Culture on the Economy Scrutiny Review and asks the Executive to approve the recommendations arising from the review.

**Review Recommendations**

2. In November 2017, the Economy & Place Policy Development Committee considered the review findings arising from the review, as presented in the Task Group final report at Appendix 1 and agreed to endorse the draft recommendations listed below:
  - i. The Council should demonstrate its commitment to the city's cultural sector by progressing the development and promotion of a clearly defined Cultural Strategy with the Cultural Leaders Group, with the Council showing leadership in its creation and adoption. This should include the provision of:
    - A one-off sum of £20k early in the new financial year, to support its development;
    - An ongoing sum of £6k annually for secretarial services;
  - ii. The Council should support the Cultural Leaders Group in working as a cohesive unit to build and achieve wide acceptance of that Cultural Strategy
  - iii. As part of renewing MIY's Service Level Agreement, the Council should clarify the role of Make It York in supporting York's cultural sector and offer, and ensure it:
    - Develops a narrative about York's ambitions with cultural partners;
    - Improves its collaboration with Welcome to Yorkshire

- Facilitates greater collaboration and co-operation between the cultural sub-sectors in the city
  - Co-ordinates future funding bids to the benefit of all cultural providers
- iv. The Council should work with BID to explore all means available of achieving improvements to the public realm in the city centre, particularly Parliament Street.
- v. The Council should seek ways of protecting and utilising the city's stock of historic buildings to attract more growing business, rather than increasing residential use, by encouraging imaginative approaches to redevelopment through the Local Plan and master-planning frameworks, and through its Asset Management Strategy and the future development of its commercial portfolio.

3. The Committee also recommends that Make It York:

- vi. Concentrates its focus on higher quality events and festivals in the city centre to protect the York festival brand and maximise their GVA.
- vii. Works with BID and other interested parties e.g. York Civic Trust, to devise a comprehensive 21<sup>st</sup> century system of way-finding within the city using all available methods and technologies incorporating smaller cultural providers into those way-finding opportunities to expand the city's promotion of its full cultural offer.

4. Finally, the Committee recommends that the Cultural Leaders Group:

- viii. Explores the suggestions for new initiatives identified through the consultation for this review, as listed at paragraph 51 of the final report at Appendix 1.

Reason: In order to advance the aim of York's Economic Strategy to 'Make a Fresh Loud Statement of Cultural & Visual Identity', to positively influence the Art Council's consideration of future funding bids, and to conclude this review in line with scrutiny procedures & protocols.

### **Implications**

5. The following implications have been identified as a result of the review recommendations in paragraphs 2-4 above.

- **Financial:** To support the Cultural Leaders' Group by making available secretarial services would require a budget of around £6k p.a., and a one-off sum to support the development of a cultural strategy would need to be in the region of £20k. The council received 156k from the Leeds city region business rates pool, and to date no allocations have been made from this. If the Executive were minded to approve Recommendation (i) this funding could be used to cover the 20k one off funding, and possibly up to 3 years of secretarial support.
  - **Human Resources (HR)** If the recommendations are agreed, secretarial support will be provided in accordance with the council's HR processes.
6. There are no Legal, Equalities, Crime & Disorder, IT, Property or other implications associated with the recommendations arising from this review.

### **Risk Management**

7. York is facing a growing challenge from other towns and cities throughout the UK that are actively promoting their own heritage, arts and culture offers. If York were to slip down the UK list of key destination cities this could impact on both the tourism economy and further inward investment. There is therefore a clear risk to the city' economy if the city has no defined strategy in place to promote and co-ordinate its offer.

### **Council Plan 2015-19**

8. The recommendations arising from this scrutiny review support the following elements of the Council's Plan 2015-19:
- A Prosperous City For All;
  - A Focus on Frontline Services;
  - A Council That Listens to Residents

### **Options**

9. Having considered the final report at Appendix 1 and its associated annexes, the Executive may choose to amend and/or approve, or reject the recommendations arising from the scrutiny review.

**Recommendation**

- 10. Having considered the final report and its annexes, the Executive is recommended to consider the review recommendations and the associated implications, as set out in paragraphs 2 & 5 above.

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

**Contact Details**

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**Report Approved**  **Date** 28 November 2017

**Specialist Implications Officers:**

Financial  
Charlie Croft  
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HR  
Claire Waind  
HR Manager

**Wards Affected:**

**All**

For further information please contact the author of the report

**Background Papers:** None

**Appendices:**

**Appendix 1** – Impact of Arts & Culture on the Economy Scrutiny Review Final Report



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**Economy & Place Policy Development Committee    22 November 2017****Impact of the Arts and Culture Sectors on the Economy of York Scrutiny Review - Final Report****Summary**

1. This report and its annexes present the findings from the scrutiny review of the 'Impact of the Arts and Culture Sectors on the Economy of York', together with the review conclusions and recommendations.

**Background**

2. In late June 2016, as part of a discussion on potential topics for scrutiny review during the 2016/17 municipal year, the former Economic Development & Transport Policy & Scrutiny Committee expressed an interest in scrutinising the impact of the arts and culture sectors on York's economy, and asked whether such a review would add value to work already ongoing in the city.
3. After consideration of a feasibility report in July 2016, the Committee agreed to undertake the review, and appointed a Task Group comprising Cllrs Cullwick, Looker and K Myers to carry out the work on their behalf.
4. The Task Group met for the first time in August 2016. They appointed Cllr Looker as Chair and agreed the review should focus not on the quality and content of the city's cultural offer, but instead on the economic benefits it brought, particularly jobs. Recognising that York was keen to attract businesses to the city and that the city's cultural offer was a driver for job relocation, the Task Group also agreed that the attractiveness of the city was one of the things that encouraged people to relocate to York.
5. With the intention of maximising the benefits the city already had and developing the city's cultural sectors over the next decade, the Task Group identified the following review remit, which was endorsed by the full Economic Development & Transport Policy & Scrutiny Committee at its meeting in early September 2016:

## Aim

To understand the value and impact of the arts and culture sectors on the economy of York and examine how they can further increase their impact on economic development and create additional high-value jobs in the city.

## Objectives

- i. To promote cultural amenities in the city for the purpose of attracting economic investment, leading to an increase in high-value jobs and the retention of high-quality employees.
  - ii. To examine the City Council's role within these sectors and assess what further interventions the Council can undertake to support these sectors.
  - iii. To identify ways to facilitate more and better joint working among cultural organisations.
6. The Task Group concluded its work on the review in May 2017, and a draft final report was presented to this Committee in September 2017.
  7. At the same meeting, Members were made aware of a recently concluded independent review of Creative Industries undertaken by Sir Peter Bazalgette, published in September 2017. The Committee recognised the need for the Council to consider the Bazalgette Review, and its connection to the findings of the scrutiny review. They therefore agreed to defer their consideration of the review draft final report to allow the Task Group time to consider the Bazalgette findings.
  8. In October 2017 the Task Group met with the Chair of York@Large to discuss the Bazalgette Report and to consider its recommendations in the context of York. The Task Group used the information to reflect on its review findings which has resulted in this revised draft final report.

## **Consultation**

9. To gather evidence in support of the original review remit the Task Group met representatives from numerous city organisations, including York@Large; Make It York; York Museums Trust; York Archaeological Trust; York Theatre Royal, City of York Council, the Arts Council, the Guild of Media Arts, York Business Improvement District, Indie York; the National Centre for Early Music, Explore York Libraries and Archives, Borthwick Institute of Archives, York Minster, the National Railway Museum, the Yorkshire Air Museum and Welcome to Yorkshire.



10. In October 2017 they met again with the Chair of York@Large, specifically to discuss the findings from the Bazelgette Review

### **York's Cultural Sector**

11. For the purposes of this report, all references to the city's cultural sector and offer relate to the following three mutually beneficial sub-sectors:
- Heritage  
Heritage is positioned as the main driver of tourism in York, but is over dependent on declining markets, with cultural tourism its biggest opportunity;
  - Arts  
York has an active and vocal arts community, including both individuals and organisations. This sub-sector is considered to be highly vulnerable to public funding cuts.
  - Creative Industries  
The Department of Culture, Media and Sports (DCMS) defines the creative industries sector as 'Those industries which have their origin in individual creativity, skill and talent and which have a potential for wealth and job creation through the generation and exploitation of intellectual property.' The city is strong in innovation and talent and has some star companies, but the sector is seen as fragile as York lacks support for growth in a company's early stages.

### **Information Gathered - Summary**

12. In support of the review objectives above, the Task Group considered information on the following – see Annex 1:
- York's Local Plan, which now has a stronger cultural element;
  - Regional Information & Comparison Data provided by Historic England;
  - Culture White Paper published by the Department of Culture, Media and Sport in March 2016
  - Heritage Lottery Fund research
13. They also considered information on York's current Tourism Strategy & Economic Strategy, and research by the British Council around the value of cultural attractions. Finally, they gathered detailed feedback from the consultees listed above in paragraph 9 - see Annex 2.

14. York's Cultural Offer & its Relationship to the City's Economic Strategy  
One of the aims of York's Economic Strategy 2015-20 is to 'Make a *Fresh Loud Statement of Cultural & Visual Identity*'.
15. Information gathered in support of this review evidenced the intrinsic link between the city's economy and its cultural offer, and how that offer was affected by a number of the city's strengths, weaknesses, opportunities and threats identified within the Economic Strategy. For example, the challenges around developing office accommodation in the city centre. As the evidence for this review showed, many of our creative industry start-up businesses were struggling to find space to grow and develop, often resulting in them relocating elsewhere. Other issues identified within the economic strategy were also highlighted as part of this review e.g. graduate retention and how external perceptions about the image of the City were affecting its cultural offer.
16. York was placed 7<sup>th</sup> in Trip Advisor's Travellers' Choice top UK destinations in 2017. A significant number of the seven million visitors to the city every year are drawn here by its cultural offer. Spending by visitors is instigated in two ways. Some come to York primarily to visit cultural attractions, while others take part in cultural activities during trips that are made for other purposes, potentially extending trips and generating additional spending as a result.
17. York's rich history gives it a clear advantage, but the national tourism market grows increasingly competitive with towns and cities regionally and nationally investing heavily to attract the tourist pound.
18. Whilst York's heritage continues to be the centrepiece of its cultural offer, the diversity of its creative industries and its artists, businesses, entrepreneurs, festival organisers and retailers are also widely recognised. Furthermore, it is one of the best connected cities through its transport links and its ultrafast broadband network. The whole of the city's cultural offer is therefore of significant economic importance to York – as an employment sector, a driver of innovation and inward economic investment, and through its associated income generation (GVA<sup>1</sup>).
19. In addition to its fantastic history and heritage, York is the UK's only UNESCO City of Media Arts. Next year, a £1million international festival 'Mediale' will take place, bringing media art to life for people (for further

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<sup>1</sup> Gross Value Added (GVA) measures the contribution to the economy of each individual producer, industry or sector in the UK. It is used in the estimation of Gross Domestic Product (GDP). GDP is a key indicator of the state of the whole economy. In the UK, three theoretical approaches are used to estimate GDP: "production", "income" and "expenditure" When using the production or income approaches, the contribution to the economy of each industry or sector are measured using GVA.

information on Mediale see Annex 2, paragraphs 114-116). The Festival is seen as an important tool to showcase the city and encourage more inward investment based around York Central, the city's links to London, and its ultrafast broadband network, which as a combination makes York ideal for people working in the creative sectors who look to their environment for creativity.

20. The city's Guild of Media Arts was created to recognise and build on York's UNESCO status, to help develop an environment in which businesses and creative enterprises could flourish, using culture and creativity as drivers (for further information on the guild see Annex 2, paragraphs 13-18).
21. Creative industries represent York's fastest growing economic sector and add balance to its heritage assets and identity. Data collected by the Business Register and Employment Survey released in September 2016 showed that 4,500 are employed in the creative industries in York (based on the department of Culture, Media and Sports definition - see bullet point 3, paragraph 11 above).
22. The city's historic environment is also intrinsically linked to its economic activity, with a large number of those activities occurring within it, dependent on it or attracted to it. Thus, the economic value the cultural sectors bring to the city is increased by a variety of associated functions, e.g. the construction industry (maintenance of heritage buildings); conservation activity; investment in the investigation, research and display of archaeological sites and structures; education; other economic activity in historic buildings; and other businesses that benefit from spending by tourists, including shops, restaurants and hotels etc.
23. A Heritage Lottery Fund (HLF) study shows that historic buildings and the historic quarters of major towns and cities are the places where new ideas and new growth are most likely to happen. Research shows that the commercial businesses based in historic buildings in major cities are more productive and generate more wealth than is the average for all commercial businesses across the whole economy. For more information on the study findings, see Annex 1 paragraphs 30-32.
24. Not only does the range of economic activity associated with York's cultural offer help to make the city economically successful for its residents, it also brings a high quality of life. Culture and the arts drive pride in place and a sense of identity and belonging. They are good for social cohesion and mental health, reducing the impact on social care and health budgets. This high quality of life contributes to attracting new

businesses to the city and is a factor in retaining employers and residents in the city.

25. While York has always been recognised as a leading centre economically, militarily and educationally, it has also consistently been a leading spiritual centre, as the home of the Archbishop and due to the wealth and vibrancy of its spiritual landscape. While the Minster is a jewel in the crown of York's tourism offer, the church and faith communities' strand of the city's history is also a significant part of York's story and form a large part of its cityscape (see Annex 2, paragraphs 89-101).
26. The Role of City of York Council (CYC)  
The Council has previously had a defined leisure and culture function with a dedicated team delivering those services, but this is no longer the case and its current role is that of a participant and collaborator, influencing and linking into the networks that are in place. The Council has a long history of establishing successful independent bodies to provide cultural services. These include York Museums Trust and more recently York Explore and Make It York.
27. The Council contributes both to Make It York (MIY) and Welcome to Yorkshire. It is also a member of a number of partnerships which have been created to enable joint initiatives and better collaboration both across the sector and with Council departments, including York Cultural Education Partnership, Culture & Wellbeing, an Arts & Place Group, and a Cultural Leaders Group.
28. The city's Cultural Leaders Group pulls together high-level creative and cultural leaders and managers from the larger organisations in York, including English Heritage, York Museums Trust, Aesthetica, Make It York, the National Trust, the National Railway Museum and the Guild of Media Arts.
29. The Independent Review of Creative Industries by Sir Peter Bazalgette, September 2017 (the 'Bazalgette Review')  
The review was commissioned from former Arts Council Chair Sir Peter Bazalgette by the Government's Business and Culture Secretaries and was published in September 2017. The Report on the review was requested as part of the activity projected by the Industrial Strategy Green Paper and, as such, its recommendations could form part of ongoing Government policy, including 'Sector Deals' for specific areas of the economy. In preparing the Report its author worked closely with the

Creative Industries Federation, a large membership based advocacy body, and the smaller industry-led Creative Industries Council.

30. It is important to note that the term 'Creative Industries' is used in the Report to apply to all nine sub-sectors defined in successive DCMS Mapping Documents, 'Advertising and marketing; Architecture; Crafts; Design; Film, TV and Radio; IT, Software and Computer services; Museums, Galleries and Libraries; Music, Performing and Visual Arts; Publishing'. This is identical to the 'culture sector' as we refer to it in York. The Report usefully describes how the sub-sectors reinforce one another through mutual interdependence, and have beneficial impacts that reach beyond 'its irrefutable economic contribution' to international soft power, to influence on other sectors, and to measures of wellbeing.
31. The Report argues that the current success of the sector in absolute and relative economic terms appears will continue, provided the framework for development is right. The core recommendation is that a £500m fund is used to support Creative Clusters as part of a Sector Deal, using the City Deal model currently employed in English regions. It refers to the existing Arts and Humanities Research Council (AHRC) Creative Clusters programme to invest £39m in industry-driven research and development activity. It notes that success depends on recognising that creative talent is widely distributed, and that understanding what factors drive successful clustering for the sector will enable more cities and regions to participate. The keynote of the discussion is the importance of the local authorities in these areas showing 'leadership, commitment and vision'.
32. The Report gives consideration to the protection of Intellectual Property, to the importance of digital infrastructure to enable clustering, of access to finance with appropriate sector expertise, and to the significance of the supply and nature of workspaces and studios.
33. A significant section is concerned with talent development, recognising that there are barriers to entry to the sector at all educational levels and that many groups may find their aspirations blocked. Two more specific sections relate to the screen-based industries and to reaching international markets.
34. The nineteen recommendations of the Report are for Government to consider. However, the thinking they embody, especially if the recommendations are taken up, is likely to shape the policies and attitudes of the national organisations with which York works. For instance the Report continues the policy direction of the Arts Council's

current Chair, Sir Nicholas Serota, who in 2016 spoke of a 'fresh start' in the relationship with local authorities with a devolution deal, whether through a city-region or combined authority.

35. In a similar report 'The Geography of Creativity in the UK' published by NESTA in September 2016, 47 creative clusters were identified across the country based on 'travel to work areas'. York is not identified as one of the 47 creative clusters due to the way the data was collected. However it is named in the report as an example of another location where there is significant creative activity. The closest cluster to York was Leeds and Harrogate. Arguably York has as many preconditions for success as the places that are included. For example, an audit of current initiatives underway in York would include the University of York's Digital Creative Laboratories leading a Yorkshire-wide bid for the screen-based industries, which in turn is based on Screen Yorkshire's successful partnership planning with British Film Institute support; York Cultural Education Partnership's commitment to ensuring that every young person encounters and has the opportunity to be inspired by creative and media arts; and appropriate workspace is high on the agenda in discussion of York's Local Plan and redevelopment plans.

### **Issues Identified**

36. In gathering information specific to the review objectives, a number of recurring themes arose during the meetings with representatives of the various city organisations, as detailed below:
37. Objective (i) – Attracting Economic Investment  
Many consultees agreed that York's role in the wider Yorkshire offer needed greater clarity and promotion. They felt that more could be done to attract more world-class events, and to further establish York's identity in events held across Yorkshire in which the city could play an even greater part i.e. improving the city's profile beyond its borders.
38. Several organisations highlighted the need to attract and retain younger people to the city - evidence suggested the limited number of premises which offer space for start-up businesses to grow and develop was a barrier to supporting and keeping starts ups in the city, and many younger people were leaving the city to pursue their careers. In order to fill the jobs the city is trying to create, and encourage more start-up business, the Task Group proposed that a better understanding about the reasons for the exodus was needed at city, civic and cultural leaders' level.

39. It was also suggested that while the city is strong in innovation and talent with some 'star' companies, there is a sense of fragility and some concern that York lacks support for growth in a company's early stages. Specifically in regard to the city's young, talented artists, evidence suggested many were leaving the city because there was nowhere for them to express their talents. It was therefore proposed that the city should improve its support for contemporary arts.
40. In recent years York has been described as a City of Festivals and some of those festivals are clearly useful both as attractions in their own right and as a tool for community engagement. Nevertheless many organisations felt that the idea of holding fewer but better quality festivals should be considered. Consultees pointed out those festivals which disappoint may devalue other festivals, damaging whatever brand identity has been created. They therefore suggested that strong quality control was fundamental to the city's long-term festival programme, if it was to continue to generate economic investment.
41. Generally, there was a perception that York was being held back due to a lack of confidence and that the city needed to raise its game. While there is an inherent belief that people will come to York because of its cultural offer, it is becoming an increasingly competitive market and other cities (e.g. Liverpool and Hull) are doing more to attract visitors. Many felt that York could extend the range of its visitor experiences, suggesting the city was not setting its sights high enough and could be in danger of being left behind.
42. Objective (ii) – CYC's Role in Supporting the City's Cultural Sector  
In recognition of the importance of the city's cultural sector, not only for tourism and employment, but also in attracting new businesses to the city, many of the consultees felt it was important for the Council to make a statement of commitment to the cultural sector to recognise their value to the city's economy. They also agreed that the Council could:
- Strengthen its cultural leadership;
  - Better facilitate ways of bringing organisations together;
  - Better articulate what we do as a city;
  - Be clearer about York's position locally, regionally and nationally
43. In regard to MIY, a number of the consultees suggested there was a lack of clarity among the city's cultural sector about its function. For example, whilst MIY is working to tie together the sub-sectors of the city's cultural

offer (as evidenced by initiatives such as Mediale and the development of digital arts), there was a feeling amongst some that MIY was competing with cultural bodies for Arts Council money, rather than supporting them. They agreed it would be beneficial if the Council took a strategic view with regards to culture, and MIY facilitated greater co-production, co-operation and collaboration in the city, and provided a co-ordinating role for joint funding bids in order to make sure the most is made of what funding is available.

44. Feedback from the Arts Council suggested they consider York to have quite high levels of cultural engagement against the national average; therefore York would not normally be a priority. However, they made it clear they would back the ambitions of any council which invests in arts and culture, or which finds innovative models for developing the cultural future of their city. Traditionally, the amount of funding granted by the Arts Council has been dependent on a city's ambition and commitment, the quality of its bid and the match funding it is prepared to put forward. All of these factors were taken into account when bids were assessed. More recently in recognition of the reduced budgets of local authorities, there has been less emphasis on match funding. In York, a lack of strategy appears to be affecting its ability to attract funding, but the Arts Council has indicated that if CYC made a clear commitment to the development of its cultural sub-sectors, it would respond.
45. A number of consultees drew attention to the problem of way finding around York. They agreed that signage was inadequate and the finger posts around the city were unsuitable for guiding visitors to lesser known places of interest.
46. MIY suggested that visitor enjoyment was being marred by incidents of anti-social behaviour. Evidence showed that because York is seen as a safe and easily accessible city with a concentration of entertainment venues, it has become a magnet for daytime drinkers on a Saturday. Whilst this contributes significantly to the hospitality industry, it was the view of a number of consultees, that it was having an adverse impact on the city centre, evidenced by a decrease in city-centre footfall on Saturdays and an increase in footfall on Sundays. In their view it was damaging York's reputation and threatening the viability of some events.
47. Objective (iii) – Improving Joint Working Among Cultural Organisations  
The cultural providers acknowledged that standing still was not an option for them, whether artistically, in their learning and volunteering practice, or in their venue infrastructure. They agreed that while there had been some operational joint working between organisations for some time



(e.g. sharing premises and box office functions), they could all benefit from more strategic collaborations and more collaborative promotion of the city as a place of world-class cultural importance.

## Analysis

### 48. Objective (i) – Attracting Economic Investment

The Task Group recognised that the city's UNESCO designation provided a new communication channel for the city to promote its identity and its potential as a place to visit and in which to do business. They agreed that York's biggest opportunity was to exploit and promote its UNESCO status, by mobilising its wider cultural offer around it, wherever possible. York is involved in partnerships with two sub-groups, the UK Creative Cities, and the worldwide Media Arts Cities. All 180 Creative Cities are in active dialogue through exchange and conferences. It was agreed that the increased exposure to a refreshed identity for the city that would result from e.g. hosting the UNESCO Creative Cities Annual Conference, would be likely to increase the value of tourism and trade.

49. Referencing Mediale (see paragraphs 114-116 of Annex 2), the Task Group agreed that such initiatives were one of the ways in which different types of people might be attracted to the city, thereby expanding the opportunity for additional GVA.

50. Furthermore, the Task Group agreed the city's heritage attractions are among the best in the UK and should be used where ever possible to support opportunities to attract inward investment. They agreed that York has only just started to explore how it might use its heritage in new and imaginative ways to support the other cultural sub-sectors e.g. the City Walls could be used as a back drop for displaying visual/digital arts.

51. They also agreed with the consultees that new ways of attracting visitors could be developed, e.g.:

- Explore York and the Borthwick Institute both hold invaluable archives relating to York and the wider Yorkshire region which presents the city with an opportunity to develop heritage tourism. The popularity of television programmes such as 'Who Do You Think You Are?' and the ease of discovering family trees via the internet has seen a huge growth in heritage tourism in other parts of the UK. The Task Group acknowledged that from an international perspective most of the ancestral tourists wanting to walk in the footsteps of their ancestors and learn more about their real life history, would be from the English speaking world, such as the United States, Canada,

Australia, New Zealand and South Africa. In the main, they would be high-end visitors to the city staying in the more expensive hotels and eating at the more expensive restaurants. In addition there was also the potential of attracting UK visitors and day visitors, all of which would bring more money into the local economy.

- A project to raise the profile of its Roman history could have huge benefits for the city - the city celebrates its Viking heritage in many ways, including the Jorvik Viking Centre and Europe's biggest annual Viking festival. Whereas, the city's Roman past is overshadowed, even though its international status is built on its Roman foundations. Consultees suggested that greater emphasis should be place on the city's roman past.
- The city's youngsters could be encouraged to learn more about and better value its history and heritage. – The Task Group learnt that one of the current projects of the Cultural Education Partnership is the Culture Pledge. This lists cultural activities and experiences that a young person studying in York might expect to have access to, which includes items such as to walk the Walls and visit attractions e.g. the Minster, museums, York Theatre Royal and the National Railway Museum. The Task Group were pleased to note that the objective of the Pledge is to instil an appreciation of the city's cultural offer from an early age.

52. The Task Group noted that because of the change in the way the Business Register & Employment Survey (BRES) figures for 2016 had been recorded i.e. to now include solely PAYE based businesses with employment counts of less than 20, there was no evidence to show what if any increase there had been in the number of creative sector jobs in York since 2015 (see Annex 2 paragraph 45). The Task Group agreed that going forward this should be monitored and positive action taken to address the exodus of young people and start-up businesses (see paragraph 31 above). Acknowledging that the use of heritage buildings for businesses (see paragraph 22) and more investment to create additional SME work space could help maintain and increase the number of creative sector jobs, thereby benefiting the economy, the Task Group questioned what more could be done to better utilise the city's stock of historic buildings. For example, using the empty space above existing city centre shops to help meet the demand from growing and start-up businesses, which are looking for accommodation in the city centre with easy access to the railway station. They agreed this would go some way to addressing the limited number of suitable available premises in the city for start-up businesses to grow and develop, which in turn may assist

in addressing the drain of York's younger talented/skilled workforce. They accepted that the CYC may be able to influence this through its Asset Management Strategy and the future development of its commercial portfolio.

53. The Task Group acknowledged the issue of revellers and anti-social behaviour and its effect on the city centre particularly on a Saturday afternoon. They recognised that a co-ordinated response would be required if the issue was to be properly addressed and were pleased to note the ongoing work of the AVANTE Group and its Operation ERASE (see Annex 3). The Task Group took account of the good work already undertaken by the AVANTE Group, and the evidence that showed when there are family events in the city e.g. Sky Ride, instances of ASB were greatly reduced. They suggested that the Cultural Leaders Group could lead on the development of a complementary approach, using the city's cultural offer to either re-position families and visitors away from the drinking hotspots on a Saturday afternoon and/or increase the saturation of cultural visitors to the city centre on a Saturday afternoon in order to dissipate the public's perception of revellers and ASB.
54. In regard to the Bazalgette Review report, the Task Group questioned why York had not been featured as a creative cluster when it could be argued it had many of the pre-conditions for success as the places that had been included. They accepted that the determination of successful cities can be affected by such factors as their boundaries. In the case of York the local authority boundary excludes some areas where previous studies, for instance by Burns Owen Partnership in a 2010 report, counted a substantial number of creative businesses based outside of the city that look naturally to York for their networks and service requirements. The Task Group agreed that the creative profile of York and its role as a hub for those creative sector organisations based outside the city boundary would benefit from improved promotion and partnership working with neighbouring authorities, in order to improve the city's ability to access future funding opportunities. The Task Group also noted that cluster designation came as a result of the provision of appropriate data to certain bodies. Recognising that being identified as a cluster city provided more funding opportunities, the Task Group agreed it may be worthwhile for York to gather and submit the relevant data in the future.
55. Objective (ii) – CYC's Role in Support of the City's Cultural Offer  
The Task Group agreed the Council's role and that of MIY needed clarity. They recognised that the Council's role should be one of strategic leadership, and agreed MIY's role should be to ensure appropriate

collaborative working arrangements and support is in place to help steer the city's cultural partners and co-ordinate funding bids etc.

56. In consideration of the relationship between the Council, Make it York and Welcome to Yorkshire, the Task Group accepted that a stronger relationship between Make it York and Welcome to Yorkshire could bring additional benefits to York, e.g. Welcome to Yorkshire could be encouraged to further promote York's events and attractions on a broader regional, national and international stage. They agreed there were opportunities to be gained through the Yorkshire brand, without losing sight of York's own brand. They also agreed that as the Council was as an investor in both bodies, it was in a position to encourage positive change.
57. In regard to city centre open spaces, noting that the current infrastructure did not best facilitate the staging of major public events, they questioned how and when the Council would be progressing its intention to seek the necessary funding to undertake a '*Programme of maintenance and enhancement of the public realm in York city centre to improve its attractiveness as the 'shop window' of the city.*' as stated in the city's Economic Strategy.
58. They also recognised that maintaining cultural assets and supporting improvements in the city's cultural offer was costly. The Task Group looked at the potential for introducing a nominal hotel tax to help meet this cost and ease the burden on Council Tax payers who fund local services which are under pressure as a result of visitor numbers.

*The Task Group discovered that over the past decade or so, several UK cities have considered introducing an additional tax on overnight stays. Notable examples include Edinburgh, Camden and most recently Bath, but none have been introduced as yet. The specified purpose of this tax would be to contribute towards the cost of maintaining public realm spaces e.g. rubbish collection etc. The Task Group recognised that in York city centre some of this work is already being done through the Business Improvement District, and as it is not within a local authority's current power to introduce this additional tax on a mandatory basis, its future implementation would be dependent on gaining additional devolved power from Government or hotels signing up on a voluntary basis. The Task Group therefore agreed that this was not the way forward for York.*

59. Objective (iii) – Improving Joint Working Among Cultural Organisations

The Task Group noted that the 'Vespertine' programme which took place 2014-16 (see paragraphs 117-118 of Annex 2) was a result of collaboration between arts and culture partners. Recognising the success of that event, and the benefits that improved joint working could bring, the Task Group questioned how best to bring together those working in the arts and cultural sectors and agreed with the consultees that the city would benefit from a more co-ordinated approach and that MIY should be the conduit to making this happen – see paragraphs 35 & 45 above.

60. They also suggested that linking the cross-promotion of cultural attractions into improved way-finding opportunities would be a positive way forward and would benefit the smaller less well known attractions. They were therefore pleased to note the inclusion in the Economic Strategy of a commitment by the Council and its partners to '*Roll out a comprehensive creative approach to digital signposting / communicating what's on and things to do in the city, which is accessible both virtually (e.g. through apps) and physically at key points in the city*'.
61. Finally, the Task Group accepted that as employers and through their contribution to the city's cultural offer and visitor experience, the churches and faith communities were a driver for attracting tourists, businesses and incomers. They therefore agreed they should be included in any conversation about enhanced co-operation across the cultural sub-sectors.

## **Conclusions**

62. The Task Group agreed:
  - The value of the cultural offer on the economy of York cannot be overestimated, but it is difficult to monetise and isolate the added value or net impact of the activities attracted to or embedded within it.
  - The cultural offer's three sub-sectors (see paragraph 11) are all drivers for attracting economic investment.
  - York has yet to take full advantage of its UNESCO designation or meet all of its UNESCO obligations. It needs to be more ambitious and co-ordinated in terms of its creative credentials and its full cultural offer, and programming and promotion needs to be improved, with more effective collaboration between cultural organisations. The key going forward is initiatives such as Mediale which successfully tie

together a modern and contemporary cultural offer with the city's heritage.

- The Council should demonstrate its commitment to the city's cultural sector and its ability to attract inward investment, by taking a strategic lead, giving more clarity on its role, what its expectations for the city are, what it can offer and what needs to be promoted.
- The role of Make it York should be clarified through the renewing of its Service Level Agreement
- The economy would benefit more from investment in the creation of work spaces for SMEs in and around the city centre.
- The number of tourists attracted to York places a lot of pressure on the city centre infrastructure. It is therefore important that the Council and its partners' progress their commitment to a programme of maintenance and enhancement of the public realm in the city centre (as detailed in the city's Economic Strategy - see paragraph 56), as this would also ensure the safety and viability of major outdoor events.
- It is essential the visitor experience is joined up and way-finding needs to improve. It is therefore important that the Council and its partners progress their commitment to this, as detailed in the city's Economic Strategy (see paragraph 60).

### **Review Recommendations**

63. In order to advance the aim of York's Economic Strategy to 'Make a Fresh Loud Statement of Cultural & Visual Identity', and positively influence the Art Council's consideration of future funding bids, the Task Group agreed to recommend the following:
- i. The Council should demonstrate its commitment to the city's cultural sector by progressing the development and promotion of a clearly defined Cultural Strategy with the Cultural Leaders Group, with the Council showing leadership in its creation and adoption. This should include the provision of:
    - A one-off sum of £20k early in the new financial year, to support its development;
    - An ongoing sum of £6k annually for secretarial services;

- ii. The Council should support the Cultural Leaders Group in working as a cohesive unit to build and achieve wide acceptance of that Cultural Strategy
  - iii. As part of renewing MIY's Service Level Agreement, the Council should clarify the role of Make It York in supporting York's cultural sector and offer, and ensure it:
    - Develops a narrative about York's ambitions with cultural partners;
    - Improves its collaboration with Welcome to Yorkshire
    - Facilitates greater collaboration and co-operation between the cultural sub-sectors in the city
    - Co-ordinates future funding bids to the benefit of all cultural providers
  - iv. The Council should work with BID to explore all means available of achieving improvements to the public realm in the city centre, particularly Parliament Street.
  - v. The Council should seek ways of protecting and utilising the city's stock of historic buildings to attract more growing business, rather than increasing residential use, by encouraging imaginative approaches to redevelopment through the Local Plan and master-planning frameworks, and through its Asset Management Strategy and the future development of its commercial portfolio.
64. The Task Group recommends that Make It York:
- vi. Concentrates its focus on higher quality events and festivals in the city centre to protect the York festival brand and maximise their GVA.
  - vii. Works with BID and other interested parties e.g. York Civic Trust, to devise a comprehensive 21<sup>st</sup> century system of way-finding within the city using all available methods and technologies incorporating smaller cultural providers into those way-finding opportunities to expand the city's promotion of its full cultural offer.
65. The Task Group recommends that the Cultural Leaders Group:
- viii. Explores the suggestions for new initiatives identified through the consultation for this review, as listed at paragraph 51 above.

## Council Plan

66. This review supports A Prosperous City For All; A Focus on Frontline Services and A Council That Listens to Residents elements of the Council's Plan 2015-19.

## Implications

67. The following implications have been identified as a result of the review draft recommendations in paragraphs 63-66 above.
- **Financial:** To support the Cultural Leaders' Group by making available secretarial services would require a budget of around £6k p.a., and a one-off sum to support the development of a cultural strategy would need to be in the region of £20k. The council received 156k from the Leeds city region business rates pool, and to date no allocations have been made from this. If the Executive were minded to approve Recommendation (i) this funding could be used to cover the 20k one off funding, and possibly up to 3 years of secretarial support.
  - **Human Resources (HR)** If the recommendations are agreed, secretarial support will be provided in accordance with the council's HR processes.
68. There are no Legal, Equalities, Crime & Disorder, IT, Property or other implications associated with the recommendations arising from this review.

## Risk Management

70. York is facing a growing challenge from other towns and cities throughout the UK that are actively promoting their own heritage, arts and culture offers. If York were to slip down the UK list of key destination cities this could impact on both the tourism economy and further inward investment. There is therefore a clear risk to the city' economy if the city has no defined strategy in place to promote and co-ordinate its offer.

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Report Approved  Date 03/11/2017

**Wards Affected:**

All



For further information please contact the author of the report

**Background Papers:** None

**Annexes:**

Annex 1 – Information Gathered

Annex 2 – Information Gathered from Consultees

Annex 3 – Information on work of the AVANTE Group

**Abbreviations:**

BAFTA – British Academy of Film & Television Arts

BRES – Business Register & Employment Survey

CYC – City of York Council

DC Lab – Digital Creativity Laboratory

DCMS – Department of Culture, Media and Sports

EDAT – Economic Development & Transport Policy & Scrutiny Committee

EU – European Union

FTE – Full Time Equivalent

GDP – Gross Domestic Product

GVA – Gross Value Added

IT – Information Technology

MIY – Make It York

NPO – National Portfolio Organisation

PAYE – Pay As You Earn

UNESCO – United Nations Educational, Scientific & Cultural Organisation

YAT – York Archaeology Trust

YMT – York Museum Trust

YTR – York Theatre Royal

WHS – World Heritage Sites

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## **Impact of the Arts and Culture Sectors on the Economy of York Scrutiny Review**

### **Information Gathered**

1. In support of the review objectives listed in paragraph 5 of the final report, the Task Group considered information on the following:
  - York's Local Plan, which now has a stronger cultural element;
  - Regional & National Information & Comparison Data provided by Historic England;
  - The Culture White Paper published by the Department of Culture, Media & Sport in March 2016;
  - Heritage Lottery Fund Research

### **Local Plan**

2. Since the Task Group started its work on this review the cultural element of the Local Plan has been strengthened with additions including:

#### **Vision and Development Principles**

- York aspires to be a city whose special qualities and distinctiveness are recognised worldwide. The Local Plan aims to deliver sustainable patterns and forms of development to support this ambition and the delivery of the city's economic, environmental and social objectives. This will include ensuring that the city's place making and spatial planning policies reflect its heritage and contemporary culture contributing to the economic and social welfare of the community whilst conserving and enhancing its unique historic, cultural and natural environmental assets. The plan will ensure that the vision and outcomes are delivered in a sustainable way that recognises the challenges of climate change, protects residents from environmental impacts and promotes social, economic and cultural wellbeing.
- The Plan recognises the critical importance of York city centre as the economic, social and cultural heart of the area. By the end of the plan period, York city centre will have strengthened its role as a regional commercial, shopping, leisure, culture, tourism and entertainment destination through:
  - ensuring development contributes to the creation of a world class, high quality, accessible public realm;

- increasing the supply of modern retail units, enhancing department store representation to attract a broader range and quality of multiple retailers to trade whilst enabling the growth of the already strong, quality, independent sector;
  - improving the tourism, cultural and leisure offer by ensuring a flexible approach to the use of land;
  - ensuring development sustains, enhances and adds values to York's culture;
  - developing an improved high quality affordable office space offer for small enterprises and start-ups in the arts, creative, digital media and related industries;
  - protecting and enhancing its unique historic and cultural assets;
  - protecting and enhancing its existing office provision complemented by commercial development on the adjacent York Central site; and
  - pursuing improvements to sustainable transport infrastructure.
- The built environment is the most tangible expression of a city's character and culture – its past, its present, its aspirations for the future. Over the plan period, the Local Plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character and contemporary culture and encourages opportunities for rediscovering and reinterpreting those assets which make it an attractive, beautiful and accessible city. Enhancing York's physical appearance, improving accessibility and improving its image and perception are vital if the city is to increase investment, employment, and wealth and wellbeing.
- York's past informs its future so both its heritage and its approach to innovation are important for the city's future success and wellbeing. The city's unique historic character and setting is an essential component of its continued economic success as well as being valuable in its own right. York's outstanding architectural and archaeological heritage contributes to the city's special significance, distinctiveness and sense of place. Implementing the Local Plan should ensure that the city's heritage assets are preserved and enhanced. These assets include the architecture and archaeology of its historic centre, its skyline, views, street patterns, the Minster and its precinct, the Medieval and Roman walls, Clifford's Tower, Museum Gardens and other open spaces.

- York is also a UNESCO City of Media Arts. Given this status, it is equally important that York increasingly becomes, and is perceived as, a forward-looking and creative city, one that values learning, retains its graduates, attracts investment, and supports its creative, digital, and innovative industries. In this, place-based and proactive spatial planning and the encouragement of excellent design in buildings and public spaces, have an important role to play. Protection and enhancement of the city's arts and cultural assets should be part of the Local Plan's implementation, with new assets and resources created whenever possible.
- By the end of the plan period York's Green Infrastructure, including open space, landscape, geo-diversity, bio-diversity and the natural environment, should have been both conserved and enhanced. Its role in promoting the city's economic, cultural and social aspirations, particularly in terms of contributing to a beautiful, legible, accessible and healthy city, should have been optimised.

#### Economy and Retail

- A key aim of the Council's Economic Strategy 2016 (see section 7 page 19 of Strategy), is to continue to creatively develop York's tourism and culture offer and to raise the city's profile as a quality visitor destination.
- Tourism, leisure and cultural developments should be directed towards the city centre or other particularly significant attraction locations like York Racecourse with its conferencing facilities.
- Where suitable sites are not available in the city centre, sites in edge- of-centre locations will be considered and, if no suitable sites are available in any of the preferred locations, out-of-centre sites will be considered. Where edge-of-centre or out-of-centre sites are considered, preference will be given within each category to accessible sites that are well connected to the city centre.

#### Place-making, Design and Culture

- Good place-making is the key driver of this Plan. A Local Plan is a spatial planning policy, but spatial planning and the overall planning and making of 'place' are inseparable.
- Successful place-making is a creative, practical, and continual process. It is underpinned by a holistic approach to community wellbeing that embraces health, economy, culture, and the

environment. It requires leadership combined with clear and widely-owned policy and practice developed in partnership between a local authority and all of its stakeholders. It is typified by strong and ongoing community engagement, as well as professional involvement, in the planning, design and management of new and regenerated places.

- York is a unique place with special character. History has created one part of this character, and the city's historic built and historic environment is of outstanding quality. The other part of York's specialness is its expression of contemporary culture and its aspiration. Our vision is for a city dedicated to innovation melded seamlessly with its heritage and expressed through a future-oriented culture of creativity, entrepreneurship, and learning.
- This integration of past and future, of tradition and innovation has been central to York's economic success in the past and will continue to be so in the future. York's special characteristics are key benchmarks when considering the quality of future development and the contribution it will make to the city's social, economic, environmental and cultural wellbeing.
- Development proposals should be of high design standards at all scales – from master planning to individual building and open space design. To complement this legacy these developments should not attempt to ape the past but instead should simply be based on good design. Good design should be fit for purpose, sustainable, efficient, coherent, flexible, responsive to context, attractive and a clear expression of the requirement of a particular brief. It should seek to add to the city's overall cultural quality as a place, and also enhance its cultural capacity – its ability to create opportunities for cultural creation, expression, learning, sharing, and enjoyment. Good design can be demonstrated through engagement in peer-review design panels and meaningful public engagement and this will be encouraged and supported.
- Good place-making and design and the culture identity that arises from them starts with a clear understanding of what makes the city and its surrounding villages.
- There are a number of existing studies that will assist the process of analysing character and significance, and they should always be used to guide development proposals. These include Conservation

Area Character Appraisals and Statements, the City of York Streetscape Strategy and Guidance (2014), the 2014 review of the 'York Development and Archaeology Study', the York Heritage Topic Paper the Historic Environment Characterisation Project, York New City Beautiful (2010). Reference should also be made to the background studies referred to in Section 9: Green Infrastructure and Section 10: Approach to Managing Appropriate Development in the Green Belt and, where relevant, Village Design Statements and Neighbourhood Plans. Complementing this, a Cultural Strategy for York is also currently in the early stages of development.

- In meeting the policy requirements of this section of the Plan, applicants will be required to describe the significance of heritage assets likely to be affected by development, including any contribution made by their setting, most likely set out in a supporting Heritage Statement. The extent of such an appraisal should be proportionate to the asset's importance and no more than is sufficient to understand the impact of the proposal on its significance. The Council will also want to understand how the city's culture and cultural capacity will be affected by developments. Applicants in appropriate developments will be required to submit a Cultural Wellbeing Plan.
- Cultural wellbeing is identified as one of the twelve core planning principles underpinning both plan-making and decision-making in the National Planning Policy Framework (NPPF). Development proposals will be supported where they are designed to sustain, enhance, and add value to the special qualities and significance of York's cultural character, assets, capacity, activities, and opportunities for access.
  - i) Development proposals will be supported where they:
    - Enable and promote the delivery of new cultural facilities and/or activities and services such as permanent and temporary public arts
    - Provide facilities, opportunities, and/or resources for cultural programmes and activities, during an/or after the development period
    - Do not cause the loss of cultural facilities, activities, or services
    - Do not cause the loss of venues or spaces, including in the public realm, that deliver cultural opportunities, activities, or

## services

- ii) The master planning on all strategic sites, of whatever scale, will need to include an assessment of the current status and need relating to culture and its provision. This assessment should be included in a Cultural Wellbeing Plan, which should also describe how the four criteria of above section (i) are satisfied. In addition to demonstrating enablement of cultural facilities and/or services, the Plan can also refer to:
- Citizenship through participation
  - Encouragement through leadership
  - Fostering long term benefits
  - Encouragement of diversity
- Culture can and does contribute positively to York's local character by responding to the underlying structure, distinctive patterns and forms of development and local culture. Development should deliver a multi-functional public realm comprising streets and spaces that can accommodate a range of appropriate arts and cultural uses and activities both now and in the future, providing animation, vitality and inclusion.
- Major development schemes and significant schemes at whatever scale should also enable the delivery of permanent and temporary public arts, promoting a multi-disciplinary approach to commissioning artists in the design process itself. Facilities and resources, including funding, for arts and cultural activity both within and beyond the development period itself (for example via a legacy trust), will also be supported.
- Cultural facilities add value and support to community participation, wellbeing and development. The City of York's residents demonstrate pride in their cultural diversity. The City of York is keen to protect these capacities to engender community cohesion and civic pride. As part of good place-making, cultural quality, assets, and opportunities can also add to the attractiveness and value of development schemes.
- When a new cultural facility or programme is required, it should be accessible for local residents as well as visitors, and be a place where cultural diversity can be explored and enjoyed. Furthermore,



to build on existing opportunities, proposed developments which have a significant impact, at whatever scale and those directly related to the cultural industries, will be required to contribute towards enhancing public realm through the promotion of the public arts, cultural diversity and provision of additional facilities and activities where appropriate.

- Where needed to manage and promote cultural wellbeing, the council will seek to work with stakeholders as appropriate in the preparation of sustaining, enhancing and adding.

### Cultural Heritage Landscape

The Aim of this part of the Plan is to:

- Conserve or enhance York's historic environment, cultural heritage, character and setting
  - Preserve or enhance the special character and setting of the historic city
  - Promote or enhance local culture
  - Preserve or enhance designated and non-designated heritage assets and their setting
  - Preserve or enhance those elements which contribute to the 6 Principle Characteristics of the City as identified in the Heritage Topic Paper.
- Protect and enhance York's natural and built landscape
  - Preserve or enhance the landscape including areas of landscape value
  - Protect or enhance geologically important sites;
  - Promote high quality design in context with its urban and rural landscape

### **Regional Information**

3. In October 2016, Historic England published Heritage and the Economy 2016 presenting key facts and figures which illustrate the benefits that the historic environment brings to the economy.
4. The headline statistics are:
  - Heritage directly contributed over £756.5m in GVA in Yorkshire and the Humber in 2013;

- In 2013, there were over 14,400 people directly employed in heritage in Yorkshire and the Humber ;
- In 2014, heritage tourism generated nearly £1.1 billion in spending by domestic and international visitors in Yorkshire and the Humber;
- Repair and maintenance of historic buildings in Yorkshire and the Humber directly generated £682m in heritage-related construction sector output in 2015.

5. Historic England found that heritage directly contributed over £756.5m in GVA in Yorkshire and the Humber in 2013. This figure increases to over £1.6 billion when direct, indirect and induced heritage GVA is combined. This is equivalent to 1.6% of total GVA in Yorkshire and the Humber.

6. Total GVA (m) (Direct, indirect and induced)

| Area                                  | 2011     | 2012     | 2013     |
|---------------------------------------|----------|----------|----------|
| Yorkshire & the Humber                | £1,980.7 | £1,724.4 | £1,638.4 |
| % of total GVA for Yorkshire & Humber | 2.0%     | 1.7%     | 1.6%     |
| England                               | £21,363  | £21,116  | £21,697  |
| % of total GVA for England            | 1.7%     | 1.7%     | 1.6%     |

7. In 2013, there were over 14,400 people directly employed in heritage in Yorkshire and the Humber. Including indirect and induced employment, this number increases to over 28,900. The number of people employed has declined from 32,600 in 2011 primarily due to a decline in heritage construction employment.

8. In 2014, heritage tourism generated nearly £1.1 billion in spending by domestic and international visitors in Yorkshire and the Humber. In total, it is estimated that there were 1.6m domestic overnight trips, 15.5m domestic day trips and 710,000 international visits to Yorkshire and the Humber in 2014.

| Heritage-related visitors (2014) | Heritage -related spend (m) | Heritage-related trips/visits (m) |
|----------------------------------|-----------------------------|-----------------------------------|
| <b>Domestic overnight</b>        |                             |                                   |
| Yorkshire and the Humber         | £342                        | 1.60                              |
| England                          | £3,549                      | 15.94                             |

| <b>Domestic day</b>                         |         |        |
|---|---------|--------|
| Yorkshire and the Humber                    | £457    | 15.5   |
| England                                     | £4,978  | 156.43 |
| <b>International</b>                        |         |        |
| Yorkshire and the Humber                    | £295    | 0.71   |
| England                                     | £9,856  | 17.38  |
| <b>Total (domestic &amp; international)</b> |         |        |
| Yorkshire and the Humber                    | £1,094  | 17.8   |
| England                                     | £18,383 | 192.7  |

9. Compared to the national average, as shown in the figures below, heritage-related domestic visit spending provides a proportionally higher source of tourism income in Yorkshire and the Humber than nationally. Consequently, heritage-related international visitor spend accounts for a significantly lower proportion of tourism income in the region.
10. Distribution of total heritage spend

|                      | <b>England</b> | <b>Yorkshire and the Humber</b> |
|----------------------|----------------|---------------------------------|
| Domestic overnight   | 19%            | 31%                             |
| Domestic day         | 27%            | 42%                             |
| International visits | 54%            | 27%                             |

11. Heritage Construction  
Heritage-related construction plays an important part of Yorkshire and the Humber's construction industry and the historic environment forms a vital part of our nation's infrastructure, providing premises for businesses; homes for residents; and amenities and utilities for communities and visitors.
12. Repair and maintenance of historic buildings in Yorkshire and the Humber directly generated £682m in heritage-related construction sector output in 2015. This is equivalent to 7.1% of total construction output or 22% of the repair and maintenance output.

| <b>Yorkshire &amp; the Humber construction output (m)</b> | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> |
|---|-------------|-------------|-------------|-------------|-------------|
|---|-------------|-------------|-------------|-------------|-------------|

|                                       |        |        |        |         |        |
|---------------------------------------|--------|--------|--------|---------|--------|
| Heritage-related construction         | £734   | £705   | £720   | £792    | £682   |
| All Construction                      | £8,967 | £8,573 | £8,974 | £10,249 | £9,584 |
| Heritage as a % of total construction | 8.2%   | 8.2%   | 8.0%   | 7.7%    | 7.1%   |

### National Information

13. Historic England noted that while Heritage is an important source of economic growth and prosperity it is difficult to monetise and isolate the added value or net impact of heritage from the activities attracted to it or embedded within it.
14. The economic value and impact of heritage can come from a variety of sectors and functions, including: tourism; the demand from the construction sector to service heritage buildings; conservation activity; economic activity in historic buildings; investment in the investigation, research and display of archaeological sites and structures and education.
15. In 2013, heritage directly generated £10 billion in GVA in England. If indirect and induced effects are considered, heritage sectors' contribution to GVA increases to £21.7 billion. This is equivalent to 2% of national GVA. In 2013, there were 164,100 direct heritage jobs in England. If indirect and induced heritage employment is included then this figure rises to 328,700 heritage jobs or 1% of total national employment.
16. In total, domestic and international heritage-related visits generated £18.4bn in expenditure in England in 2014. This level of heritage tourism expenditure contributed £11.0bn in GDP and 285,700 jobs. If indirect effects are included this rises to £24.2bn in GDP in 2014. Heritage tourism expenditure accounted for 22% of all tourist spending in 2014.
17. Domestic overnight visits: 17% of all domestic overnight trips in England in 2014 or 15.7 million trips were heritage-related trips. Domestic overnight visitors spent £3.6bn on heritage-related trips in 2014.
18. Domestic day visits: In 2014, it is estimated that 12% of the total or 159.4 million day visits were motivated by heritage-related activities.

Domestic Day visitors spent £4.97bn on heritage-related day visits in 2014.

19. International visits: There were 15,392,000 heritage-related international visits in 2014. There has been a steady increase since 2010. International tourists spent £9.86bn on heritage-related visits in 2014.
20. Historic England noted the ways in which heritage tourism generates benefits in the local economy. These include:
  - Investing in the historic environment generates economic returns for local places. On average, £1 of public sector expenditure on heritage-led regeneration generates £1.60 additional economic activity over a 10-year period.
  - Visiting heritage generates money for the local economy – for every £1 spent as part of a heritage visit, 32p is spent on site and the remaining 68p is spent in local businesses: restaurants, cafes, hotels and shops.
  - On average, half of the jobs created by historic visitor attractions are not on the site, but in the wider economy.
  - UNESCO estimates the financial benefit of World Heritage Sites (WHS) to the UK to be £85 million per year. The WHS brand is a significant marketing tool, which increases tourist numbers and spend, local employment, house prices and local economies.
  - 14% of visitors stayed in the area as a result of a historic houses/castles attraction, while 15% stayed in the area as a result of visiting other historic properties.
  - Three-quarters of adults (73.2%) in England, or approximately 40 million people, visited a heritage site at least once in 2015/ 16, compared to 69.9% in 2005/06.
  - When asked about their most recent UK holiday in 2015, 63% domestic travellers cited being able to visit a historic building or monument as their 'sole reason' or a 'very important reason' why they took their holiday.
  - Heritage tourism is more popular in Britain, compared with most of Europe – UK citizens have the 4th highest participation rates for visiting a historical monument or archaeological site in the past 12 months (65%) –13 percentage points higher than the EU average.

- 30% of overseas visitors cite heritage as the biggest single motivation for their visit to the UK – the largest single factor for non-business visitors.
- Only shopping (71%), visiting parks or gardens (54%), or going to the pub (50%) were as, or more, popular activities among visitors.
- Heritage-related construction plays an important part in England's construction industry and heritage construction output is estimated at £9.7 billion for 2016.

21. Historic England concludes that tourism is expected to grow in the future. It was estimated in 2013 that the UK tourism economy would grow by 3.8% a year between 2013 and 2018, which is higher than sectors such as manufacturing, construction and retail. Visit Britain forecasts that the tourism industry will be worth over £257 billion by 2015 – just under 10% of UK GDP and supporting almost 3.8 million jobs, which is around 11% of the total UK number.

### **The Culture White Paper**

22. The White Paper published by the Department for Culture, Media and Sport in March 2016 put the 2014 economic contribution of culture to be £5.6 billion. This contribution from museums, galleries libraries and the arts represents 0.3% of the total UK economy, up 59% (in normal terms) since 2010, a massive increase compared to total economic growth of 16% (in normal terms) over the same period.
23. The number of people employed in the cultural and creative sectors has been increasing since 2011 and now stands at 321,000.
24. The fact that the UK's culture is seen so positively around the world increases its contribution to the economy beyond its direct impact. This is evident in tourism. Research by the British Council shows that cultural attractions are the most commonly mentioned factor in terms of what makes the UK an attractive place to visit while the arts was the third most commonly mentioned reason.
25. The White paper specifically mentions Hull as an example of how cultural place-making can shape the fortunes of regions, cities, towns and villages. Having been chosen as the UK City of Culture 2017, it is now on the Rough Guide list of the top 10 world cities to visit. It is no coincidence that Hull is attracting new business and jobs. The award of

UK City of Culture is expected to be worth some £60 million to the local economy in 2017.

26. A January 2016 government briefing paper on support for the UK's creative industries and their contribution to the economy defined creative industries sector as including advertising, architecture, design, media, IT and computer services, music and publishing.
27. The economic output in the creative industries was £84.1 billion in 2014. Growth in the creative industries has been faster than the overall economy in recent years. Between 2009 and 2014 economic output (in cash terms) of the creative industries increased by 45.9% in total compared with 20.0% for the economy as a whole.
28. There were 1.9 million jobs in the creative industries in 2015, an increase of 3.2% compared with 2014 and up by 19.5% since 2011. An estimated 640,000 of these jobs are in 'IT, software and computer services', with a further 286,000 in 'music, performing and visual arts' and 231,000 in 'film, TV, video, radio and photography'. Creative industries accounted for 5.8% of all jobs in the UK in 2015.
29. 60% of jobs in the creative industries were filled by people who have at least a degree-level qualification compared to 33% for all jobs in the UK.

### **Heritage Lottery Fund Research**

30. A Heritage Lottery Fund study "New Ideas Need Old Buildings" published in 2013 following research across 56 different towns and cities, including York, noted that historic buildings and the historic quarters of major towns and cities are the places where new ideas and new growth are most likely to happen. The research shows that the commercial businesses based in the historic buildings of major cities are more productive and generate more wealth than is the average for all commercial businesses across the whole economy.
31. The research findings back up an idea about economic development that has been understood for some decades – that innovation, new products, new services and new economic growth – flourish best in cities possessing a good stock of historic, distinctive buildings. It found that businesses can set up in older buildings with lower risk because of lower costs. Older buildings are suitable for a huge variety of business

use. They have character and colour, so creating the distinctive leisure quarters of cities and an atmosphere that fosters creativity.

32. The research found that:

- More than 130,000 businesses operating in listed buildings in the UK.
- In major cities, historic buildings have a greater concentration of businesses linked to the creative and knowledge economy than across the UK as a whole.
- The areas of cities where there is a higher density of listed buildings also have a higher concentration of businesses linked to the creative and knowledge economy.
- Listed buildings are far more likely to be occupied by the types of independent non-branded business that give places a sense of distinctiveness, authenticity and diversity.
- Listed buildings are highly attractive to entrepreneurs and start-up businesses in the creative and cultural sector. Creative industry businesses based in historic buildings that were surveyed for the research included a very high proportion of start-ups – with over 60% established in the past three years.
- Listed buildings are three times more likely to be used as a fashion retail shop than non-listed.
- Historic buildings are highly suited to a great variety of uses and are now used for a wide range of manufacturing activities from publishing to jewellery and clothing factories – whilst former industrial heritage buildings have been re-used for residential, office, retail and leisure.
- Across the UK, the businesses based in listed buildings are highly productive and make an estimated annual contribution to UK GDP of £47billion and employ approximately 1.4 million people. This represents 3.5% of the UK's GVA and 5% of total UK employment. Not all historic buildings are listed – adding the non-listed would make these figures even higher.
- In the places surveyed, a commercial business based in a listed building generates an average of £308,000 in GVA per year – 4.4% higher than the average for all commercial businesses across the UK. Rather than being a drag on productivity, listed buildings attract businesses in the most productive sectors of the economy.



- The 'heritage premium' associated with the occupation of these listed buildings – the extra GVA they generate over and above the amount generated by an equivalent number of businesses in non-listed buildings – is £13,000 per business per year.

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## Impact of the Arts and Culture Sectors on the Economy of York Scrutiny Review

### Information Gathered from Consultees

1. In support of the review, the Task Group held a number of meetings to meet individually with City of York Council's Chief Executive; the Corporate Director Children, Education & Communities, and the Assistant Director Communities and Equalities.
2. Previously **the Council (CYC)** had a defined leisure and culture function with a dedicated team delivering those services, but this is no longer the case, and it is not the Council's responsibility to ensure the provision of the city's cultural offer. The Council contributes both to Make It York and Welcome to Yorkshire and the Council's role is now that of a participant and collaborator – influencing and linking into the networks that are in place. Those arrangements are important as they enable CYC to have a voice; they ensure that a coherent approach is taken and that the city's cultural offer does not become too disparate.
3. The Council is a member of a new Cultural Leaders' Group, which is emerging as a vibrant leader in the cultural sector (see paragraph 10 below). Through this the Council has an important role to play in providing a strategic steer and helping to set a shared vision for the city. The Council has also signed up to the York Economic Strategy, through which it can influence clear priorities.
4. The cultural sector in York, as in other cities, is quite competitive, and the Council has been successful in helping develop some areas, such as the sharing of data. It is also showing leadership through the design and master planning of regeneration projects and has a strong custodial role to ensure the quality of those products is not lost.
5. Discussions have been taking place to identify whether the city could do more to maximise the benefits of working on a regional basis to promote tourism. This could involve York joining up with Hull, Harrogate and other destinations, to benefit from major events on offer in across the region.
6. Issues Raised
  - There is a concern that the city is not setting its sights high enough and that if it is not agile enough it will be left behind. For example,

there are events being held across Yorkshire in which York could play a part, and it is important to look at the opportunities to be gained through the Yorkshire brand without losing York's own brand. The city should also consider how it can benefit, if Leeds is successful in its bid to be the European Capital of Culture for 2023.

- York should extend the range of its visitor experiences - there is huge potential in developing the early evening economy and there are aspects of the city's heritage which could be better promoted including the city walls, St Leonard's Hospital, York's Roman history, and opportunities to increase footfall on the Micklegate side of the river.
- The city could attract world class events but the variable quality of festivals held in the city may be undermining the brand.
- The biggest risk is if the Council did not continue to have an influence in the city's cultural offer.

7. Later in the review, the Task Group met with the Executive Member for Culture, Leisure and Tourism who agreed the Council needs to give more of a strategic lead.

#### 8. Issues Raised

- The Council could strengthen its cultural leadership and facilitate ways of bringing various organisations together. It could also look at what it wants from Make It York; better articulate what we do as a city, and be clear about York's position locally, regionally and nationally.
- York needs clarity about its role in the wider Yorkshire offer and steps could be taken to get Make It York and Welcome to Yorkshire to work better together.
- The city's cultural offer is a driver for attracting economic investment.
- It is felt the city is not making the most of its valuable attractions.

9. Early in the review the Task Group met with the Chair of **York@Large**.

*York@Large is the city's cultural partnership. Its members work together to communicate what's happening in York as a way of increasing participation. They also encourage investment in the city's attractions and new events in order to support the local economy and to make York a more lively, creative and active city.*

*The operational plan for York@Large has two general objectives – to raise the wider awareness of contemporary culture and creative industries as strengths of York, and to build more effective structures for delivery.*

10. A 'Cultural Leaders' Group' was recently formed which pulls together high-level creative and cultural leaders and managers from the larger organisations in York, including English Heritage, York Museums Trust, Aesthetica, Make It York, the National Trust, the National Railway Museum and the new Guild of Media Arts (for further information on the Guild, see paragraphs 13-15 below).
11. When York was designated UNESCO City of media Arts in December 2014 the motivation was to raise the social, cultural and economic standing of the city. The bid promoted York as a place that is culturally-rich and creatively-pioneering, a place where technology and art is used to breath new life into its heritage, where this strength has been cultivated through £100m investment in media arts infrastructure and by becoming one of the first UK's first Super-Connected Cities, and described how York was committed to using creativity and culture to develop the city further.
12. Issues Raised by York@Large
  - In terms of future development, UNESCO accreditation is very important and the city should get behind this as it presents a huge opportunity to portray York not just as a heritage city but as a contemporary city.
13. The **Guild of Media Arts** was created to recognise and build on York's status as the first UNESCO City of Media Arts in the UK and became the first entirely new guild in York for around 700 years. It began holding formal meetings in late 2015 and now has more than 200 members including media artists, the heritage sector, cultural makers and creative industries. While big companies are involved, the Guild also focuses on businesses that need help to grow and develop.

*The aims of the Guild are to unlock the full benefits of the city's UNESCO designation ensuring that the UNESCO obligations are met in full; to champion York's growing creative credentials and strengthen York's cultural and creative industries; to ensure all York citizens' benefit from the opportunities offered by being part of the global Creative Cities Network; to retain the incredibly talented creative people attracted to York by the city's universities; and to provide a platform for members to help solve each others' problems.*

14. Working with Make It York, one of the Guild's primary objectives is Mediale, a major international biennial festival to showcase media arts – for further information on Mediale, see paragraphs 114-116.
15. The Guild has links with other UNESCO cities throughout Europe and this international framework provides York with the opportunity to be seen, via the Guild, as a city capable of growing the creative sector alongside its other cultural sectors.
16. As a body, the Guild is able to cross technology and the arts to create a strong way forward for economics and business. The kind of jobs it tries to promote are in the high wage bands, although many of its members are self-employed so are not captured through PAYE data.
17. The Guild is creating an environment in which businesses and creative enterprises can flourish using culture and creativity as a driver. Big companies are involved but a focus is also at grassroots level of business that need help to grow and develop. The city's universities attract incredibly talented people and the aim is to keep them in York.
18. Issues Raised by the Guild
  - The Guild considers the city's Local Plan to be strong on heritage but less strong on other cultural sectors and it wants to join that up.
  - The Council has an important role to play in creating the right policy framework to bring additional resources into the city. It needs to facilitate the development of employment opportunities and promote the city as a brilliant place to live.
  - The Council should be more rigorous about understanding why people leave the city - York is a small and beautiful city with a good quality of life that people want to live in and businesses value being in York because they can find good, talented recruits. However, many younger people leave the city to pursue their careers.
  - One of the barriers to keeping young start-up businesses in the city is thought to be its inability to provide good premises with the capacity to grow and develop.
19. Early in the review the Task Group met with the Chair of **Make It York (MIY)** and later with its Managing Director.

*Make It York is the city's destination management organisation and has the overarching remit to market the city and its surroundings as an exciting place to live, study, visit and do business. Its remit covers leisure and business tourism, city centre management, festivals and events, business support and inward investment. Visit York is a part of MIY and is the leisure tourism brand. Under the brand Visit York, MIY's aim is to market the city as a must-see world-class destination to the leisure visitor and ensure investment to develop the quality of tourism in York. The Council's service level agreement with Make it York is due to be renewed in 2018.*

20. Part of MIY's role is to ensure the three key themes it is developing complement each other in order to give a clear view going forward on what is good for residents, tourists and cultural visitors. These three themes are:
  - A refresh and update of the tourism strategy
  - An events and festivals strategy
  - The establishment of a cultural strategy through the Cultural Leaders' Group.
21. MIY works with a number of other bodies. It supports the work of the Cultural Leaders' Group and carries out its administration functions. It has also done a lot of work with York@Large on cultural usage within the built environment, to ensure the way this works is integrated and that there is a shared vision for the future.
22. Data produced by MIY using the latest annual data available, shows that:
  - There were 3,057,097 visits to York's attractions;
  - 207,706 were educational visits (7.37%);
  - 57% of York's residents have visited a museum / gallery in the last 12 months (51.5% is national average);
  - 91% of leisure visitors to York enjoy the ambience of the city;
  - 71% visited the attractions;
  - 10% took in a festival of event while in York;
  - 4% went to a cultural performance;

- 190,000 attended performances at three of York's National Portfolio Organisations (NPO)<sup>1</sup> – York Theatre Royal, the National Centre for Early Music and the Pilot Theatre Company;
- 50.3% of adults in York attended / participated in an arts event / activity at least three times in the last 12 months (national average 43.8%);
- 77% of visitors return to York;
- Annual investment in York Theatre Royal, the National Centre for Early Music and the Pilot Theatre Company is £5,092,608 of which 57% is earned income, 8% is private giving and 37% is public subsidies;
- 71% of York residents say that cultural opportunities are important in making somewhere a good place to live;
- York's cultural, sporting and recreational economy is annually worth £75,092,608;
- £84.80 is the average spend per staying visitor per day;
- £8.81 is the median hourly wage for someone working in arts, entertainment or recreation in York (compared to £8.50 in the retail sector, which employs more people than any other sector in York);
- Across 21 attractions there are estimated to be 2,100 volunteers in the tourism sector in York;
- There were 1,700 volunteers in the 2012 Mystery Plays and more than 700 in both Blood and Chocolate in 2013 and Fog and Falling Snow in 2015;
- There were 1,483 full time equivalent places on further / higher education courses relating to culture in York's universities, 677 of the students graduated;
- 412 businesses in heritage, creative industries and art sub sectors (6,489 York businesses = 6.4%)
- 3,200 jobs in heritage, creative industries and arts sub sector (101,300 total employee jobs = 3.2%).
- There are more than 2,000,000 visitors to visityork.org annually;
- 500,000 visitors a year use the Visitor Information Centre.

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<sup>1</sup> Prior to June 2017 there were five NPOs based in the city. In addition to York Theatre Royal, the National Centre for Early Music and the Pilot Theatre Company, the city is the headquarters of the National Rural Touring Forum and J-Night, one of the leading producers of world jazz in the North of England. In June 2017 York Museum Trust was added to the list of National Portfolio Organisations.



23. MIY considers its relationship with Welcome to Yorkshire to be sensible without being too close. MIY co-exists with tourism bodies such as Visit Britain, Visit England and Welcome to Yorkshire although they all operate at different levels. Welcome to Yorkshire do big events to get people to Yorkshire, MIY's job is to attract them to York but it does all it can to work with other tourism bodies, recognising it is in everybody's interest to have good working relationships and to collaborate.
24. Make it York it responsible for the city's festival programme, which it has refreshed for 2018 to include:
- 'Bloom', a horticulture festival celebrating 250 year of York Florists;
  - The Great Yorkshire Fringe;
  - A pop-up Globe Theatre which for two months will present the opportunity for Shakespeare's plays to be performed in the city in a full-scale working replica of the Elizabethan playhouse;
  - The Wagon Plays;
  - Mediale (see paragraph 14 above)
25. Issues Raised by Make it York
- In terms of economic strategy for the city, tourism and culture do not feature that strongly even though they are important sectors which promote the city as a good place to live.
  - One of the weaknesses of the city's cultural offer is confusion - if the Cultural Leaders' Group can work as a cohesive unit signed up to a cultural strategy, the work of MIY would be much easier.
  - If there was a cultural strategy the city would stand a much better chance of gaining additional funding - at present when organisations bid for money from the Arts Council they make their applications themselves. They do not wait to discover if other city organisations are making similar bids.
  - At present the city is on a treadmill of doing the same festivals every year and it is important to get fresh events on the agenda.
  - MIY is trying to organise ambitious events within an infrastructure that needs attention and in small spaces that are not suitable - There are difficulties around the public realm in the city centre and the poor physical state of some areas, particularly around pavements. It is important that the city takes an overview of its performance space, whether this is developed at Castle Gateway or York Central.

- Way-finding is an issue in the city and more space needs to be freed up if visitor numbers are to increase - MIY is keen to promote the idea of trails in order to guide visitors to different locations; an ice trail at Christmas featuring 40 venues across the city; a ghost trail; a chocolate trail and an Advent calendar trail. It is also keen to promote the idea of quarters within the city to encourage people to different places with each quarter being a destination in its own right. However, there is no quick fix for the way-finding issue despite the increase in digital and mobile technology and the growing use of apps.
- One of the city's biggest challenges is anti-social behaviour. MIY gets more feedback about incidents of ASB on Saturday nights than it does anything else. York would welcome well behaved hen and stag parties but this is not the reality and these create a clash of culture. MIY has noted a decrease in footfall in the city centre on Saturdays and an increase in footfall on Sundays as many residents boycott Saturday visits to the city centre.
- CYC could enter into a cultural partnership with the youth of the city - A cultural initiative could be created to give every child in York a cultural passport, to encourage them to walk the Walls and visit the Minster and museums to help them learn to appreciate the heritage and cultural assets available within their own city.

26. In July 2017 the Task Group met **Welcome to Yorkshire's (WTY)** area director for North Yorkshire & York.

*Welcome to Yorkshire is the official tourism agency for the traditional county of Yorkshire (the UK's largest county), promoting Yorkshire tourism both nationally and internationally. It was formerly known as the Yorkshire Tourist Board until 2009, when it underwent a rebranding: a key component of which is its website. It has received international recognition for its work on marketing campaigns and continues to work on initiatives with cultural partners across the region. The stated aim of the organisation is: 'to grow the county's visitor economy'.*

27. In many ways the Yorkshire region has a similar problem to York in that it has too much to offer and the challenge is one of focus. To achieve the best results WTY has adopted a themed approach – coast, country and heritage. But the priority is to get people to Yorkshire and they can then concentrate on the sectors they are interested in.

28. WTY accepts York is a key brand within Yorkshire and wants to engage more with York and act as a medium to promote and market York's key areas. If the city has something it wants to push then WTY can showcase that as part of its overall offer.
29. WTY holds quarterly meetings with MIY to talk about key areas and meetings take place at various levels to make sure York is fully represented.
30. Issues Identified by WTY
- The relationship between York and Welcome to Yorkshire is not what it was.
  - York is nationally and internationally renowned but it cannot afford to rest on its laurels and will have to be careful not to fall behind as other areas in the country are promoting extensively. There appears to be competition, rather than collaboration, between Visit York public relations and their WTY counterparts. At present there is not a connection. WTY and MIY need to complement each other - it would be a plus if WTY helped with marketing and promotion as it can spread the brand further.
  - York needs to increase its awareness about new markets - It is important to make sure York is and remains, a key player.
  - Businesses want to see a strong Yorkshire brand through marketing and promotions, by raising the region's profile and sharing assets, while at the same time retaining their individual identities.
  - While the council no longer has the largesse of funding it once had there is still a key role it can play. A strengthening of the partnership with WTY can help because partnership working can help deliver outcomes individual organisations find it difficult to achieve themselves because of lack of funding.
31. In late January the Task Group met with the Regional Director of the **Arts Council** as they were keen to explore the impact that CYC's decision to reduce its contribution to the city's cultural offer has had when the Arts Council are determining funding applications.

*The Arts Council champions, develops and invests in artistic and cultural experiences that enrich people's lives. They support activities across the arts, museums and libraries – from theatre to digital art, reading to dance, music to literature, and crafts to collections. Between 2015 and 2018, they will invest £1.1 billion of public money from government and an estimated £700 million*

*from the National Lottery to help create art and culture experiences for everyone, everywhere.*

32. The Arts Council supports cities which are themselves investing in arts and culture. Historically, the amount of funding the Arts Council granted was dependent on a city's ambition and commitment, the match funding it was prepared to put forward and the quality of its bid. However, the number of local authorities' completely withdrawing funding is increasing due to reducing Local Authority budgets. The Arts Council recognises that this is likely to lead to closures as it cannot meet the funding gap, and it is having to reconsider how it judges a Local Authority's ambition and commitment.
33. In York there is much less matched funding than in some other areas. There are also quite high levels of engagement against the national average and this reflects education, the economic situation in the area and childhood experiences. Therefore, in terms of engagement, York is not a priority. However the Arts Council still invests more funding in York than in some other places e.g. Doncaster, which is in the bottom 10% in terms of engagement. Previously it has provided:
  - Funding of £1.2m per year for YMT
  - Granted funding of £250,000 per year to the city's Music Education Hub
  - Given capital funding of £6m to YMT and York Art Gallery
  - Provided funding of more than £26.7 over the past five years, an average of £5.3m a year
34. This equates to £27 per head of population. If capital expenditure is removed (an average of £4m a year) the investment per head would be £20.41.
35. In late June 2017 the Arts Council named York Theatre Royal, Pilot Theatre, York Museums Trust and the National Centre for Early Music among 831 York National Portfolio Organisations which will share a total of £1.6 billion over four years, with museums and libraries coming into the portfolio for the first time.
36. The Arts Council funds National Portfolio Organisations for four-year periods and as a consequence, between 2018 and 2022, York Museums Trust will receive a total investment of £6,275,928; York Theatre Royal a total of £2,349,016; The National Centre for Early Music – £1,081,868;

Pilot Theatre – £1,318,880; National Rural Touring Forum – £346,332 and J-Night – £274,996 over the same period.

### 37. Issues Raised by the Arts Council

- The speed at which CYC has reorganised its funding for some cultural institutions e.g. York Theatre Royal has caused those institutions real concern. While the Arts Council recognises this is due to the reducing local authority budget, it feels CYC has not paid sufficient regard to the impact that this has had on those institutions.
- The impact of culture on quality of life cannot be disaggregated and is a factor that has to be recognised - The Arts Council referenced a major company in Huddersfield that had relocated from the town as it did not believe that there was a sufficient cultural offer to attract good staff.
- It was important for York not to be complacent because of its historical offer. The Arts Council gave Venice and Amsterdam as examples. Venice has chosen to hold a number of major international festivals throughout the year even though it has much to offer in terms of history and environment. Amsterdam held a Light Festival from 26 November 2015 to 17 January 2016 attracting 850k visitors. This was driven by its Chamber of Commerce to increase hotel bed night occupancy during the quieter winter months.
- Much more could be made of the Illuminating York event. The budget for Illuminating York has remained static and while the quality has gone up, the critical mass has gone down spread thinly over many more high-quality destination points than in other cities.
- Other cities have been successful in securing private investment and local businesses have been supportive, recognising its benefits for their city and its reputation. York could seek the same.
- While the intentions of setting up Make It York were good and it was important to look at new models of working, it has been seen by some as an abdication of ambition and responsibility for culture, by CYC.
- Its relationship with MIY has been 'rough' in terms of funding, with the exception of National Portfolio Organisations listed above.

### 38. In summary, the Arts Council suggested that York needs to have:

- i. Real aspirations around culture and what it can do for the city, not just economically but educationally and socially.

- ii. A much clearer strategy about where it wishes to focus.
- iii. An understanding of CYC's role, and the part that it can play in investment in arts and culture.

## **Business View**

39. In March 2017 the Task Group met with the Chairs of **York BID** and **Indie York** to gain further knowledge of the impact of the arts and culture sectors from a business perspective.

*York BID is a business-led partnership which aims to deliver improvements to the centre of York. It was voted in by 76% of businesses in the BID area who pay a levy towards improving the centre of York. It is not a local authority led scheme and its programmes are in addition to the services provided by CYC. Key benefits of the BID are that it gives businesses a voice to shape the environment around them and provides opportunity for continued investment in the city centre.*

40. The BID has used some of its own funding for its Winter Lights project which saw the city wall bars at Micklegate, Monkbar, Walmgate and Bootham lit up from December 2016 to February 2017. As it proved so successful it is to be repeated and expanded for 2017-18.

### 41. Issues Raised by BID

- BID have some anxiety over the role of MIY - MIY should develop a narrative about what York is, and have a role to play in terms of:
  - Co-ordinating and promoting events - there has been a tendency to view events on an ad hoc basis rather than as a collective enterprise.
  - Collaboration between business and event organisers - there has been some good examples of this so far but not enough e.g. 'Vespertine' informal links were made between businesses and the event organiser which demonstrated a willingness to co-operate, and 'Illuminate York' which lit up York Minister, marrying cutting-edge technology and history - It is important that the city is both cutting edge and contemporary.
- The city centre would benefit more if arts were held in the public realm rather than in venues such as the theatre and museums - Holding events in locations such as Parliament Street made them visible rather than being seen as a niche activity. It was noted that the

Shambles Market is beginning to do this but use of that particular space is limited due to the electricity supply being insufficient.

- The number of visitors to York puts pressure on the city centre and a maintenance programme for public realm in York city centre is important for the long-term future of some outdoor events. For example, the state of the paving in Parliament Street is poor, putting at risk current major events such as the Food Festival and the Great Yorkshire Fringe because there is a danger they cannot be delivered in a safe environment.
- In regard to the number of festivals in the city, the BID Chair stated that there are key festivals which bring greater benefits to the city e.g. the Food Festival in Parliament Street, which generates a £1m income, and there are others of more local interest to residents e.g. those arranged by retailers in Fossgate.
- It is essential the visitor experience is joined up. It is difficult to find your way round York, and there are problems with signage and way-finding. The BID is trying to formulate an approach to these problems to promote particular events.

*Indie York was formed, with the support of York BID, in the aftermath of the Boxing Day floods of 2015. It was officially launched in November 2016 to link and bring together independent businesses in the city.*

42. Because of the historic nature of the city there are lots of small properties which are better suited to being used by small independents, and this has led to a strong independent business scene. As many visitors come to York for its independents, as come for the Walls and the Minster.
43. Indie York brings together those independent businesses in one guide, available both online and in printed form. The map aims to signpost individual companies and independent clusters such as Fossgate, Walmgate, the Minster Quarter, Micklegate, The Shambles, Shambles Market and Gillygate. This could be extended in the future to include art and culture attractions, as events are important in attracting footfall.
44. Issues Raised by Indie York
  - York is being held back partly due to complacency and partly due to lack of nerve and confidence.
  - York needs a more contemporary view of the arts - It is a weakness that there is not more contemporary or cutting-edge art, and many

young, talented artists are leaving the city because there is nowhere for them to express their talents.

### Creative Industries

45. Creative Industry is the fastest growing business sector in York with more than 250 creative companies employing 4,500 people. Below are the Business Register & Employment Survey (BRES) figures for 2015 and 2016. The 2016 figures now include solely PAYE based businesses with employment counts of less than 20. This improvement in coverage is estimated to have increased the national business survey population by 95k businesses between December 2015 and January 2016 and is reflected in the new BRES 2016 figures for York below. The creative industry categories listed are based on the Department of Culture, Media and Sports definition.

| <b>Creative Industries</b>  | <b>Number of Jobs 2015</b> | <b>Number of Jobs 2016</b> |
|---|----------------------------|----------------------------|
| Manufacture of jewellery and related articles                             | 10                         | 0                          |
| Book publishing   | 0                          | 10                         |
| Publishing of directories and mailing lists                               | 0                          | 0                          |
| Publishing of newspapers  | 50                         | 100                        |
| Publishing of journals and periodicals                                    | 10                         | 40                         |
| Other publishing activities   | 5                          | 45                         |
| Publishing of computer games  | 0                          | 0                          |
| Other software publishing   | 10                         | 75                         |
| Motion picture, video and television programme production activities      | 25                         | 175                        |
| Motion picture, video and television programme post-production activities | 0                          | 0                          |
| Motion picture, video and television programme distribution activities    | 0                          | 10                         |
| Motion picture projection activities                                      | 75                         | 125                        |
| Sound recording and music publishing activities                           | 5                          | 20                         |
| Radio broadcasting  | 10                         | 50                         |
| Television programming and broadcasting activities                        | 0                          | 0                          |
| Computer programming activities   | 225                        | 350                        |
| Computer consultancy activities   | 1250                       | 1500                       |
| Public relations and communication activities                             | 10                         | 15                         |
| Architectural activities  | 300                        | 400                        |



|   |             |             |
|---|-------------|-------------|
| Advertising agencies                      | 500         | 250         |
| Media representation                      | 150         | 20          |
| Specialised design activities             | 125         | 175         |
| Photographic activities                   | 30          | 40          |
| Translation and interpretation activities | 35          | 15          |
| Cultural education                        | 0           | 10          |
| Performing arts                           | 250         | 350         |
| Support activities to performing arts     | 10          | 20          |
| Artistic creation                         | 75          | 40          |
| Operation of arts facilities              | 0           | 0           |
| Library and archive activities            | 10          | 100         |
| Museum activities                         | 400         | 350         |
| <b>Total</b>                              | <b>3500</b> | <b>4500</b> |

46. More than £100 million has been invested in media arts facilities and resources to support the sector by York's two universities, resulting in the new Department of Theatre, Film and TV on the University of York Campus. In addition, the University of York launched their Digital Creativity Labs (DC Labs) in April 2016 – a major £18 million initiative for innovative research in the convergent area of digital and creative technologies.
47. Figures used in the development of York's Economic Strategy launched in July 2016, show that:
- According to Business Register and Employment Survey (BRES) data from 2014, 3% of York's population were employed in the creative, digital and media sectors. This accounted for around 2,470 people;
  - This sector has higher wages than the national average, typically over £15 per hour;
  - The creative, digital and media sectors make up 8% of York's Gross Value Added (GVA) ;
  - York's digital, creative and media sector (information & communication) is forecast to grow by over 20% during the five year period of the Economic Strategy;

### Cultural Providers

48. Two of York's museums, the National Railway Museum (NRM) and York Castle Museum, are rated among the best cultural attractions in the

country, with the NRM featuring in Trip Advisor's top ten museums for 2017.

49. In early November 2016 the Task Group met with the Chief Executive of **York Museums Trust (YMT)**, which runs York Art Gallery, York Castle Museum, Yorkshire Museum, St Mary's and the Museum Gardens.
50. YMT employs about 100 FTE staff at any one time and all staff are paid at least the Living Wage. YMT uses its assets to enable significant partnership events that bring people and their spending power to the city. In 2015 the impact of YMT's spend was more than £13m, and their impact on the tourist economy was worth more than £15m. Statistics show that 70% of visitors to York Art Gallery come from more than 20 miles away, 1.7m people a year use Museum Gardens, which has won a Yorkshire in Bloom award four years running, and the 2nd Eboracum Roman Festival based in the Museum Gardens was attended by 30,000 people, many of whom came to York specifically to attend the event.
51. The Museum Gardens, Art Gallery, Yorkshire and Castle Museums are all cultural attractions that impact on investment decisions. YMT plays a role in commissioning high value jobs such as designers, architects and engineers while helping develop talent through initiatives such as Aesthetica and Mediale, and by working with universities and businesses. These projects provide a safe testing ground to help develop scientific and creative talents, such as the collaboration between YMT and the University of York to create a Viking Virtual Reality environment.
52. YMT believes in strong collaboration between Arts and Culture organisations and are currently working with York Chocolate Story and York Cocoa House on a project for the Castle Museum.
53. Issues Raised by YMT
  - The city should improve its approach to unlocking funds through strong partnership working and showing the value it places on culture.
  - One of the challenges in York is property prices. The use of heritage buildings for businesses rather than apartments has a beneficial impact on the economy. More investment to create work space will benefit the economy, transforming heritage buildings into flats will not.
  - Major infrastructure and capital projects that create anchor attractions have been shown to support regeneration and growth.

- Whilst some festivals are known outside of the city e.g. Aesthetica Short Film Festival (for more information see paragraphs 112-113), many of them are not and do not attract the number of visitors that similar events elsewhere do. As a tool for community engagement they may be useful, but festivals that disappoint could devalue other festivals. Consideration should be given to whether it would be beneficial to hold fewer but better quality festivals.
- Make it York has an important role in terms of drawing people to the city, but because it is responsible for such a wide cross-section of organisations, it is difficult for them to be strategic.
- It is important to set the direction in order to inform decisions, so CYC should take a strategic role and decide what the city should be like.
- Consideration should be given to establishing two separate groups; one of which would be a broad group of representatives and another smaller group based around Arts Council funding. It would also be useful to appoint someone who can identify funding opportunities and bring a group together with the relevant skills.
- YMT views York as a low income city and believes the city is disadvantaged by the Arts Council in a number of ways i.e. the Arts Council:
  - Views York in a different way to other cities e.g. those with high unemployment.
  - Does not take account of York's 7m plus visitors each year, it only considers the size of the city's population.
  - Is concerned about the reduction in revenue funding from the Council even though they understand the reasons for this - YMT are seeking to persuade the Arts Council that the CYC contribution is reasonable.

54. The **National Railway Museum (NRM)** is part of the British Science Museums Group of National Museums and has won many accolades including the European Museum of the Year Award in 2001.
55. It is the largest museum of its type in Britain and in a typical year attracts 725k visitors - its five year average is 750k visitors while the highest annual total is just short of a million.
56. Of its visitors, 10% are international visitors, 65% are regional from Yorkshire and the Humber and 25% are from the remainder of the UK. NRM has a broader draw than many other attractions and a surprisingly

high number of visitors to York come solely to visit the NRM. The museum employs 180 individuals with a seasonal employment pattern – it needs more people during the school holidays – and operates within the Science Museum management matrix structure. Catering, security and estate management are operated by third party firms.

57. The NRM works with various organisations including Make It York, York Museums Trust and the Theatre Royal, for events such as Illuminating York and Aesthetica. It also works with Welcome to Yorkshire and hosted the launch of the 2017 Tour de Yorkshire.
58. Issues Raised by NRM
- There is a sense that there is not a strong coherent view of the cultural offer in the city, and NRM would like to see more collaboration.
  - Because of the NRM's location at the rear of the railway station it gets no passing trade – people are there for a specific reason – so more needs to be done in terms of way-finding.
  - The NRM also has concerns about anti-social behaviour which presents a threat to the general ambience of the museum.
59. In late November 2016 the Task Group met with the chief executive of **York Archaeology Trust (YAT)**, whose portfolio includes city attractions such as the Jorvik Viking Centre, York DIG based in St Saviour's Church, Barley Hall, the Richard III Experience at Monk Bar and the Henry VII Experience at Micklegate Bar.
- YAT was set up in 1972 to help preserve the vast collection of archaeological deposits in response to threats posed to the city's archaeological heritage at the time. Today, most archaeology happens as a result of developments and the Trust works with developers on the cultural impact of these developments.*
60. YAT employs around 200 people across the Trust with some 110/120 being employed in York itself. The Jorvik Viking Centre attracts around 400k visitors a year with the combined portfolio attracting around 500k visitors a year. The Trust also runs the annual Viking Festival, Europe's largest Viking festival, which attracts an estimated 40k visitors to the city.
61. To extend the scope and reach of its activities into Yorkshire, YAT merged with the Sheffield archaeological unit, ArcHeritage, and in 2011 the Trust became even larger with the inclusion of Northlight Heritage in Glasgow and Trent & Peak Archaeology in Nottingham under its ownership, allowing it to spread its expertise across Northern Britain.

62. The Jorvik Viking Centre came into being as a result of a major development in Coppergate which gave archaeologists the opportunity to excavate an area of 1,000 square metres through 2,000 years of history. The Jorvik Centre is located on the site of the Coppergate dig.
63. YAT sees York as an extraordinary example of a city with a rich history that is also modern and vibrant with a vision for the future. As such, the Trust is not about stopping change, it is about managing change. The Trust is happy to collaborate with other organisations and this was reciprocated by other attractions such as the Minster, YMT and the Opera House who all offered their help after the Jorvik Centre suffered badly in the Christmas 2015 floods.
64. To help take things forward YAT is looking for further local authority support on projects that will be favourable for the city. For example, the challenge of trying to understand and uncover the city's Roman history - York's international status is built on its Roman foundations and it is believed the city walls stand on the original Roman walls, although this has not been tested for a long time. A project to raise the profile of York's Roman past could have huge benefits for the city. YAT considers it unlikely that a city in which Constantine the Great was acclaimed emperor of the Roman Empire in 306AD would not have had a major palace somewhere within its boundaries, although any remains will be around nine metres below the current ground level.
65. Work to redevelop the city's Castle Gateway could also open up exciting possibilities as the banks of the Foss would have been used by the Vikings and would have been an international gateway during York's Viking era.
66. Issues Raised by YAT
  - The past is a huge enabler of the future and York is a world-class archaeological city, so it should use this as a driver for economic development.
  - Collaboration and joint promotion is key if the city is to continue to flourish as a destination. For example, YAT decided to promote the attractions at two bars – the Richard III Experience at Monk Bar and the Henry VII Experience at Micklegate Bar – on one ticket and the result was that footfall at Micklegate Bar increased enormously.
  - Instances of anti-social behaviour in the city centre, particularly at weekends, is concerning.

67. **York Theatre Royal (YTR)** was built on the site of the medieval St Leonard's Hospital and dates back to 1744, which makes it the oldest producing house outside London. Its core relationship is with the citizens of York and 70-75% of its customers are from the city. The most recent data puts YTR customer spend at £3.75m, with day and overnight visitors contributing £1m to the economy. YTR employs 91 FTE staff with 70% living in the CYC area and indirectly provides employment for an additional 21 FTE positions.
68. YTR procures as much as possible from the city area with 55% of goods and services, some £1.6m, bought locally. The cafe is stocked exclusively by suppliers in the county. Last year YTR reopened after a £6m restoration and the main contractor responsible for the redevelopment was a local company. In addition, YTR hosts theatre companies from around the UK and when they perform they live and spend money in the city. This equates to 950 nights in the city for visiting companies, bringing £800k spending into the local economy.
69. Through its work with others such as visiting theatre companies and designers, YTR has developed a creative economy in the city. Students graduating from the universities who want to stay in the city are drawn to YTR, and a number of young theatre companies have been born as a result. With the aim of making sure talented young people stay in the city, YTR has developed ways to support young companies at no cost to itself and it helps with cash flow and box office management.
70. YTR gets no revenue support from CYC and has lost discretionary rate relief.
71. Issues Raised by YTR
- There are some dynamic places around Yorkshire, and York has to compete against them - there is a need to shift from traditional to contemporary activities to avoid the risk of complacency.
  - It is important that CYC continues to demonstrate its support of arts and culture or the city risks losing financial support from the Arts Council.
  - CYC should show it has a strategic view with regards to the city's cultural offer and should facilitate through Make It York, greater co-ordination, co-operations and collaboration in the city. The Cultural Leaders' Group should take a leading role in this.
  - Make It York should provide a co-ordinating role for joint funding bids to ensure the city makes the most of what is available.

72. The **National Centre for Early Music (NCEM)** is an educational music charity based in St Margaret's, a converted medieval church in Walmgate. The church was restored and converted in 2000, winning a variety of major conservation awards, and is promoted as a significant venue for music and creative learning, embracing over 100 folk, jazz, digital and contemporary music concerts. The opening of the NCEM has helped to transform the Walmgate area and has helped increase footfall tremendously.
73. Over a million listeners tune in to early music concerts presented by the NCEM and broadcast through BBC Radio 3 each year, and an International Young Artists Competition takes place biennially in York drawing in applications from the UK and across the world – the 2017 competition attracted groups from Belgium, Switzerland, France and the Netherlands.
74. The NCEM summer festival lasts 10 days each July and audience analysis from July 2016 showed:
- 31% were aged 55-64; 55% over 65;
  - 12% were in full-time employment; 10% self-employed; 64% retired.
  - 61% came to the festival and stayed overnight – 29% in B&B; 28% in hotels; 22% self-catering.
  - 70% said they came to the festival because of the performers/repertory
  - 69% of the 2016 audience had been before; 28% were new.
  - 36% lived locally; 13% from Leeds/Beverley; 10% North West; 5% North East & 32% from across the rest of the UK and America, Canada, Poland, Taiwan, Portugal, Slovenia, Russia, Hawaii, Norway and Australia
75. The NCEM's audience for its world, jazz, folk, contemporary programme is much more localised. It sells an average of 14k tickets for promotions annually. Through its on-going partnership with BBC Radio 3 it is helping to promote the York name across Europe. An increasing use of digital technology has enabled concerts to be streamed where appropriate and where rights allow e.g. on 21 March 2017 (the European Day of Early Music) a concert was streamed via Facebook Live which attracted 22k visitors (FB [yorkearlymusic](#)). The concert was broadcast live by BBC Radio 3 and taken by the European Broadcasting Union (based in Switzerland) for broadcast in Sweden; Spain; Romania; Czech Republic; Switzerland; Lithuania; Iceland; Denmark; Austria; Belarus and Seoul in South Korea. This attracted well over 1 million listeners.

76. Locally, in addition to using St Margaret's Church, Walmgate, the NCEM also organises events in a wide variety of other venues in the city including York Minster.
77. Issues Raised by NCEM
- While the NCEM is celebrating York internationally, it is not seen as doing so in the city itself.
  - The way the Arts Council views York - NCEM was turned down for Arts Council funding and were turned down again when they applied with the Theatre Royal.
  - In recognising the value of the Arts Council, it is important that CYC gets back to being a strategic player and does not abdicate responsibility to Make It York.
  - MIY is competing with cultural organisations for Arts Council money rather than supporting them.
  - CYC could take a more strategic overview and give a voice to the city by working with cultural organisations to celebrate and promote what the city has to offer; and to attract higher-end visitors who will come to York, spend in the city and speak of their experience when they return home.
  - Anti-social behaviour and the limitations of Park and Ride (buses not running later into the night) are making it harder to attract visitors to York.
78. In May 2017 the Task Group met the director of the **Yorkshire Air Museum**.

*The Museum sits on the site of former RAF Elvington, a World War Two airfield used extensively by Allied bomber crews during the war. It is the largest independent air museum in Britain and is the most original Second World War RAF Bomber Command station open to the public. It is also the home of the only Allied Air Forces Memorial in Europe. It operates as a registered charity and not-for-profit business and receives no state or local government funding. It attracts 100,000 visitors a year and is continually expanding, with corporate business being one of its major growth areas, involving clients such as car manufactures; Motability; City of York Council; Environment Agency; Yorkshire Water; Mercia Group; BBC Question Time; ITV Touch of Frost; Yorkshire Building Society; Barclays Bank and International Rotary.*



79. The museum has a good international reputation and profile with established branches in North America and France and is supported by over 4,000 registered "friends" across the world.
80. The aircraft museum attempted unsuccessfully to create an 'air experience' at the former Airspeed factory in Piccadilly (later Reynard's Garage) based around Amy Johnson and Neville Shute. If it had been successful, the attraction would have been the first major new tourist attraction in the city for 30 years.
81. Issues Raised by Yorkshire Air Museum
- While the museum is recognised nationally and internationally as a major national attraction, it is not necessarily recognised in York itself. And while it has good relations with City of York Council it does not have much involvement with Make It York.
  - Since the formation of Make It York communications have 'gone on the back foot' and the museum deals more with Leeds than it does with York.
  - As the tourism economy helps keep York on the map, CYC/MIY should sell the whole city instead of simply promoting city centre attractions.
  - Anti-social behaviour in the city centre is a problem for museum visitors arriving at the railway station, particularly on a weekend, and when the museum exhibits its aircraft in the city centre.
82. In April 2017 the Task Group met the Head of Events and Learning from **York Minster**, one of the finest medieval buildings in Europe.
- The site of the Minster has always been an important one for York and the remains of the basilica, the ceremonial centre of a Roman fortress, was found beneath the building. The first Christian church on the site has been dated to 627 and the first Archbishop of York was recognised by the Pope in 732. A stone Saxon church survived the Viking invasion in 866 but was ransacked by William the Conqueror's forces in 1069. William appointed his own Archbishop, Thomas, who by the end of the century had built a great Norman cathedral on the site. The present Gothic-style church was built over 250 years, between 1220 and 1472.*
83. The Chapter of York, the governing body of York Minster, has 154 FTE staff and 430 volunteers fulfilling 647 roles. In 2016 the Minister

attracted 610,000 visitors; was the 60<sup>th</sup> most visited attraction in the UK and the 4<sup>th</sup> most visited cathedral in the country.

84. The Minster is not funded by the Department for Culture, Media and Sport (DCMS) and all income is generated by the Minster itself. However, it received a £10.5m grant from the Heritage Lottery Fund (HLF) as part of a major £20m restoration and conservation project on the Minster's East Front housing the Great East Window, which also helped develop new visitor attractions including the Minster Undercroft, which allows visitors to explore 2000 years of history at the cathedral site from its Roman past to present day. The HLF funding was matched by fundraising from the York Minister Fund.
85. The Minster also received two recent grants which were not match-funded by York Minister Fund. The first of £390k from the First World War Centenary Cathedral Repairs Fund for repairs to the Camera Cantorum stonework and roof. The second of £150k from the Art Council's Museums Resilience Fund to develop the Minster's Historic Collection housed in the Old Palace in Dean's Park, which includes, books, silver, textiles and glass covering more than 2000 years of life at the Minster and in the city of York. The Minster was eligible for Art Council funding because it is the only cathedral in the country with an Accredited Museum status.
86. The Minster has good relations with Make It York and the Theatre Royal manages the Minster box office. The marketing department worked closely with Visit York and York Mystery Plays Supporters Trust when the event was held in the Minster, and both the interior and exterior of the cathedral have been a major focus of Illuminating York.
87. Looking to the future the Minster wants to be involved with Mediale (see paragraphs 114-116), and in 2018 will host an international stone festival featuring 60-80 stonemasons from throughout Europe.
88. Issues Raised by the Chapter of York
  - One of the challenges for the Minster is engaging with the community - they want to more people to come into the building and they want them to feel comfortable with the space.

### **Church and Faith Communities**

89. Task Group member Cllr Cullwick produced a paper on the contribution of churches and faith communities to the city's cultural offer and its

economy. The paper focused on the contribution of churches and faith communities in the city centre, but recognised the not insignificant contribution they make in the suburbs and outskirts of York.

90. The paper considered the contribution of churches and faith communities to the economy of the city under two headings:

91. Cultural Attractions

The Minster may be the jewel in the crown of York's tourism offer, but there are other ecclesiastical jewels and hidden gems offering fine examples of architecture and craftsmanship, with a large number of listed buildings, many Grade 1. Some are primarily operated as visitor attractions such as Holy Trinity Goodramgate and the ruins of St Mary's in Museum Gardens, but others play their part in the York visitor experience whilst thriving as places of worship. The Monks of Micklegate exhibition in Holy Trinity Micklegate (the traditional starting point of the York Mystery Plays), the Bar Convent Museum on Blossom Street and the Shrine of Margaret Clitherow in the Shambles to name but three.

92. There are many medieval churches in the city centre of note that are open throughout the week and footfall is constant e.g.:

- All Saints North Street famed for its wealth of 14th century glass
- St Michael le Belfrey where Guy Fawkes was baptised.
- All Saints Pavement the Civic and Guild Church famed for its lantern tower and the burial place of 34 Lord Mayors
- St Martin Cum Gregory, the Stained Glass Centre
- St Cuthbert's in Peaseholme possibly predating the Minster
- St Helens opposite the Mansion House
- St Martins by City Screen, bombed in WW2 and only partially restored, stands as a symbol of peace and reconciliation.
- Unitarian Chapel (c1692) in St Saviourgate grade 2 listed and first two storey brick building in city.

93. As businesses and employers:

The church and faith communities are significant in terms of the employment opportunities they give rise to ranging from those directly employed by their communities; those employed in maintaining and managing church buildings i.e. stone masons, glaziers, electricians, joiners etc and administrators, cleaners, curators, youth workers, musicians, actors, counsellors and project workers etc.

94. Historically York has benefitted from a close link between faith and business, along with education and health care. It is worth noting their significant contributions to the city e.g. Rowntrees (Quaker), York St John University (CoE) and Retreat Hospital (Quaker).
95. Today the church still represents significant business interests. For example, since 1989 St Michael's Spurriergate has operated as a fair trade café, shop and counselling centre employing both paid and volunteer staff and operating as a venue for a wide range of social and cultural activities. St Sampson's similarly operates as a venue for the over 60s.
96. Other churches operate city centre businesses such as the café in Walmgate Bar operated by Calvary Chapel or the Bar Convent with its retail, restaurant, bed and breakfast and conference centre in addition to the museum and religious community. The Salvation Army Citadel on Gillygate is now the base of York City Church from where it seeks to serve the city e.g. food bank point. Even where premises become surplus to requirements they are often utilised for other purposes. In some cases buildings are leased for commercial ventures such as Biltmore and Oscars in Swinegate (owned by Elim).
97. Parts of buildings might be used for other purposes such as the John Cooper Theatre at Trinity Methodist Church or the office space released at Central Methodist and St Columba's Priory Street.
98. There are also examples of churches and faith based charities taking on buildings previously used for other purposes. Riding Lights Theatre Company created the Friargate Theatre which was formerly the wax museum. Spurriergate operates several charities from its adjacent building including its counselling centre.
99. Alongside church run businesses there are significant numbers employed by faith based organisations in the third sector, such as housing charities (e.g. Restore), work with rough sleepers (e.g. Carecent, Big Breakfast), schools workers, medical charities (e.g. Integretas) and co-ordinators of volunteers in a range of projects from street angels to food banks to charity shops. Full and part time posts in such projects are measured in the hundreds and high-quality volunteer posts in the thousands.

100. There are also many examples of the church engaged with business through chaplaincy, job clubs, rehabilitation placements with offenders and work experience placements with schools and colleges.

#### 101. Issues Raised

- The York City Centre Churches app could be better integrated with other visitor marketing tools.
- Many of the city centre churches play a part in attracting footfall, which could be used to promote parts of the city centre considered in need of new life. For example, in promoting the regeneration of Micklegate the proximity of two museums (Holy Trinity and the Bar Convent) to the Micklegate Bar Museum could be exploited much more.
- The use of church buildings for cultural events could be better co-ordinated and exploited.

### **Ancestral Tourism**

102. In May 2017 the Task Group met the Keeper of Archives from Borthwick Institute for Archives, at the University of York.

*The Institute is home to many of Yorkshire's archives including church records going back to medieval times, wills and family records. It is part of Archives for Yorkshire which, along with The National Archives, launched a project involving local authority archive services and the National Railway Museum to promote Ancestral Tourism. Its aim is to encourage visitors, particularly ex-pats, to visit Yorkshire and retrace their family history. This ties in with the family history industry which has grown tremendously over the past 15 years or so, coinciding with the rise of the internet and online sites such as 'FindMyPast' and television programmes such as 'Who Do You Think You Are?'.*

103. The internet had changed the way people approach family history. They want more than a simple family tree and are much more interested in who their ancestors were. They now want to visit places where their ancestors once lived and worked, walk the streets they once walked and learn why an ancestor went to a work house or became a merchant tailor. The archives are not simply looking after documents, but the life stories of people who are represented in those documents which present the opportunity for people to find out who their ancestors were.

104. Scotland has already made a big push to develop the business of ancestral tourism which experts say is worth tens of millions of pounds a

year to the economy. It is estimated there are 50 million people worldwide for whom Scotland represents a place of origin. According to Visit Scotland, in 2012 visitors whose ancestors lived in Scotland included 113k from Canada and 59k from the United States, worth £106m and £69m respectively. Of these 36K from Canada and 11k from the United States carried out ancestral research during their trip. When asked about their reasons for taking a holiday in Scotland, 72% of North American visitors gave sightseeing as the primary reason, followed by genealogy/researching ancestors at 68%.

105. York is exceptional in the way it is documented and is blessed with both its history and archives and as such can create bespoke family history tours around industries such as the railways and chocolate, as both the NRM and Rowntree have extensive archives which could give York a unique selling point.

106. Issues Raised by the Borthwick Institute

- One of the challenges is making the public aware that such archives exist and that they are able to access them - Improved input and collaboration with tourism organisations will be required to overcome this. In the future, a family history week could be organised in the city but it would require the right sort of support.

107. In May 2017 the Task Group met the Chief Executive of **Explore York Libraries and Archives**,

*Explore York is an Industrial and Provident Society with charitable status, managing City of York Council's library and archive services.*

108. Explore York Archives contains thousands of documents, plans and photographs that tell the story of 800 years of York's history. Documents dating back to 1155 from City of York Council and its predecessors are held in the civic archive. The community collections include personal and family papers as well as the records of York-based charities, businesses and community groups, providing an insight into York life through the ages and allowing researchers from all over the world the opportunity to uncover the stories of the city's inhabitants and search online for their York ancestors by name, location and date.

109. York Explore has received funding from Wellcome for a 24-month project to catalogue the records of the York Poor Law Union and Workhouse, York Medical Officer of Health, Department of Health, and Department of Housing and Environmental Health. These archives, dating from the

1830s through to the early 2000s, document changing approaches to the provision of healthcare and alleviation of destitution in York over two centuries.

110. York is a developing hub for heritage tourism. Explore York gets worldwide requests for information all the time and their archives have huge tourism potential.

111. Issues Raised by York Explore

- There is a lack of available exhibition space in the city –Explore York works with other organisations that have some limited space e.g. York Museum Trust and Fairfax House.
- More should be done to discourage anti-social behaviour - Explore York is actively trying to encourage more people to use the library lawn because the more people that are around, the less anti-social behaviour there is.

### **Major Arts & Culture Related Festivals**

112. **Aesthetica Short Film Festival** is a celebration of independent short film from around the world. It supports emerging and established filmmakers by giving them a platform to showcase their work. It is a hub for the film industry and a must-attend festival in the film world calendar. For those working in the industry, it provides a chance to hear from leading international film organisations, discover emerging talent and build future collaborations.

113. The BAFTA qualifying festival returned for its sixth year in November 2016 and screened 400 films as part of its Official Selection and presented a number of Showcase Screenings from leading cultural institutions.

114. **Mediale** is the flagship initiative of York's UNESCO designation. The first is to take place in autumn 2018 and every two years thereafter. It is designed to bring the UNESCO media arts to life as a community focused event, and plans for the inaugural festival include major light commissions alongside interactive pavilions and exhibits that utilise the backdrop of the city. Its 20-day programme will be underpinned by year-long development activity with schools, communities and businesses.

115. In enabling as many people as possible to experience the transformative power of culture firsthand the aim is to build media arts into everyday life in York and to reposition the profile, ambition, excellence and impact of

the UK's programming in media arts. A commitment to the next generation of talent will be at the heart of the festival as they work alongside leading artists.

116. Above all, the proposed festival is about the city coming together to make a statement about its future. A festival of partnerships, it will take a united York to the world and bring the best of the world to York. Partnership with the UK Mediale 2018 offers the opportunity to present world-class arts programming, build relationships and international brand awareness, inspire staff and customers, and be a part of an exciting moment in York's history.
117. **Vespertine** is a two year project to stimulate the early evening economy through a series of musical performances, light projections and art installations which come to life as shops are closing. The aim is to provide more reasons for people to spend more time in the city in the early evening to get to know its culture in greater depth.
118. Launched in May 2015, the project is the result of a partnership established by York@Large, York Theatre Royal and Make It York encompassing 20 of the city's cultural organisations and managed by York Archaeological Trust. Such an event was held in October 2016, combining architecture, archaeology, technology, music and art in a virtual reality experience at the National Centre for Early Music at St Margaret's Church in Walmgate.
119. **Illuminating York** is the city's biggest annual night-time festival. It enables residents and visitors to explore the city through the imagination of artists, using the medium of light in all its forms. The festival opens up some of York's most famous, most interesting and intriguing buildings by night, to experience them in a completely new way. Outdoors, buildings, spaces and places host installations using light and projection.
120. **York Viking Festival** is recognized as the largest Viking festival in Europe and it a city-wide celebration of York's Viking heritage. Taking place every February half-term, the festival programme of family-friendly events, lectures, guided walks and battle re-enactments attracts 40,000 visitors a year from across the globe.
121. The festival has its roots more than 1,000 years ago when York was under Viking rule and celebrations took place to herald the coming of spring and the end of winter hardships. These celebrations were long forgotten until the 1980s when York Archaeological Trust revived the tradition. It is now in its 32<sup>nd</sup> year and has become a firm fixture in the York calendar.



122. **York Mystery Plays** have entertained residents and visitors to the city since the 1300s. In 2016 the Mystery Plays returned to York Minster for only the second time in their near 700-year history and attracted more than 26,000 people over the course of a five-week run.
123. The plays are essentially a community production, featuring just one paid actor working alongside an army of volunteers, and previous years have seen outdoor performances on pageant wagons at various locations throughout the city.
124. **Eboracum Roman Festival** was first held in 2016 and saw more than 28,000 people attend. The second staging attracted over 30,000 visitors, many of whom came to York specifically to attend the event. Based in the York Museum Gardens, the festival included fighting displays, children's army drills, a Roman camp showing domestic Roman life, stalls selling themed goods, book readings, guest lectures, guided walks to various venues around the city, and a Roman march through the streets of the city.
125. As part of the festival the Yorkshire Museum, home to some of Britain's most important artefacts, ran various activities and workshops. The festival is due to return to York from 1-4 June 2017.
126. **York Festival of Ideas** was launched by the University of York in 2011. The Festival is a partnership between the University and cultural, social and business organisations in the city and at a national level.
127. The objective of the Festival of Ideas is to enhance York's reputation as a city of ideas and innovation by offering the highest calibre of public events to local, regional and visitor audiences and to demonstrate to the widest possible audiences the transformative power of education and ideas.

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## **Update on AVANTE (Alcohol, Violence and Night Time Economy) & Operation Erase (Saturday daytime alcohol-related disorder)**

### **Background**

1. The AVANTE Task Group was established in January 2013 and soon identified a specific trend of alcohol-related disorder on Saturday daytimes (roughly 11am – 10pm). A specific sub-group was established in June 2013 to address this particular problem and took the police operational name of Operation Erase.
2. Agencies represented across both task groups include: City of York Council, North Yorkshire Police, British Transport Police, University of York, University of York St. John, Lifeline, Street Angels, Pub Watch, Railway Station management, Train Operating Companies, Make it York and York Racecourse.

### **Progress in 2014 & 2015**

3. In February 2016 North Yorkshire Police commissioned a Crime Pattern Analysis report into alcohol-related crime, anti-social behaviour and Public, Safety and Welfare (PSW) occurrences reported in the York Cumulative Impact Zone (CIZ) area over the 2014 and 2015 periods.
4. The findings showed:
  - The number of recorded occurrences within the CIZ decreased in 2015 compared with the previous year. Alcohol-related occurrences decreased by 3% (-50 incidents).
  - ASB continued to be the most prevalent occurrence type, however a decrease was also evident and this included alcohol-related nuisance. ASB nuisance reports decreased by 11% (-172 incidents). Those reports included: begging and vagrancy, buskers, street urination, public order behaviour such as fighting or drunkenness and verbal abuse.
  - Violence-related reports increased by 18 incidents in 2015. Alcohol-related violence also increased by 18 (violent crime covers a wide spectrum from minor assaults, harassment and abuse that result in no physical harm to the victim, through to incidents of wounding and murder).
  - Theft-related offences recorded notable decreases during 2015.

- The highest concentration of offences continued to be in areas of high footfall (Coney Street, Micklegate, Blake Street, Blossom Street and Clifford Street). Those areas encompass a high concentration of licensed premises.
- The highest levels of reported occurrences were during the summer months of July and August, together with December.
- Calls for police service were at their highest on weekends; Saturday and Sunday. This was consistent across 2014 and 2015.
- Activity is highest between 1pm-6pm and midnight-4am. Those periods incorporate the traditional Night Time Economy period as well as representing the trend of visiting revellers coming into the city late morning on Saturday through into early evening when they catch the last trains home.

### **Progress in 2016**

5. Throughout 2016, both the AVANTE and ERASE groups continued to meet on a regular basis, delivering an established programme of initiatives, including:
  - Operation Safari - NYP-led violence and theft in the Night Time Economy (NTE).
  - Alcohol Diversion Programme.
  - Monitoring of the Cumulative Impact Zone (CIZ)
  - Pub Watch
  - University of York Nightsafe scheme
  - University of York St. John 'Plan Safe, Drink Safe, Home Safe' schemes.
  - Street Angels
  - River Safety – both universities offer student briefings.
6. Initiatives relating specifically to Operation Erase included:
  - A number of multi-agency Op Erase days of action were held throughout the year.
  - 'Had Enough? We Have Too' poster campaign.
  - Multi-agency Days of Action from May – September.
  - Intermittent temporary deployment of ticket barriers at York Station. Barriers are always deployed on Race days and where possible for the Days of Action.
  - Deployment of 'Dry Trains' when routes and resources allow.
  - Licensees Code of Conduct (licensees police their own venues in line with the code of conduct)
  - Increased police presence

7. Much of the low-level disorder conducted on Saturday daytimes did not fall within the realms of criminal behaviour and was therefore not recorded, but nonetheless it had an impact upon peoples' perception of the city and their feelings of safety.
8. North Yorkshire Police (NYP) conducted perception surveys with a sample of 148 city centre visitors which showed that:
  - 93% of respondents felt that York was a safe city;
  - 52% felt that York was not family friendly on a Saturday afternoon;
  - 50% felt that partner agencies were working well together to make York safe on Saturdays and;
  - 94% felt that seeing a police presence in the city made them feel safer.
9. Anecdotally both the NYP and BTP felt that things were improving. Saturday day-time problems had initially focussed around visitors from the North-East, but both police forces confirmed that this had been resolved through targeted campaigns and initiatives. Similar work was then undertaken to focus on visitors from South Yorkshire and improvements were made. Implementation of the temporary ticket barriers deterred people travelling without a ticket and provided a valuable opportunity for engagement with people as they queued at the barrier. As a result, BTP experienced a 'marked decrease' in crimes and arrests on a Saturday.
10. Recognising the importance of continued focus on those issues, both task groups continued to meet, and in October 2016 additional city centre patrolling resources were introduced in the form of CYC Neighbourhood Enforcement Officers (NEOs) and BID Rangers. The BID Rangers were deployed both Friday and Saturday evenings until midnight and the NEOs took part in the Days of Action. In addition, CYC looked to recruit two full-time Licensing Enforcement Officers who would work evenings and weekends and whose duties would include visits to licensed premises to ensure they were complying with the Licensing Act 2003 and any additional licence conditions.

### **Progress in 2017**

11. Work from the previous years has continued:
  - A River Safety Task Group meets on a quarterly basis and is chaired by North Yorkshire Fire and Rescue.

- A number of multi-agency Op Erase days of action have been held throughout the year.
  - Operation Erase (Saturday daytime ASB) and Operation Safari (violent crime in the NTE) multi-agency task groups continue to meet quarterly.
  - In terms of accountability, both of those task groups feed into an overarching strategic group chaired by Superintendent Adam Thomson (York and Selby Commander) and attended by Cllrs Lisle and Looker). Both contribute to the 'Keeping the City Centre Safer' priority within the Community Safety Plan. Superintendent Thomson is the lead for this priority and reports progress to the Safer York Partnership Board.
  - Licensees are now using the SentrySIS intranet system to share real-time information and intelligence on incidents in the night-time economy. Partner agencies are also signed up to SentrySIS so they can also use the system to post messages and alerts.
  - CYC and NYP licensing are holding meetings with York licensees to review and refresh their Code of Conduct, and to discuss the benefits of SentrySIS and how it can be used most effectively.
  - The 'Had Enough? We Have Too' campaign is to be re-launched for next season. The Safer York Partnership is funding a redesign of the poster and the campaign will be promoted by British Transport Police along the rail network.
  - The railway station continues to deploy the ticket barrier on race days and other key dates when resources allow.
  - Police continue to allocate resources to both priorities and will also be deploying a number of Special Constables over the coming months.
  - The University of York continues to run the Nightsafe campaign and are in discussions to extend this to the University of York St. John.
12. Following the introduction of a new approach in December 2016 to joint working re street urination, 23 people have been prosecuted. NYP provide the witness statement(s), the Neighbourhood Enforcement officers put the case files together and CYC's legal team present the cases in court. NYP have also deployed a cleansing van from the BID, and people who have urinated but made some effort to do this discreetly, are requested to clean up after themselves.
13. The latest crime figures show reports of crime and ASB are down compared to the same time last year with less calls for service between 9am and 9pm on Saturdays.
14. A review of OP ERASE is currently underway to reflect on what has previously been tried, what has worked well and what could be done

differently, and the tactical options. In addition, NYP and CYC plan to hold a Licensee meeting, at which the use of SentrySIS will be promoted and a review of the code of conduct will be completed.

15. In 2017 Perception Surveys have again been carried out by the Police and York Bid with residents, businesses and visitors, and the results compared to last years – see below:

Resident Survey (sample size: 27)

Do you view York as a safe city? – Yes = 81%

Do you believe York is family-friendly on a Saturday? Yes = 78%

Would you recommend visiting York to your family and friends on a Saturday? – Yes = 78%

Do you feel York has an alcohol-related ASB problem on a Saturday? Yes = 74%

Do you feel that partner agencies are working together successfully to make York safe on a Saturday? Yes = 70%

Business Survey (sample size: 109)

Do you believe York is a safe city? – Yes = 83%

Do you believe York is family-friendly on a Saturday. Yes = 39%

Do you feel York has an alcohol-related ASB problem on a Saturday? – Yes = 80%

Does ASB affect your business? – Yes = 47%

Do you feel partner agencies are working together successfully to make York safe on a Saturday? – Yes = 79%

Visitor Survey

Do you believe York is a safe city? –

Do you believe York is family-friendly on a Saturday? –

Do you feel York has an alcohol-related ASB problem on a Saturday? –

Does ASB affect your business? –

Do you feel partner agencies are working together successfully to make York safe on a Saturday? –

16. The results are very much the same as previous years with local businesses and residents appearing to indicate that York is a problem location for alcohol related crime and ASB, but visitors stating that they do not see a problem.

16. Again, this was not a detailed survey but it gives a good indication of the mixed public perception of York – the headlines that have appeared in the papers previously, appear to have stuck with some residents regarding York having an ASB problem.
17. What is true is that York is a very safe city that attracts people because it is so safe. These people choose to drink as is the culture change of daytime drinking. The shops are located close to the pubs and hence the two do not mix well. The CIZ statistics show that ASB and violent crime is reducing in the city centre so it suggests the work of the AVANTE group and Operation ERASE are having a positive impact. NYP continue to work to combat those who come to drink in the city in large groups and work is continuing with the partners, particularly the licensees who along with the Police play a major part in managing those visiting the city. A positive media strategy is also required so that good messages can be delivered well through the media.





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**Executive**

**25 January 2018**

Report of the Economy & Place Policy Development Committee

## **WWI Commemorations Scrutiny Review - Cover Report**

### **Introduction**

1. This cover report presents the final report from the WWI Commemorations Scrutiny Review and asks the Executive to approve the recommendations arising from the review.

### **Review Background & Recommendations**

2. In July 2017, the Children, Education & Communities Policy & Scrutiny Committee considered a Council Motion proposed by Cllr Gillies in March 2017 concerning the planning of an overall strategy for the Council's commemoration activities – see full motion detailed in paragraph 2 of Annex 1.
3. The Committee agreed that in the absence of any progression in the formulating of a strategy, it would form a Scrutiny Task Group to undertake the necessary work, and that Group made up of Cllrs Steward, Mason, Taylor and Wells met for the first time in August 2017.
4. The final report arising from their review was presented to the full Children, Education & Communities Policy & Scrutiny Committee in early January 2018 and the Committee agreed to endorse the Task Group's recommendations as listed below:
  - i. The Executive provide a budget of £10k to enable the procurement of an event organiser to develop and promote a programme of events to commemorate the end of WW1, in line with the brief shown at Annex B.
  - ii. A Reference Group be set up to support and steer the work of the Event Organiser, with its membership as suggested in paragraph 15 above.

Reason: To ensure the City reflects the appreciation of its residents to all those who sacrificed so much during the conflict, and to conclude this review in line with scrutiny procedure and protocols.

### **Implications**

5. The following implications have been identified as a result of the review recommendations in paragraph 4 above.

**Financial:** The majority of the requested budget of £10k would be required to procure the services of an event organiser to carry out the work associated with the production of a programme. The remainder could be used to assist in financing the activities proposed in paragraph 12 of Annex 1, i.e. a civic contribution to the programme of activities utilising the Mansion House.

6. There are no HR, Legal, Equalities, Crime & Disorder, IT, Property or other implications associated with the recommendations arising from this review.

### **Risk Management**

7. There are no known risks, associated with the recommendations arising from this review.

### **Council Plan 2015-19**

8. As part of the review the Task Group sought the views of a range of partner organisations, community groups and children and young people thereby demonstrating the Council's commitment to listen to residents, which is one of the Council's corporate priorities, as set out in the Council's Plan 2015-19.

### **Options**

9. Having considered the final report at Appendix 1 and its associated annexes, the Executive may choose to amend and/or approve, or reject the recommendations arising from the scrutiny review.

### **Recommendation**

10. Having considered the final report and its annexes, the Executive is recommended to approve the recommendations as set out in paragraphs 2 above.

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

**Contact Details**

**Author:**

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**Chief Officer Responsible for the report:**

Andrew Docherty  
Assistant Director, Legal & Governance

**Report Approved**

**Date** 28 November 2017

**Specialist Implications Officers:**

Financial

Charlie Croft

AD- Communities, Culture & Public Realm

**Wards Affected:**

**All**

For further information please contact the author of the report

**Background Papers:** None

**Appendices:**

**Appendix 1** – WWI Commemorations Scrutiny Review Final Report

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## Children, Education & Communities Policy & Scrutiny Committee

10 January 2018

Report of the WW1 Commemoration Scrutiny Review Task Group

### WW1 Commemorations 2018 Scrutiny Review Final Report

#### Summary

1. This final report presents the findings of the Scrutiny Review into the city's plans for commemorating the centenary of the end of World War One (WW1). The Committee are asked to consider and endorse the Task Group's draft recommendations ahead of this report being presented to the Executive on 25 January 2018.

#### Background

2. In March 2017 Council considered a Motion proposed by Cllr Steward which stated:

*'Council notes that 2018 will mark 100 years since the ceasing of the hostilities in the Great War;*

*Council recognises that residents of York will wish to commemorate this event and to express their appreciation to all who sacrificed so much during that conflict;*

*Council therefore invites the Leader and Deputy Leader to set up a working group to coordinate a series of commemorative events for next year, such working group to include, at their discretion, councillors, officers, civic leaders, organisations representing the armed forces and similar groups; artists and residents. The working group will plan an overall strategy for the council's commemoration activities, determine and address its funding needs as the steering group deem appropriate. Council further instructs that the working group should ensure that the programme of activities fully reflects the following:*

- *The horrors of war, including the suffering caused by the 37 million military and civilian casualties during the First World War;*
- *A diversity of perspectives on the causes and consequences of the war;*
- *A commitment to learn the lessons of the past to help build peace in the future.'*

3. Council agreed a Member Working Group should be formed to carry out the coordination work as described in the Motion above. However, by late July 2017 a Working Group had yet to be formed and so mindful of the limited time available, this Committee agreed to form a Scrutiny Review Task Group to progress the required work.

### **Information Gathered**

4. The Task Group made up of Cllrs Steward, Mason, Taylor and Wells met for the first time in August 2017. The Assistant Director (Communities & Equalities) provided information on previous events and commemorations that the Council had facilitated e.g. the 50<sup>th</sup> anniversary commemorations for Victory in Europe and Victory in Japan, and the annual Holocaust Memorial Day, including the budget requirements for those events.
5. In addition, the Task Group discussed some of the many events and exhibitions that had been held across the country or that had been ongoing since 2014 to commemorate WW1 and/or mark the centenary of its start. For example, York Museums Trust had an ongoing 1914-1918 exhibition.

### **Consultation**

6. The Task Group agreed any plans should involve as many residents and citywide organisations as possible. They also agreed it would be useful to understand what if any plans were already in place across the city, and agreed to write to a range of organisations to gather their views and record their plans. The following organisations were contacted:
  - Archbishop of York
  - Dean of York Minster
  - All Churches
  - York Interfaith Forum
  - North Yorkshire Police
  - North Yorks Fire & Rescue Service
  - North Yorks Ambulance Service
  - Armed Force Community Covenant Network
  - All Schools
  - University of York
  - York St John University
  - Cultural Leaders Group
  - National Trust
  - York Archaeological Trust
  - All CYC Cllrs
  - All Alderman
  - MP Rachael Maskell
  - MP Julian Sturdy
  - Civic Party
  - Mansion House
  - All York Guilds
  - CYC Community Involvement Officers
  - Parish Councils
  - Residents Associations
  - Make it York
  - York@Large
  - Civic Trust
  - Aesthetica

- English Heritage
- York Museums Trust
- York Army Museum
- Yorkshire Air Museum
- Yorvik
- York Explore
- National Centre for Early Music
- Pilot Theatre
- York Theatre Royal
- Grand Opera House
- York Barbican
- City Screen

7. A number of the organisations provided an initial response. In addition, the Task Group issued a press release and used the Council's social media channels to advertise its work. This generated further feedback from the public - see Annex A for a summary of feedback received.

### **Analysis**

8. The Task Group were pleased to note the level of interest that their initial communication had generated and the amount of positive feedback they had received which included some details on plans already in place for 2018 and ideas for additional events.
9. The Task Group agreed that the Council's primary role should be to facilitate the coordination of a programme of events organised by others, and help in the promotion of those events to residents and visitors. It was agreed that this should include the production of both a printed programme as well as web-based information.
10. The Task group agreed that the programme should focus on the period between 1 October 2018 and Armistice Day on Sunday 11 November 2018, culminating in a civic ceremonial procession, a laying of wreaths and a service in the Minster.
11. The Task Group agreed that the Council should seek to facilitate a programme that, in addition to a civic component, includes contributions from:
- The military
  - The business community
  - The city's faith communities
12. The Task Group noted that there are a number of potential civic contributions to the programme including use of the Mansion House. This might include exhibiting items from the WW1 period from within its historic collection and displaying information on:
- the civic party of the time
  - how the Mansion House was used during the war

- the Council and the city's contribution to the war effort
13. The Task Group agreed that the work would require a budget of £10k, the majority of which could be used to procure the services of an event organiser to carry out the work associated with the production of a programme and any costs associated with the activities proposed in paragraph 12 above. The Task Group therefore drafted a brief for the post for the Committee's consideration – see Annex B.
  14. The Task Group agreed that the remainder of the budget could be used to support the involvement of the Mansion House and/or any other emerging ideas.
  15. Finally, the Task Group suggested that a Reference Group be formed to support the Event Organiser in their work. They agreed the Group should include the AD for Communities, Culture & Public Realm with a number of CYC Councillors and representatives from those external bodies who have expressed an interest in being involved – see consultation feedback.
  16. To further explore and develop the ideas generated as a result of the Task Group's publicity and to recruit to and establish the Reference Group, the Task Group agreed that an open meeting should be held at the end of January.

### **Council Plan**

17. As part of the review the Task Group sought the views of a range of partner organisations, community groups and children and young people thereby demonstrating the Council's commitment to listen to residents, which is one of the Council's corporate priorities, as set out in the Council's Plan 2015-19.

### **Implications**

18. Financial – The financial implications associated with the recommendation arising from this review and detailed in paragraph 13 above.
19. There are no other known HR, Equalities, Legal, Crime & Disorder or other implications associated with the review recommendations listed at paragraph 21 of this report.



### Risk Management

20. There are no known risks, associated with the recommendations arising from this review.

### Review Recommendations

21. As a consequence of their review, the Task Group recommend that:
- i. The Executive provide a budget of £10k to enable the procurement of an event organiser to develop and promote a programme of events to commemorate the end of WW1, in line with the brief shown at Annex B.
  - ii. A Reference Group be set up to support and steer the work of the Event Organiser, with its membership as suggested in paragraph 15 above.

Reason: To ensure the City reflects the appreciation of its residents to all those who sacrificed so much during the conflict, and to conclude this review in line with scrutiny procedure and protocols.

### Contact Details

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#### Chief Officer Responsible for the report:

Andrew Docherty  
Assistant Director, Legal & Governance

**Report Approved**  **Date** 18 Dec 2017

**Financial Implications Officer:** Charlie Croft, AD Communities & Equalities

#### Wards Affected:

All



For further information please contact the author of the report

**Background Papers:** Not Applicable

#### Annexes:

**Annex A** – Summary of feedback from formal consultation

**Annex B** – Proposed Brief for event organiser

#### Report Abbreviations:

Cllr – Councillor

WW1 – World War One

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## **WWI Commemorations Scrutiny Review**

### **Summary of Consultation Feedback**

#### **Events planned in York**

- York peace Bells (York City Centre Churches)
- Beacons being lit (various Parish Councils)
- Project to get people to make poppies (York City Centre Churches)
- Research into names of people commemorated at their churches, to be able to view (York City Centre Churches)
- HLF Funded Project (York Army Museum)
- Church Musical recitals Remembrance Day Services (numerous)
- Video and musical event (similar to The Christmas Truce) (York Latter-Day Saints)
- Commemorative Trail (Make it York), including one aimed at children
- A number of Parish Councils (notable Askham Richard, Bishopthorpe and Copmanthorpe) said they were planning an array of events, mainly very much around 11<sup>th</sup> November. These included singing songs from WW I, readings and street parties.
- Commemorative Concert (Bishophill History Group)
- Great War Centenary Commemorations Project Play (Joao De Villar)
- Exhibition (Rowntree Society)
- Various Evening Lectures (Mansion House)
- Sculptures in ST Helens Square (York Bid)
- Peace and Reconciliation Lecture (York City Centre Churches)

#### **Things people were keen to see**

- Leaflet consolidating what is on
- Memorabilia Roadshow (The Army Museum said they held one before with Explore)
- Use of words of Flanders Fields, which has been marked out with poppies across the UK
- More about local people who went to war (notable the Civic Archive offered their services, many churches were also doing/planning research into local people)

- Need to encourage schools to get involved
- Check on the condition of memorials and war graves and improve them where appropriate.
- Have a theme – for example more public seats, dedicated to people.
- Mention was made by a number of the 'Battle's Over a Nation's Tribute'.
- A desire to see poetry play a part
- Something on the role of animals (Yorkshire Museum of Farming offered to help)

### **To Note**

The respondents also listed other groups who they thought could sensibly be contacted.

There was significant enthusiasm from groups that would add real expertise and enthusiasm.

Understandably given time pressures there was no real comment from schools but some made efforts to say how children could be involved and it was clear people thought they should be.

### **Not for this year, but relevant for comments**

This year Poppy banners on Micklegate (York City Centre Churches)

York St John did a posthumous award to one of their past students at their last Graduation Ceremony.

## WW1 Commemorations 2018

The Council notes that 2018 will mark 100 years since the ceasing of the hostilities in the Great War. Whilst all those that fought in the war have sadly now passed away and those who lived through it are now few in number, it is vital we continue to remember those that died in WW1 and those that have subsequently died in defence of our nation, and to educate people for the future. The Council would therefore like to ensure that a programme of activities take place across York which will enable the residents of York to express their appreciation to all who sacrificed so much during that conflict.

The key objectives for this will be to:

- i. Fully reflect the:
  - The horrors of war, including the suffering caused by the 37 million military and civilian casualties during the First World War;
  - A diversity of perspectives on the causes and consequences of the war;
  - A commitment to learn the lessons of the past to help build peace in the future.
- ii. To commemorate the 100 year milestone

The Council is looking to develop and promote a programme of events commencing on Monday 1<sup>st</sup> October 2018 and culminating on Sunday 11 November 2018.

The event organiser will be required to:

- Develop a programme in consultation with partner organisations, faith groups and other interested parties
- Liaise with businesses and other civil society organisations in York to ensure contribution to the programme
- Liaise with Council departments as appropriate to develop the programme
- Produce a printed programme of events and a discrete web based programme
- Provide event management for any directly delivered components of the programme including risk assessment, liaison with the Safety Advisory Group, etc.

Elements of the programme that would be expected:

**A military contribution:** This would include but not limited to a military parade with tri-service representation as part of the Remembrance Sunday Procession.

**A business contribution:** Activities and one off events from a range of organisations that demonstrate appreciation of those who sacrificed so much during that conflict and its effect on the city and its residents.

**A faith sector contribution:** For example, a weekly reading from the memorial book.

**A civic contribution:** This would include but not be limited to a special exhibition /event in the Mansion House throughout the period and the Remembrance Sunday Procession, laying of wreaths and attendance at the Remembrance Service at York Minster on 11 November 2018.

The Council's maximum budget for the development and promotion of a programme of events is £10k.