



**Notice of a public meeting of
Executive**

To: Councillors Aspden (Chair), Ayre, Craghill, D'Agorne, Mason, Runciman, Smalley, Waller and Widdowson

Date: Thursday, 16 June 2022

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, 20 June 2022.**

*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 in the meeting, Members are asked to declare any disclosable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

2. Minutes

(Pages 1 - 4)

To approve and sign the minutes of the Executive meeting held on 19 May 2022.

3. **Public Participation**

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

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is **5:00pm on Tuesday, 14 June 2022**. To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

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

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. **Forward Plan** (Pages 5 - 6)

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

5. **Levelling Up Round 2 Funding and UK Shared Prosperity Fund** (Pages 7 - 46)

The Corporate Director of Place to present a report which summarises two funding opportunities made available by the Government to support the delivery of its Levelling Up Agenda, and seeks approval to prepare and submit bids for the Levelling Up Fund and to prepare and submit the investment plan required to draw down funding from the UK Shared Prosperity Fund.

6. **Castle Gateway Update** (Pages 47 - 68)

The Corporate Director of Place to present a report which provides a comprehensive update on the regeneration of the Castle Gateway and sets out the next delivery stages, including actions to prepare for procurement should the council's bid to the Levelling Up fund be successful.

7. York Outer Ring Road (YORR) - Proposed A1237 (Rawcliffe to Little Hopgrove) Dualling - Update on Progress and Proposed Utility Diversions (Pages 69 - 98)

The Corporate Director of Place to present a report which provides an update on progress on the proposed YORR A1237 Dualling Scheme and seeks authority to proceed with the procurement and implementation of utility diversions in order to avoid delays to the future construction phase of the scheme.

8. Minster Precinct Neighbourhood Plan (Pages 99 - 124)

The Corporate Director of Place to present a report which informs Members of the results of the Minster Precinct Neighbourhood Plan referendum and asks them to formally 'make' the Plan and bring it into full legal force as part of the Development Plan for York.

9. Introduction of Community Infrastructure Levy (Pages 125 - 134)

The Corporate Director of Place to present a report which seeks approval to introduce a Community Infrastructure Levy in York to support the implementation of the Local Plan.

10. Finance and Performance Outturn 2021-22 (Pages 135 - 176)

The Chief Operating Officer to present a report which provides a year end analysis of the council's overall finance and performance position on 2021-22, including progress in delivering the savings programme.

11. Capital Programme Outturn 2021/22 and Revisions to the 2022/23 - 2026/27 Programme (Pages 177 - 202)

The Chief Finance Officer to present a report which sets out the outturn position of the council's 2021-22 capital programme, including any under or over spends, and provides an update on the impact on future years of the programme.

12. Treasury Management Annual Report and Review of Prudential Indicators 2021/22 (Pages 203 - 214)

The Chief Finance Officer to present a report which provides details of the outturn position for treasury activities and highlights compliance with the council's policies previously approved by Members.

13. Urgent Business

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

Democratic Services officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 552030
- E-mail – 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 własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 (01904) 551550

City of York Council

Committee Minutes

Meeting	Executive
Date	19 May 2022
Present	Councillors Aspden (Chair), Ayre, Craghill, Cuthbertson, D'Agorne, Runciman, Smalley, Waller and Widdowson
In Attendance	Councillor Douglas

Chair's Remarks

The Chair welcomed Cllr Douglas to the meeting and congratulated her on her recent appointment as Leader of the Labour Group.

122. Declarations of Interest

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests.

Cllr Waller declared an interest in Agenda Item 5 (Minute 126 refers), as a governor of Westfield Primary School.

Cllr Douglas declared an interest in Agenda Items 5 and 6 (Minutes 126 and 127 refer), as Chair of Tang Hall Community Centre and Big Futures Foundation.

123. Minutes

Resolved: That the minutes of the Executive meeting held on 21 April 2022 be approved and then signed by the Chair as a correct record.

124. Public Participation

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

Flick Williams spoke on matters within the Executive's remit. She queried how York's bid to the Headquarters of GBR would

be viewed, in the light of recent events leading to the perception of the city as hostile to disabled people.

125. 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 was published.

126. School Holiday Food Scrutiny Review Final Report

Cllr Daubeney, as Chair of the Children, Education and Communities Scrutiny & Policy Committee, presented the final report of the Task Group set up by the committee to review support for children's food during school holiday times.

The six recommendations arising from the extensive consultation and key findings of the review were reproduced in paragraph 6 of the cover report. They had been approved by the Scrutiny Committee at its meeting on 3 May 2022. In respect of Recommendation 4, it was reported that an additional £50k had been recently been allocated to food vouchers at the Decision Session of the Executive Member for Finance & Performance.

Members welcomed the report and thanked the Task Group for their work, whilst highlighting the need to continue to lobby the government for funding to support children and families.

Resolved: (i) That the recommendations of the review, as set out in paragraph 6 of the cover report, be approved.

Reason: To conclude the scrutiny review in line with the City of York Council's scrutiny procedures and protocols.

(ii) That the Executive Leader, the Leader of the Labour Group and the Chair of the Scrutiny committee write jointly to the relevant government Minister on the need for additional government funding and support, enclosing a copy of the review report.

Reason: To continue to lobby government on a cross-party basis for funding to support children and families, against the background of the cost of living crisis.

127. Scrutiny Review into Community Hubs

Cllr Webb, as Vice-Chair of the Children, Education and Communities Scrutiny & Policy Committee, presented the final report of the Task Group set up by the committee to undertake a review of Community Hubs.

The recommendations arising from the extensive consultation and key findings of the review, consisting of a list of requirements for successful community hubs, were reproduced in paragraph 6 of the cover report. They had been approved by the Scrutiny Committee at its meeting on 3 May 2022.

In supporting the recommendations, the Executive Member for Culture, Leisure & Communities thanked the Task Group and all who had taken part in the review, highlighting in particular the involvement of charities and the voluntary sector.

Resolved: That the recommendations of the review, as set out in paragraph 6 of the cover report, be approved.

Reason: To conclude the scrutiny review in line with the City of York Council's scrutiny procedures and protocols.

Cllr K Aspden, Chair
[The meeting started at 5.30 pm and finished at 6.22 pm].

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Forward Plan: Executive Meeting: 16 June 2022

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 28 July 2022

Title and Description	Author	Portfolio Holder
<p>Results of the consultation on additional licensing for Houses in Multiple Occupation (HMO)</p> <p>Purpose of Report To provide an update on the city-wide, statutory consultation undertaken in 2021 on the potential designation of targeted Additional Licensing Scheme for HMOs with 3 or 4 occupants within the wards of Hull Road, Guildhall, Clifton, Fishergate, Heworth, Micklegate, Osbaldwick & Derwent, and Fulford & Heslington and set forward options to determine whether to designate an additional licensing scheme. Executive will be asked to: determine whether to designate an additional HMO licensing scheme.</p>	<p>Ruth Abbot & Michael Jones</p>	<p>Executive Member for Housing & Safer Neighbourhoods</p>
<p>Flood Resilience Innovation Programme Delivery Stage Approval</p> <p>Purpose of Report The council has been awarded funding through Defra’s Flood and Coastal Resilience Innovation Programme, as one of 25 nationally funded schemes. The 6-year programme will develop a range of incentivised natural flood risk management opportunities across the River Swale, Ure and Nidd catchments. These measures will deliver flood resilience and climate change mitigation outcomes for York and North Yorkshire communities. The report will update the Executive on development of the project since the report to Executive on 21 June 2021, the business case development and approval from the Environment Agency and Defra, and outline the procurement and governance strategies, arrangements that will be in place and the ways they will be delivered with a wide range of partners across the river catchment. Executive will be asked to: consider the updates detailed in the report and endorse the approach to governance and partnership working for the delivery phase of the project.</p>	<p>Steve Wragg</p>	<p>Executive Member for Environment & Climate Change</p>

Title and Description	Author	Portfolio Holder
<p>York Dementia Strategy</p> <p>Purpose of Report</p> <p>Work has been under way for some time to develop a Dementia Strategy for the City of York and there has been significant engagement with people with lived experience, carers and families of people with dementia to understand the current environment and the ambition for Dementia support in the future. A draft Strategy is currently under consultation across system partners, and will be presented to the Health and Adult Social Care Policy and Scrutiny Committee on 5 July 2022. This report will bring a final Dementia Strategy to Executive for consideration.</p> <p>Executive will be asked to: sign off on the implementation of a 5 year Dementia Strategy for the City.</p>	Jamaila Hussein	Executive Member for Health & Adult Social Care

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 18 August 2022

None currently listed.

Table 3: Items Slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason
<p>Results of the consultation on additional licensing for Houses in Multiple Occupation (HMO)</p> <p>See Table 1 for details</p>	Ruth Abbott / Michael Jones	Executive Member for Housing & Safer Neighbourhoods	16/6/22	28/7/22	Further detailed work and analysis is required to be undertaken which cannot be completed in time for the June Executive.



Executive**16 June 2022**

Report of the Corporate Director for Place

Portfolio of the Executive Member for Finance and Performance and
Executive Member for Economy and Strategic Planning

Levelling Up Round 2 Funding and UK Shared Prosperity Fund**Summary**

1. This report summarises two funding opportunities that have been made available by the Government to support the delivery of its Levelling Up Agenda, as set out in the Levelling Up White Paper released in February 2022.
2. The two opportunities are the second round of the Levelling Up Fund (LUF) and a newly announced UK Shared Prosperity Fund (UKSPF), brought in to replace the European Structural Investment Fund (ESIF), to which the UK no longer has access following Brexit. Detailed government guidance on both opportunities has recently been released, with the LUF being a competitive bid process for capital funding, with York being a tier 3 authority - a lowest priority area for funding. UKSPF meanwhile is a predominantly revenue funded programme with a sum automatically allocated to each local authority to administer over a 3 year period based on a local investment plan that is to be agreed with central government.
3. This report seeks approval to prepare and submit bids for LUF, and to prepare, consult and submit the investment plan required to draw down York's share of funding from the UKSPF.

Recommendations

4. The Executive is asked to:

- 1) Instruct officers to undertake the necessary work, including partner engagement and the preparation of an investment plan, to secure the drawdown of York's allocation of funding from the UKSPF.

Reason: To allow officers, in consultation with the relevant Executive Members, to prepare and submit an Investment Plan by the end of July 2022 to secure the drawdown of funding from the UKSPF.

- 2) Delegate authority to the Corporate Director for Place, in consultation with the Executive Member for Economy and Strategic Planning and the Executive Member for Finance and Performance, to submit the final Investment Plan required to draw down York's allocation of funding from the UKSPF.

Reason: To allow officers, in consultation with the relevant Executive Members, to prepare and submit an Investment Plan by the end of July 2022 to secure the drawdown of funding from the UKSPF.

- 3) Delegate authority to the Corporate Director for Place, in consultation with the Executive Member for Finance and Performance, to submit the round two funding bids identified in this report to the LUF.

Reason: To allow officers to prepare and submit the strongest possible bids to Government on the 6th July.

- 4) Note that a report on the final submissions will be brought to a future decision session of the Executive Member for Finance and Performance setting out the final bid submissions.

Reason: To confirm the final bid compositions that were submitted to Government.

Background

5. Levelling Up is a key agenda for the UK Government who released the Levelling Up White Paper on 2 February 2022. This sets out 12 Missions that the Government is prioritising to achieve to create equal opportunities across the UK by 2030, and funding sources available to support the delivery of these.

6. A central pillar of the UK government's Levelling Up agenda, and a significant component of its support for places across the UK, is the UK Shared Prosperity Fund (UKSPF).
7. The UKSPF will provide £2.6 billion of new funding for local investment by March 2025, with all areas of the UK receiving an allocation from the Fund via a funding formula, rather than through competition.
8. The allocation for York is £5,107,510, with an additional allocation of £741,291 specifically for the Multiply scheme. Multiply is a nationally defined adult numeracy programme which will have some elements of local delivery and some scope for local innovation.
9. In the prospectus, the government state that the fund "will help places right across the country deliver enhanced outcomes and recognises that even the most affluent parts of the UK contain pockets of deprivation and need support".
10. The LUF was announced in the 2020 Spending Review, and is a competitive fund run by the UK Government to invest in infrastructure across the UK. The first round of funding from the LUF awarded £1.7 billion to support the delivery of 105 projects across the UK.
11. The second round of the LUF was also announced as part of the delivery of the 12 Levelling Up Missions. The prospectus was released on the 23 March 2022, setting out key investment themes and eligibility requirements for the next round of capital funding applications. This remains a competitive bidding process, with local authorities being placed in priority tiers for funding based on the government's perception of Levelling Up need. York is a tier 3 authority, the lowest of the priority areas.
12. The second round remains broadly unchanged from the first round. Where there have been changes, these have been summarised later in the report.
13. The Council submitted a strong first round LUF bid to support the delivery of three key city centre regeneration projects. Although this bid was unsuccessful, detailed feedback from central government was positive, with the submission scoring well across the three main assessment criteria which was; strategic fit; value for money; and deliverability. The council were encouraged to re-submit this bid in round two, and it was noted that although York is a tier three authority this did

not preclude being successful, and nationally there were 6 successful bids from tier 3 authorities representing 4% of the total financial allocation.

UK Shared Prosperity

14. The prospectus sets out the Government's ambitions for the fund – to build pride in place and increase life chances across the country.
15. The UKSPF intends to achieve this through the three priorities of:
 - Community and Place
 - Supporting Local Business
 - People and Skills
16. The funding for the first two priorities will commence in 2022/23, while the 'People and Skills' priority will commence in 2024/25. The prospectus encourages lead authorities to work across boundaries and with different levels of local government to agree and commission provision across a wider geography, especially for employment and skills provision.
17. Every part of the UK will receive an allocation for the years 2022-23, 2023-24 and 2024-25, for both the core UK Shared Prosperity Fund (UKSPF) and for the adult numeracy programme, Multiply.
18. In 2022-23 funding will be paid once local investment plans are signed off. In 2023-24 and 2024-25, funding will be released at the start of the financial year. Lead local authorities will be asked to return any underspends at the end of each financial year.
19. Interventions should be delivered by March 2025 or have a break clause allowing for closure by March 2025.
20. Funding investment can commence from 1 April 2022. However, interventions that commence before investment plan sign off will be done at risk.
21. Lead authorities will have responsibility for managing the fund, assessing and approving applications, processing payments and day-to-day monitoring. In partnership with local stakeholders, they will determine

the scale of each intervention. Lead authorities can use competition, commissioning, procurement or in house delivery.

22. Lead authorities will receive £20,000 to prepare investment plans. Lead authorities will take responsibility for the fund over their strategic and council area and 4% of the fund can be allocated for administration. Administrative and preparations costs can be incurred from 1 April 2022.
23. In order to access local allocations, all lead authorities will need to develop their investment plan in partnership with a 'local partnership group' which should include as wide a range of stakeholders and partners as possible, including MP's.
24. Organisations that can receive funding can include local authorities, public sector organisations, higher and further education institutions, private sector companies, community and voluntary sector organisations and registered charities.
25. The investment plans will need to be signed off by both the lead authorities and Department of Levelling Up, Housing and Communities (DLUHC) and will consist of the following three aspects:
 - Local context
 - Selection of outcomes and interventions
 - Delivery
26. The window for submissions is between 30 June and 1 August. Following this, plans will be agreed between government and lead authorities to unlock the allocations.
27. UKSPF replaces the European Structural Investment Funds (ESIF), and across the UK projects previously funded from that source are looking to their local Investment Plans for continuation funding. In York, we have accessed ESIF through both the Leeds City Region and York, North Yorkshire and East Riding geographies. A summary of projects which have been supported to deliver in part or wholly in York through the last ESIF allocation is provided at Annex A.
28. As can be seen in the Annex, the total potential investment in York over the period 2014-23 was £12,887,465. In practice, much of the delivery of those projects has been in those areas which have now been prioritised for LUF. The maximum annual budget for York was thus £1.4m, although

in practice less than £1m was being spent in the average year from ESIF. In contrast, York now has an annual budget of £2.8m from UKSPF.

29. While there are a number of ongoing ESIF projects providing support to York businesses and residents, all of which complete in the current year, the only specific York provision is through three Leeds City Region projects with local staff. The Apprenticeship Hub and Growth Hub projects include staff in CYC, while the Ad:Venture business start-up programme has York delivery through the Chamber of Commerce.
30. Development of the York UKSPF Investment Plan will take as a starting point the recently adopted My City Centre strategy, Cultural strategy and York Skills Plan, together with the emerging York Economic Strategy, Health and Wellbeing strategy and Climate Change strategy. This will ensure that the funding aligns with already approved local strategies. A partnership group will be brought together to ensure that there is widespread support for the identified actions.

Levelling Up

31. The second round of the LUF has seen a few minor changes to the round one bidding guidance. These relate specifically to the application process, the index of priority places, the additional category of larger bids for culture and heritage, and finally the detail of the themes.
32. An online application portal has been introduced for the submission of round 2 bids, with more standardised pro forma documents to streamline the evidence requirements for the application.
33. The Index of priority places has also been updated to take account of the latest available data and the economic impact of COVID 19. This resulted in a number of areas becoming moved up in to tier 1 and tier 2. However, York remains a tier 3 local authority, which is the lowest priority grouping. While this does not exclude the City from applying for funding from the LUF, the low prioritisation means that it is likely that only very well developed, eye catching and innovative projects that align with all guidance will be successful.
34. In round 2, two projects across the UK will be awarded up to £50m towards larger cultural and heritage projects but these are likely to be in priority tier areas.

35. Finally, the detail of the themes of the funding has been updated to more closely align to the 12 Levelling Missions. This includes more specific reference to crime and antisocial behaviour, and accessibility improvements.
36. The investment themes remain the same as the first round of funding, however the detail within the themes is slightly different reflecting more of the wider Levelling up White Paper Missions.
37. These investment themes for the LUF are:
 - town centre and high street regeneration;
 - local transport projects; and
 - support for maintaining and expanding UK cultural and heritage assets
38. Other than those referenced above, the rest of the detail of the fund in round 2 remains unchanged from the first round.
39. As a local authority with two MPs, York Central and York Outer, City of York Council is able to submit two bids that deliver in line with one or more of the LUF investment themes. These bids can each be up to £20m in value and can contain up to three inter-linked projects as a package bid.
40. City of York Council is also a Transport Authority and therefore can submit a third bid that is at least 90% transport related. This bid can by exception be up to £50m.
41. MPs can only formally support one bid each as a priority. This means only two of York's LUF bids – including the transport bid - can have priority MP support. Both MPs can support the same single bid, they can also offer informal stakeholder support to an unlimited number of other bids.
42. All funding is expected to be spent by 31 March 2025, and 2025-2026 on an exceptional basis. There is also a requirement for some early spend in the 2022-23 financial year, which applies to all the funding bids.
43. There is a requirement for the Local Authority to evidence a minimum of 10% funding toward each project. This match funding must be set out in

principle in the bid, but would be subject to a future Executive approval should the bid be successful and the council chooses to accept the funding.

44. The deadline for submission of round two bids is the 6th July 2022, with successful bids expected to be announced in autumn 2022.

Proposed Levelling Up Round Two Bids

Bid one - regeneration

45. Under the first round of the LUF the Council submitted one single bid to revitalise the city centre, which included three linked projects: 1. Castle and Eye of York, 2. Coney Street and the Riverside Quarter, and 3. Parliament Street.
46. This bid sought £19,116,234 funding from the LUF with match funding from the Local Authority and the West Yorkshire Combined Authority through the West Yorkshire Transport Fund. This funding would also leverage in a significant private sector investment to the Riverside Quarter.
47. Project 1 of the bid sought £10m to deliver the Castle and Eye of York scheme, to create world class public realm and event space through the removal of a surface level car park. This would improve the setting of nationally significant heritage assets, improve pedestrian and cycle routes, and create a space for increased cultural events. As part of the early delivery in the first round of the LUF, the public realm to the rear of the Museum was included as part of this project. In the Castle Gateway masterplan, this forms a part of the Castle Mills scheme.
48. Project 2 sought £4m to invest in Coney Street & the Riverside Walkway, the city's main shopping street, improving the pedestrian environment to underpin the viability of commercial investment, whilst creating an exciting new riverside walkway and dynamic new amenity spaces. This would provide a vibrant leisure environment and river frontage, allowing redundant large floorplate buildings to become dual-facing and be redeveloped, and opening up vacant upper floors for residential and commercial use.
49. Project 3 sought £5m to radically upgrade Parliament Street & St Sampson Square, a space which currently hosts events and accommodates secondary retail uses. The Council's delivery partner,

Make it York, identified a long-term downward trend in visitor numbers even before the pandemic, and the space is tired, underused and needs comprehensive re-imagining. Investing would improve accessibility and meet the needs of communities and visitors, providing fit-for-purpose infrastructure for events, a cornerstone of the city's visitor economy.

50. Investing in the three related spaces would create a coherent and resurgent city centre environment: The Castle project would provide a new cultural anchor space at the southern edge of the City Centre, complimenting commercially oriented events in an improved Parliament Street, with investment at Coney Street supporting the retail core and creating a complementary riverside leisure environment. Investment at Coney Street and Parliament Street would be designed to facilitate new mixed uses into the high street, diversifying and adding vibrancy to the City Centre in the wake of significant retail losses.
51. Although unsuccessful, feedback was that the bid was well prepared; was robust with strong strategic fit with the fund priorities; and evidenced good value for money and deliverability. In addition to this positive feedback from the Department for Business, Environment, Innovation, and Sustainability (BEIS), they also identified areas where improvements could be made to strengthen a future bid.
52. BEIS encouraged the resubmission of the first round bid, taking in to consideration the slight changes to the requirements of the bid and building on the areas that required improvement.
53. It is therefore proposed that this bid is resubmitted with refinements to encompass any changes to the schemes since the first round bid and to recalibrate the focus in response to the Levelling Up white paper and 12 Missions.
54. The main changes to the schemes are a result of further work that has been undertaken, particularly engagement and the approval of the My City Centre vision and city centre access improvements, and work on the subsequent delivery strategies, with the My City Centre Delivery Strategy due to be considered at July Executive. The My City Centre vision and delivery strategy propose a wide ranging package of strategic interventions within the City Centre, which collectively will improve its social, economic and environmental performance, through placing residents and families at the heart of a revitalised and flexible city centre. The projects proposed in the regeneration based LUF bid are at the heart

of this vision and drive a wide range of positive change, whilst acting as a catalyst for the wider vision as a whole.

55. Project 1, Castle and Eye of York has continued to progress since the first round submission. Since last June, further design and consultation work has been undertaken and a planning application has been submitted. Although the bid will no longer include the rear of the Castle Museum due to deliverability within the required programme, this project remains strong in terms of deliverable benefits and value for money.
56. Both Project 2 and 3, are also in stronger positions since the first round submission. The adopted My City Centre Vision, and subsequent delivery strategy, and City Centre Access strategy and action plan, are based on extensive public and stakeholder engagement and set out clear, tangible projects of which funding from the LUF would support delivery.
57. The Riverside Quarter project (project 2) has been worked up in more detail by the Helmsley Group, and is currently in pre-application discussions with planning, with a public consultation to launch shortly ahead of planning submission. Parliament Street proposals have been evolved through discussions with key Council teams including transport and highways, and external partners including Make it York, to iterate the project scope, and drive additional benefits and deliverables. A full public consultation will take place on confirmation of funding.
58. Included in both the Riverside Quarter and Parliament Street projects are additional access improvements including improved level access and public realm, and consideration of strategic sustainable transport routes through the city, as identified as priorities in the both City Centre Vision and Access Strategy. Whilst these were an intrinsic part of the round 1 submission, we are now in a better position to articulate the potential approaches, benefits and outcomes, following the extensive public and stakeholder consultation, and establishment of wider vision and strategy.
59. The occupier strategy for the Riverside Quarter has also progressed since the first round bid, with more information certainty emerging around some of the use types, particularly those with strong public benefit and the potential for early delivery. As part of this, an opportunity has been identified to attract a major public sector anchor tenant to the scheme, through LUF funding support. The (currently confidential) occupier could drive out significant additional community and economic benefits, and the business case for funding support is being explored at pace to allow consideration of inclusion within the round 2 bid. The occupier strategy

for the Riverside Quarter has also progressed since the first round bid, with more information around some of the use types, particularly those with strong public benefit and the potential for early delivery.

60. Due to the projects progressing at different rates since Round One, the Parliament Street and Riverside Quarter projects will provide elements of early delivery in the Round Two submission, instead of the public park to the rear of the museum which had previously been included in the round one bid, but will be removed in the round two bid.

Bid 2 - Transport

61. A proposed Transport orientated bid to the LUF is proposed seeking approximately £5m to augment the proposed Haxby Station by improving active travel to neighbouring communities improving accessibility to and from the local vicinity. Linked to this project, the bid will include proposals to improve the sustainable active travel connections in Haxby and Wigginton, to improve the onward connectivity beyond those proposed as part of the Haxby Station project.
62. The new station itself is expected to be majority funded from the Department for Transport's New Stations / Restoring Your Railways Fund which has programme entry and is subject to a satisfactory business case to be submitted later this year.
63. Significant investment is proposed in the Scarborough to York line corridor with complimentary LUF proposals from both North Yorkshire County Council and the City of York Council. Overall investment into the Scarborough to York line corridor is proposed in the region of £36m, with an additional £5m into the East Coast Main Line. This investment directly connects into national rail projects maximising the wider regional and local benefits and will help modal shift to rail reducing car traffic in the city centre.
64. Following the recent public consultation for the Haxby Station project, there is strong evidence from the responses received that one key area that would be widely supported by potential patrons is sustainable connectivity from the station site to/from the neighbouring villages, particularly Strensall.
65. As well as the new route, the existing walking or cycling routes could be improved making them more attractive to potential users. Public Transport Improvements to link with the station site are also part of the

bid also be undertaken to, and also no bus routes which currently pass the new station site.

66. The LUF bid proposes to create off-highway cycle and pedestrian paths to the station site from Haxby; and also from Strensall, where the proposals would be to improve the route mainly adjacent to the River Foss to make it suitable and safe for cyclists and pedestrians. Improvements are also proposed to the existing routes in Haxby and Wigginton, improving connectivity to the centres as well as linking up with the proposed routes to the station.
67. A series of public transport improvements are proposed to the local bus routes to serve the new station. Furthermore a range of road safety improvements to the full length of Towthorpe Road is proposed, including a re-design of the difficult junction at its eastern extent, with Strensall Road.
68. This Transport focused bid has strong alignment with the themes of the LUF, which include investment in cycling provision, enhanced public transport facilities, enhancing and upgrading local road networks and enhancing transport across modes.

Third bid opportunity

69. It is not proposed that a third bid be submitted. York remains a tier 3 local authority, the low prioritisation meaning that it is likely that only very well developed, eye catching and innovative projects that align with the guidance will be successful. Only 6 projects, 4% of the financial allocation, was given to priority 3 areas in round one.
70. Preparing a bid also takes a significant level of officer time and would require consultant support to prepare a sound economic case. MPs can only give priority support to one project each, therefore one of the three bids would not have priority MP support. Consequently it is proposed to focus all efforts on preparing the strongest regeneration and transport bids possible to give the best chance of securing funding.
71. It is requested that authority to approve the final detail of both bids be delegated to the Corporate Director for the Corporate Director for Place, in consultation with relevant Executive Members. The final composition will be reported to a future Executive member decision session.

Council Plan

72. Securing external funding and delivering the proposals outlined above will support a number of outcomes outlined in the Council Plan 2019-2023:

- **Well-paid Jobs and an Inclusive Economy** – The proposals with supporting hard hit retail, leisure and tourism sectors to recover from COVID 19, whilst diversifying the high street to benefit York's economy, and support lowest paid sectors, alongside longer term plans to facilitate growth in higher value sectors.
- **A Greener and Cleaner City** – Investment in pedestrian and cycling provision and new and improved open spaces in the river corridors will help to create a greener and cleaner city.
- **Getting around Sustainably** – The proposals create new cycling and walking infrastructure to encourage active travel in and around the city enhanced public transport facilities, and enhancing sustainable transport across modes.
- **Creating Homes and World-class Infrastructure** – the proposals will transform public realm in key city centre locations and provide a world class events space that improves the setting of York's historic monuments and buildings, enhance and upgrade local road networks
- **Safe Communities and Culture for All** – The proposals will improve existing and create new spaces across the city centre for cultural activation and community activity.

Implications

73. The report must demonstrate that all relevant implications of the proposals have been considered.

- **Financial**

74. **Levelling Up Fund** – requires a minimum of 10% CYC contribution to the project costs. The council has budgets already in the capital programme to support the various bids including the Castle Gateway Scheme, Haxby Station scheme and Highway budgets which can be used to contribute towards the levelling up bids. There should therefore not be any additional budgets required if successful. Should the bid be successful a detailed funding package will need to be considered by Executive.

75. **Levelling Up Fund** – to complete the bids it is necessary to update the economic case for projects which was prepared for the first round of the

LUF. The work to update the economic cases will cost up to [£10k]. This can be delivered within current budgets.

76. **UK Shared Prosperity** – Lead authorities receive £20,000 to prepare investment plans and 4% of the fund can be allocated for administration over the lifetime of the funding. This 4% is to cover administration of the funding. There will therefore be no additional cost to the council in administering the fund.

77. **UK Shared Prosperity** - In 2022-23 funding will be paid once local investment plans are signed off. In 2023-24 and 2024-25, funding will be released at the start of the financial year. Lead local authorities will be asked to return any underspends at the end of each financial year.

- **One Planet Council / Equalities**

78. Any consultation will need to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

79. An Equalities Impact Assessment is attached at Annex A.

- **Legal
Levelling Up Fund**

80. The projects in the application for the second round of the LUF will be largely the same as in Round One, but with the removal of the proposals in relation to the rear of the Castle Museum. In relation to the Riverside Quarter project (project 2) officers will continue to work with the private sector riverside property owners to shape the emerging riverside walkway proposals and negotiate any necessary commercial relationships with neighbouring landowners and developers. Care needs to be given in developing the relationship between the Council and the private sector riverside property owners to ensure this remains in accordance with public sector procurement legislation.

81. The application for the transport orientated bid to the LUF is in relation to Haxby Station, specifically the improvement of active travel and sustainable connectivity.

82. Should the application(s) to the LUF be successful the Council will develop procurement strategies to ensure the funding is used compliantly in accordance with the Public Contracts Regulations 2015 and subsidy control requirements (previously known as State aid).
83. Any commercial arrangements around the associated development scheme would need to be framed to ensure best value requirements are met.
84. Legal Services officers will work closely with project officers to ensure compliance with public sector procurement legislation and to consider the subsidy control implications of the funding of the individual projects.

UK Shared Prosperity Fund

85. It is noted that lead authorities will have responsibility for managing and monitoring the UKSPF and will determine funding interventions in partnership with local stakeholders. Lead authorities will be able to use competition, commissioning, procurement or in house delivery to distribute the funding. The Council will therefore need to develop strategies to ensure the funding is applied compliantly in accordance with the Public Contracts Regulations 2015 and subsidy control requirements.
 - **Human Resources (HR) – none**
 - **Crime and Disorder – none**
 - **Information Technology (IT) – none**
 - **Property – covered in the report**

Risk Management

86. Both internal and external resource is required to prepare any bid for external funding. This work is undertaken at risk and should the bid be unsuccessful this work is mostly abortive. This risk is managed by only submitting two bids to the LUF, instead of working up a third bid from scratch. The positive feedback received on the round one bid and the relatively small amount of work required to update and resubmit this bid, coupled with the size of the opportunity, offsets this risk.
87. Successful bids need CYC contribution funding, which can be evidenced through existing proposed funding strategies. Should the LUF

bids be successful, a report will be brought back to Executive to take the decision whether to accept the funding and proceed with the delivery of the projects.

Contact Details

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3364

Chief Officer Responsible for the report:

Tracey Carter

Director of Housing, Economy &
Regeneration, Information and
Communication Technology

**Report
Approved**



Date 06/06/2022

Specialist Implications Officers

Financial:-

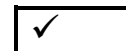
Patrick Looker
Finance Manager
Tel No.

Legal:-

Cathryn Moore
Legal Manager - Projects
01904 552487

Wards Affected: [List wards or tick box to indicate all]

All



For further information please contact the author of the report

Background Papers:

City of York Council Recovery and Renewal Strategy – April Update – 22nd
April 2021

Corporate Director Decision Notice - Submission of York Levelling Up Fund
Bid – 18/06/2021

Levelling Up – Round Two:

[Prospectus](#)

[Application Guidance](#)

[Technical Note](#)

Annexes

Annex A – UKSPF List of European Structural Fund investments

Annex B – Equalities Impact Assessment

List of Abbreviations Used in this Report

BEIS – Department for Business, Environment, Innovation, and Sustainability

DLUHC – Department for Levelling Up, Housing and Communities

LUF – Levelling Up Fund

UKSPF – UK Shared Prosperity Fund

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Name of Project	Recipient of funds	Type of fund	Summary of project (max 100 words)	ERDF/ESF investment £m	Local Enterprise Partnership area	Type and focus of support (*Category of intervention)*	Percentage in York	Maximum Potential Value to York since 2014
Superfast West Yorkshire and York – the final 5%	West Yorkshire Combined Authority (WYCA)	ERDF	The 'Superfast West Yorkshire and York – the final 5%' (SWYY) programme helps to deliver fast and reliable broadband to the hardest to reach urban areas, those areas not already targeted through either a commercial roll out or the previous phases of superfast broadband delivery.	1,841,605.00	Leeds City Region	046 ICT: High-Speed broadband network	16%	£ 294,657
4Community Growth York	City of York Council	ERDF	York's economic success masks highly marginalised pockets of multiple deprivation and social isolation. 4Community Growth will work with its partners to deliver a multi funded approach. It will deliver improved access to the employment market and develop SME opportunities tailored to the area needs.	11,991.62	Leeds City Region	097 Community led local development initiatives in urban and rural	100%	£ 11,992
Exporting for Growth	Enterprise Growth Solutions Limited	ERDF	The project will increase the support offered to SMEs, both first time exporters and those already exporting across Leeds & Sheffield City Regions to grow their success within international markets. SMEs will benefit from a programme of direct engagement	6,351,830.39	Leeds City Region	066 Advanced support services for SMEs and groups of SMEs	7%	£ 444,628
Ad:Venture	Leeds City Council	ERDF	Ad:Venture is a £12.32m programme offering wrap-around support for eligible pre-start, young and new firms with growth potential in the Leeds City Region, particularly in key priority sectors. The programme will provide multi-level support, appropriate to the age, stage, readiness and ambition of participants.	9,126,907.00	Leeds City Region	067 SME business development, support to entrepreneurship	12.50%	£ 1,140,863
GamesLab	Creative England Limited	ERDF	Most of the Leeds City region's thriving independent games companies are unable to commit resources to research and innovation towards developing their own IP. This removes their ability to scale and reduces their ability to attract additional investment	466,652.00	Leeds City Region	064 - Research Innovation Processes in SMEs (including voucher schemes, process, design, service and social)	12.50%	£ 58,332
Digital Enterprise 2.0	Leeds City Council	ERDF	Digital Enterprise 2.0 is an extension to the current Digital Enterprise programme, which is providing innovative business support to eligible growth-focused SMEs to access, invest and deploy digital technologies that stimulate digital transformation and growth.	4,964,259.00	Leeds City Region	082 ICT Services and applications for SMEs	12.50%	£ 620,532
Digital Advantage	Coventry University Enterprises Limited	ERDF	The project will improve the use of digital technologies amongst participating SMEs through the delivery of 1 to 1 support to 150 SMEs and through digital technology workshops. Support will cover the adoption and use of new digital and mobile technologie.	647,565.00	York and North Yorkshire	067 SME business development, support to entrepreneurship	25.00%	£ 161,891

Investor Readiness Support Programme	West Yorkshire Combined Authority (WYCA)	ERDF	The project will offer support to businesses to better understand the full range of SME finance options and products currently available, and to then access the ones most capable of meeting their growth needs. Activities will include both one to many support via workshops covering key themes related to finance (e.g. traditional funding options, R&D-related funding, crowd funding, invoice finance/factoring, platform-based	714,500.00	Leeds City Region	001 Generic productive investment in SMEs	12.50%	£	89,313
Leeds City Region Growth Service	West Yorkshire Combined Authority (WYCA)	ERDF	The project will deliver an impartial, high quality access and referral service that directly links SMEs in Leeds City Region to the full range of publically-funded products and services that can assist with their growth.	1,700,878.00	Leeds City Region	001 Generic productive investment in SMEs	14.00%	£	238,123
Strategic Business Growth	West Yorkshire Combined Authority (WYCA)	ERDF	The Strategic Business Growth Project will help Small and Medium sized Enterprises (SMEs) in the Leeds City Region to: <ul style="list-style-type: none"> • Understand and undertake strategic planning to enable the growth of their business; • Prepare for securing external finance; Accelerate growth leading to an increased economic	2,061,958.00	Leeds City Region	067 SME business development, support to entrepreneurship	12.50%	£	257,745
Superfast West Yorkshire and York	West Yorkshire Combined Authority (WYCA)	ERDF	The project will support the installation of capital infrastructure in areas not covered by the market, creating fibre connections to individual street cabinets, thereby providing the capability to at least 3,400 eligible SMEs to access the internet with	7,249,207.00	Leeds City Region	046 ICT: High-Speed broadband network	16%	£	1,159,873
L-CREATE (LCR TA)	West Yorkshire Combined Authority (WYCA)	ERDF	The project will engage across all sectors and geographical areas within the region, providing support and advice to all and ensuring quality submissions that have the greatest possible relevance and the most impact in delivering key European, national an	103,725.00	Leeds City Region	123 Information and communication	12.50%	£	12,966
Digital Enterprise	Leeds City Council	ERDF	This project will deliver a comprehensive package of services to at least 1250 eligible SMEs in the Leeds LEP area over a 3 year period. It will encourage firms to take-up faster digital connectivity and introduce enhanced ICT systems to improve business	4,231,475.00	Leeds City Region	082 ICT Services and applications for SMEs	12.50%	£	528,934
Bioeconomy Growth Programme	Biorenewables Development Centre	ERDF	The Bioeconomy Growth Programme (BGP) project will drive the growth of the emerging bioeconomy sector across the Leeds City Region. The EU bioeconomy is estimated to have a £1.7 trillion annual turnover and is set to continue	1,578,211.00	Leeds City Region	060 Research and innovation activities in public research centre	12.50%	£	197,276
Project and Process Innovation (PAPI)	University of York	ERDF	The purpose of the PAPI project is to support innovation in SME's in process industries- including chemicals and biochemical, electronic based businesses and digital and media - that support the following priority sectors: Bioscience, Food and Drink an	3,760,825.00	York and North Yorkshire	056 Investment in infrastructure, capacities and equipment in SMEs	25%	£	940,206
Stimulating Innovation in the Agri-Food Sector (SIAFS)	Fera Science Limited	ERDF	The project will: Promote the nationally significant facilities/expertise of the National Agri-Food Innovation Campus, Stimulate agri-food related knowledge exchange across LEP areas, Accelerate the development of an agri-food regional cluster of R&I expe	479,793.00	Leeds City Region	064 - Research Innovation Processes in SMEs (including voucher schemes, process, design, service and social)	10%	£	47,979
The BioVale Project	University of York	ERDF	It will significantly increase SME investment in agri-food research, innovation and commercialisation activities across the 2 LEP areas.	1,753,861.38	York and North Yorkshire	060 Research and innovation activities in public research centre	10%	£	175,386

HYPHER Hubs – Creating a network of ultra low carbon transport refuelling hubs	City of York Council	ERDF	To create a well connected economy with a transport system that underpins both growth and low carbon targets, we propose to integrate renewable energy and energy storage into 5 new low carbon, HYPHER Hubs (High Yield & Power Electric Recharging Hubs) will provide ultra low carbon, ultra rapid charging facilities for York's growing number of electric	700,000.00	York and North Yorkshire	012 Other renewable energy (including hydroelectric, geothermal,	100%	£	700,000
(YNYER) LEP Big Lottery Fund Opt In	Big Lottery Fund (CFO)	ESF	This project is part of the 'Building Better Opportunities' (BBO) programme, which is made up of all ESF activities in England match-funded and delivered through the Big Lottery Fund Opt In Organisation. BBO will improve people's life chances by building better opportunities for education, training and employment. Projects will work with people furthest from the labour market, who face significant disadvantages and barriers to social inclusion. Within the YNYER LEP, there will be one project offering a single strand of activity focusing on engagement of priority 'hard to reach' beneficiary groups, financial inclusion, supporting people with health issues and their carers and skills development by addressing barriers to employment and a move towards and into employment.	4,000,000	York, North Yorkshire & East Riding	109 Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability	20%	£	800,000
4Community Growth York	City of York Council	ESF	Community Growth will work with its partners to deliver a multi funded approach. It will deliver inclusive access to the employment market and develop localised support opportunities tailored to the area needs. This will be achieved through community consultation and by developing a support	10,000	Leeds City Region	114 Community-led local development strategies	100%	£	10,000
Reach Higher	West Yorkshire Colleges Consortium	ESF	The project, 'Reach Higher' will widen participation in higher level skills through a programme of activities co-designed by employers that will attract and engage new participants onto higher level courses, allow progression onto courses which will lead to a qualification and ultimately into employment in the key sectors filling gaps and shortages in the city region.	3,500,000	Leeds City Region	117 Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	12.5%	£	437,500
More Skills Better Jobs	West Yorkshire Colleges Consortium	ESF	The project, "More Skills, Better Jobs" will provide individuals in low-paid employment with access to training and improved skill levels, leading to greater earning potential. It will also investigate and seek to overcome the barriers faced by those in low-paid work, those working few hours and under-employed which builds on the recommendations from the 'More jobs,	2,000,000	Leeds City Region	117 Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	12.50%	£	250,000
LEP Skills Service	West Yorkshire Consortium of Colleges Consortium Ltd (WYCC)	ESF	Providing a unique offer to business the Skills Service will incentivise employers to train their staff through a package of support which builds on good practice and lessons learned, unlocking the potential of the skills system for businesses in Leeds City Region.	7,000,000	Leeds City Region	117 Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	12.50%	£	875,000
Leeds City Region LEP Priority 1 Application	Education and Skills Funding Agency (ESFA CFO)	ESF	The Skills Funding Agency will deliver Priority 1 activity designed to help unemployed people, inactive people and young NEETs to improve their employability and move into work, by improving their skills. The activity will be focused on, but not limited to, to the Leeds LEP area A range of activity will be delivered. Example(s) include: A NEET programme - individually tailored solutions leading on to the onward progression of the individual into education or employment	10,908,758	Leeds City Region	103 Sustainable integration into the labour market of young people, in particular those not in employment, education or training, including young people at risk of social exclusion and young people from marginalised communities, including through the implementation of the Youth Guarantee	12.50%	£	1,363,595
Leeds City Region LEP Priority 2 Application	Education and Skills Funding Agency (ESFA CFO)	ESF	The Skills Funding Agency will deliver Priority 2 activity designed to help employed people, or those at risk of becoming unemployed, to improve their skills levels and improving the labour market relevance of education and training system by aligning skills development with economic needs The activity will be focused on, but not limited to, to Leeds LEP area A range of activity will be delivered.	1,024,944	Leeds City Region	117 Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	12.50%	£	128,118

ESFA Education and Skills funding Agency YNYER LEP PA2 MD	Education and Skills Funding Agency (ESFA CFO)	ESF	The Skills Funding Agency will deliver Priority 2 activity designed to help employed people, or those at risk of becoming unemployed, to improve their skills levels and improving the labour market relevance of education and training system by aligning skills development with economic needs The activity will be focused on, but not limited to, to the York, North Yorkshire and East Riding LEP area A range of activity will be delivered. Example(s) include: Skills Support for the Workforce	5,591,250	York, North Yorkshire & East Riding	117 Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	12.50%	£	698,906
SFA YNYR PA 2 Transitional	Education and Skills Funding Agency (ESFA CFO)	ESF	The Skills Funding Agency will deliver Priority 2 activity designed to help employed people, or those at risk of becoming unemployed, to improve their skills levels and improving the labour market relevance of education and training system by aligning skills development with economic needs The activity will be focused on, but not limited to, to the York, North Yorkshire and East Riding LEP area A range of activity will be delivered. Example(s) include: Skills Support for the Workforce	1,908,750	York, North Yorkshire & East Riding	117 Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	13%	£	238,594
York, North Yorkshire and East Riding LEP – Priority 1 MD	Education and Skills Funding Agency (ESFA CFO)	ESF	The Skills Funding Agency will deliver Priority 1 activity designed to help unemployed people, inactive people and young NEETs to improve their employability and move into work, by improving their skills. The activity will be focused on, but not limited to, to the York, North Yorkshire and East Riding LEP area A range of activity will be delivered. Example(s) include: Community Grants	1,906,667	York, North Yorkshire & East Riding	109 Active inclusion, including with a view to promoting equal opportunities and active participation, and improving employability	12.50%	£	238,333
L-Create	West Yorkshire Combined Authority	ESF	This project provides ESF technical assistance in the Leeds City Region	390,956	Leeds City Region	123 Information and communication	12.50%	£	48,870
Technical Assistance-Humber, York & North Yorkshire	East Riding of Yorkshire Council	ESF	The project will maximise access to ESF across the Humber and the York, North Yorkshire and East Riding Local Enterprise Partnership areas. The project will do this by delivering activities that promote and publicise ESF funding opportunities, raise awareness of what is expected in relation to compliance with ESF requirements, and build capacity to enable organisations to access ESF funds across the LEP areas. East Riding of Yorkshire Council (the Council), as lead partner, will ensure that activity delivered under this project is complementary to the activity of the Managing Authority	504,825	York, North Yorkshire & East Riding	123 Information and communication	12.50%	£	63,103
DWP ESF 2014-2020 Provision York, North Yorks & East Riding	Department for Work and Pensions (DWP CFO)	ESF	This project will deliver a package of tailored support to help disadvantaged participants improve their chances of securing and sustaining employment. The project will reduce worklessness amongst disadvantaged groups and help the local economy by increasing the economic activity rate amongst working age people. This provision will prioritise the hardest to help claimants who are furthest from the labour market. It is therefore anticipated that more intensive support will be required.	2,238,000	York, North Yorkshire & East Riding	102 Access to employment for job-seekers and inactive people, including the long-term unemployed and people far from the labour market, also through local employment initiatives and support for labour mobility	12.50%	£	279,750
Community Grants	Humber Learning Consortium	ESF	The aim of the fund is to help unemployed people progress towards employment through access to learning and training opportunities. CG5 distributes small grants in the Humber, East Riding, York and North Yorkshire region between £5,000 and up to £20,000.	1,113,750	York, North Yorkshire & East Riding			£	-

Skills Support for the workforce	Calderdale College	ESF	Apprenticeship opportunities have reduced nationally and many providers are 'chasing' the same employers / participants as part of their programme outputs. The scheme uses every opportunity to promote apprenticeships to employers including pre-apprenticeship programmes and national incentives.	2,784,375				£	-
Skills Support for the unemployed	Talented Training	ESF	The scheme aims to support individuals, many from priority groups (e.g., women, single parents, ethnic minorities, with disabilities and those low levels of English and Math), with tailored one to one support and in demand qualifications that will move into education or employment, including Apprenticeships and Traineeships. The project will help people to overcome relatively simple issues such as building confidence, self-esteem, and motivation through to interview skills, CV building and navigate the digital aspect of job searching critical in today's fast paced employment market. It often involves working more intensely on more complex barriers such as cultural issues, supporting those with disabilities and health conditions and parents overcoming childcare barriers.	393,525	North Yorkshire and East Riding			£	-
Specialist Skills Support Programmes	Calderdale College	ESF	For: Accessing full and part-funded business training and consultancy Succession planning for an ageing workforce Creating an inclusive recruitment process Developing your business through graduates Enhancing employee capacity via bespoke and accredited skills training Adapting to changing national and international markets	2,650,000				£	-
Business Scale-Up programme	Calderdale College	ESF	40% funding towards training and consultancy Expert business training and advice Access to Leadership and Management qualifications and courses Bespoke support for businesses Access to business Coaches and Consultants Training and Development for your employees	1,500,000				£	-
Aspire2Lead Women in the Workforce	The Opportunity Centre	ESF	The project aims to provide free support to women to boost their skills and confidence, achieve their potential and contribute to the growth of businesses in the York and North Yorkshire LEP Area. The Opportunity Centre is working in partnership with Beyond 2030 and Yorkshire In Business to deliver a range of services with a holistic approach for individuals and organisations to suit their needs and goals.	2,087,976				£	-

Thriving at Work	Better Connect	ESF	<p>The project aims to support more people to thrive at work. It has a particular focus on supporting inclusive workplaces that can unlock the potential of staff who are neurodiverse, disabled or experience mental health challenges.</p> <p>Delivered through a network of specialist partners, we can offer 3 packages of support to businesses and people:</p> <ul style="list-style-type: none"> Inclusive Workplace – 1-2-1 business support to create an inclusive workplace. Diversity Training – webinar series and specialist training for staff. Workplace Support – 1-2-1 in-work coaching and support for individuals. 	900,000	North Yorkshire and East Riding			£	-
Industry Placements for T Levels	Tec Partnership	ESF	SME engagement, development and matching services with businesses and students to deliver extended placements.	490,122				£	-
Bespoke Skills	Vicky Anderson Ltd	ESF	Training courses for the workplace	748,000				£	-
Step Up Into Construction	Leeds College of Building	ESF	The Step Up Into Construction project will raise the profile of the Construction Industry through the engagement of a broad range of eligible participants, including under-represented groups. A collaborative partnership (12 delivery partners, 10	500,000	Leeds City Region	102 Access to employment for job-seekers and inactive people, including the long-term unemployed and people far from the labour market, also through local employment initiatives and support for labour mobility	12.50%	£	62,500
Progression from Low Pay	West Yorkshire Consortium of Colleges Consortium Ltd (WYCC)	ESF	<p>The project will be delivered concurrently with Skills Support for In Work Claimants (delivered by WYCC). It will ensure all in low waged, low skilled employment and those unlikely to receive employer supported skills development in Leeds City Region can improve their career prospects and earnings as a result of improved skill levels through a seamless and non-divisive programme.</p> <p>The project will provide individuals in low-paid employment with access to training and improved skill levels leading to</p>	2,500,000	Leeds City Region	117 Enhancing equal access to lifelong learning for all age groups in formal, non-formal and informal settings, upgrading the knowledge, skills and competences of the workforce, and promoting flexible learning pathways including through career guidance and validation of acquired competences	12.50%	£	312,500

Maximum potential investment

£ 12,887,465

City of York Council Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Regeneration and Economy		
Name of the proposal :	Levelling Up Fund Round 2 and UK Shared Prosperity Fund		
Lead officer:	Katie Peeke-Vout		
Date assessment completed:	25 th May 2022		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Ben Murphy	Commercial Project Officer	City Of York Council	Regeneration and Planning

Step 1 – Aims and intended outcomes

<p>1.1</p>	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p><i>The Equality Impact Assessment is to accompany an Executive report seeking approval to proceed with undertaking the steps necessary to apply for and to drawdown Government funding. The funding is to deliver the Governments Levelling Up Missions as set out in the Government's Levelling Up White Paper.</i></p> <p><i>The report proposes that two bids are prepared and submitted to Round 2 of the Levelling Up Fund. This includes a revision and resubmission of the Round 1 package bid to revitalise the city centre, and a Transport focused bid to improve active travel and sustainable accessibility to the proposed new railway station in Haxby. Individual and detailed Equality Impact Assessments will accompany the decisions to proceed with these projects if funding is secured. There will also be an Equalities Impact Assessment that accompanies the Levelling Up bids to Government setting out the wealth of engagement undertaken to inform the projects and the impact of the proposals.</i></p> <p><i>The report seeks approval to proceed with preparation of a 3 year investment plan to secure the drawdown of York's allocation of the UK Share Prosperity Fund. This allocation is £5,107,510 with an additional allocation of £741,291 for an adult numeracy programme called Multiply. An Equalities Impact assessment will be carried out as part of the preparation of the Investment Plan.</i></p>
<p>1.2</p>	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p><i>Both the Levelling Up Fund and the UK Shared Prosperity Fund have clear guidance setting out the purpose of the funding and what it is to deliver.</i></p> <p><i>Using Government funding increases the importance of aligning projects to national policy objectives, as well as legal and statutory commitments. This includes for example a closer alignment to delivering Net Zero carbon emissions and improving air quality.</i></p> <p><i>Transport schemes will be required to meet LTN1/20 guidance.</i></p>

1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>Levelling Up Funding Bids:</p> <p>Bid 1: <i>The three projects contained in this package bid seek to improve the function and appearance of three major civic spaces in the City, and will inevitable affect and be influenced by a very wide range of stakeholders and communities of interest. In terms of stakeholder organisations, these are best articulated around the membership of the My City Centre Stakeholder Group and Castle Gateway Advisory Group, whose collective membership is comprised from: English Heritage, Environment Agency, York Museums Trust, My Future York, Crown Courts, York Conservation Trust, Indie York, the Retail Forum, York Property Forum, Higher York, the Hospitality Association, the Canals & Rivers Trust, the City Guilds Associations, North Yorkshire Police, the Centre for Voluntary Services, Make It York, the Business Improvement District, York Community Safety, Cultural Leaders Group, and York Food Festival.</i></p> <p><i>The interests of this very broad and diverse group of stakeholder are various, wide ranging and too numerous to list here (though often self-evident in their organisations name). What brings them all together in these projects (and the LUF bid proposals which form part of both), is to deliver improvements for and on behalf of York’s residents, business community and visitors.</i></p> <p><i>Bid 1 is designed to deliver core components of the My City Centre Vision, whilst also catalysing wider parts of the vision. The vision was developed through extensive and wide ranging community engagement with residents, visitors, and businesses in the City Centre, including special interest groups, and communities of interest. This engagement was undertaken over a long period of time and using a wide variety of consultation techniques and platforms, to enable as wide and representative a body of feedback as possible. Similarly the Castle and Eye scheme underwent similar engagement exercises through the My Castle Gateway engagement programme, as well as specific consultation on the current planning application.</i></p> <p>Bid 2: <i>The Transport focused bid to improve active travel and sustainable accessibility to the proposed new railway station in Haxby. Network Rail are a key partner in delivering the station. The main stakeholders with an interest in this scheme are the residents of Wigginton, Haxby, Towthorpe and Strensall.</i></p>

UK Shared Prosperity Investment Plan:

The Investment Plan required to drawdown the funding must be created and approved by partners and key stakeholders. The main themes of the Fund are: Community and Place, Supporting Local Business and People and Skills. The breadth of these themes reflect the broad range of partners that will be invited to be involved in the preparation of the Investment Plan.

As well as shaping the investment plan, some partner organisations can receive funding including public sector organisations, higher and further education institutions, private sector companies, community and voluntary sector organisations and registered charities. Therefore as well as representing the interests of their organisation or sector, their interest may also be in the potential access to funding. As the lead authority, the council has the responsibility for managing the fund, assessing and approving applications, processing payments and day-to-day monitoring. In partnership with local stakeholders, the Council determines the scale of each intervention and can use competition, commissioning, procurement or in house delivery.

<p>1.4</p>	<p>What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.</p>
	<p><i>This report seeks approval to proceed with undertaking the steps necessary to apply for and to drawdown Government funding, to deliver a wide range of benefits to residents and users of the city. Securing external funding creates significant opportunities to for the council to maximise its delivery against the Council Plan.</i></p> <p><i>Securing external funding and delivering the proposals outlined above will support a number of outcomes outlined in the Council Plan 2019-2023:</i></p> <ul style="list-style-type: none"> - <i>Well-paid Jobs and an Inclusive Economy – supporting hard hit retail, leisure and tourism sectors to recover from Covid, whilst diversifying the high street to benefit York’s economy, and support lowest paid sectors, alongside longer term plans to facilitate growth in higher value sectors.</i> - <i>A Greener and Cleaner City – investment in pedestrian and cycling provision, enhanced public transport facilities, and enhancing sustainable transport across modes, and new and improved open spaces in the river corridors</i> - <i>Getting around Sustainably – creation of new cycling/walking infrastructure to encourage active travel into York city centre</i> - <i>Creating Homes and World-class Infrastructure – transforming public realm in key city centre locations and providing a world class events space that improves the setting of York’s historic monuments and buildings, enhancing and upgrading local road networks</i> - <i>Safe Communities and Culture for All – the provision of new spaces across the city centre for cultural activation and community activity.</i>

Step 2 – Gathering the information and feedback

2.1	<p>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>
<p>Source of data/ supporting evidence</p>	<p>Reason for using</p>
<p>Castle Gateway Project Evidence Base</p>	<p><i>The Castle Gateway scheme is embedded in the Local Plan and is underpinned by evidence base work undertaken to support the Plan. Site specific technical work undertaken to support the masterplan includes the Castle Piccadilly Engineering Constraints Study (Arup 2015) and transport technical work undertaken by WSP (2017). The Castle Piccadilly Planning Brief, which was agreed in 2006, also provides an important evidence base.</i></p>
<p>My Castle Gateway Engagement</p>	<p><i>A shared masterplan was created for the Castle Gateway area based on extensive engagement. This was adopted in 2018. Each of the individual projects contained within the masterplan have also gone through extensive engagement which has shaped the designs of the schemes. This has engagement throughout the process has helped to understand and address the impact proposals might have and found solutions to improve the positive impacts and mitigate negative impacts. The Castle and Eye of York scheme is part of the second phase of the Castle Gateway masterplan and is project 1 in the package regeneration and culture bid to the Levelling up Fund.</i></p>
<p>My City Centre Engagement</p>	<p><i>The My City Centre Vision has been formed through extensive engagement. The engagement focused on many of the specific issues which the Levelling Up projects are seeking to resolve. It explores individual's relationship with the City Centre and its spaces in detail, and seeks to establish how people wish to see it improved. A delivery strategy is being developed to deliver the Vision, with many of the deliverables looking to be funded by the Levelling Up Fund bid.</i></p>

Ongoing engagement undertaken relating to the proposed new railway station in Haxby	<i>The first round of engagement was undertaken in 2020 with residents to understand their views on the idea of bringing a railway station back to the area. This formed the basis of the project and has been built on with further engagement in 2022 to continue to shape the proposals and business case.</i>
York Open data, ONS and Census data	<i>The funding bids will draw on a variety of sources to measure the proposal's impacts and successes against socio-economic parameters should funding be secured for the projects.</i>

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	<i>Detailed designs are still required for a number of projects included in the Levelling Up Fund Bids. As these progress, the specific needs of and impacts on people, particularly those with protected characteristic will be considered and factored into detailed proposals as they are developed.</i>	<i>Resourcing engagement activity as part of the design development stage of work, and high quality design stage work input</i>

Step 4 – Analysing the impacts or effects.

4.1	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p><i>My City Centre feedback reveals existing accessibility issues with existing city spaces, sometimes related to age. The public realm proposals for these spaces would redress these issues which are principally associated with poor and uneven surfaces.</i></p> <p><i>Proposals for new events spaces at Castle and Eye will spread the impact of these, which is currently concentrated on Parliament Street and frequently cited as disruptive, particularly to those with mobility issues (sometimes age related). Works to parliament Street will also be laid out in a manner which seeks to reduce conflict between these events and typical resident use of the spaces, which can also impact those with mobility issues (sometimes age related) disproportionately</i></p> <p><i>New and improved public spaces will ultimately accommodate a diverse range of uses and activities for people of different ages from young people to older residents.</i></p>	+	M
Disability	<p><i>My City Centre feedback reveals existing accessibility issues with existing city spaces, sometimes related to disability. The public realm proposals for these spaces would redress these issues which are principally associated with poor and uneven surfaces.</i></p>	Positive for improvements to city centre accessibility	M

	<p><i>Proposals for new events spaces at Castle and Eye will spread the impact of these, which is currently concentrated on Parliament Street and frequently cited as disruptive, particularly to those with mobility issues (sometimes disability related). Works to parliament Street will also be laid out in a manner which seeks to reduce conflict between these events and typical resident use of the spaces, which can also impact those with mobility issues (sometimes disability related) disproportionately. The proposals will ultimately deliver modern standards of accessibility and legibility in the public realm, streetscape and new buildings.</i></p> <p><i>The planning application to close Castle Car Park commits to re-providing lost disabled parking bays in other council car parks in close proximity to the city centre and any future decision to close Castle Car Park would be accompanied with a full EIA at that time, but it should be noted that some disabled groups are opposed to the closure of Castle Car Park to create new public realm and would prefer to see disabled parking retained. A wider city strategy for disabled parking users is also being developed through consultation which will define the best locations and solutions for disabled parking.</i></p>	Negative for those opposed to closure of Castle Car Park	
Gender	<p><i>The safety and security of city spaces and active travel routes, particularly during the evening, is an issue which my city centre is exploring in detail, and which can disproportionately impact non-males. There is an opportunity through the detailed design of spaces, to follow best practice principles and ensure that spaces are naturally surveilled, well used and populated and both operate and feel safe and secure. The gendering of spaces is also an issue which the project may seek to explore further, in order to ensure that negative discrimination on the basis of gender is reduced and avoided in key city spaces.</i></p>	+	L
Gender Reassignment	<p><i>The projects impacts in respect of gender re-assignment are considered to potentially mirror those related to gender itself and no additional impacts or issues are identified in this respect.</i></p>	+	L

Marriage and civil partnership	<i>No additional impacts or issues are identified in this specific respect</i>	0	L
Pregnancy and maternity	<i>No additional impacts or issues are identified in this specific respect</i>	0	L
Race	<i>No additional impacts or issues are identified in this specific respect</i>	0	L
Religion and belief	<i>No additional impacts or issues are identified in this specific respect</i>	0	L
Sexual orientation	<i>The safety and security of city spaces, particularly during the evening, is an issue which my city centre is exploring in detail, and which can disproportionately impact non-heterosexual individuals. There is an opportunity through the detailed design of spaces, to follow best practice principles and ensure that spaces are naturally surveilled, well used and populated and both operate and feel safe and secure. The gendering of spaces is also an issue which the project may seek to explore further, in order to ensure that negative discrimination on the basis of gender is reduced and avoided in key city spaces.</i>	+	L
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	<i>The retail, hospitality and tourism sectors which the proposals seek to support are disproportionately staffed by part time employees (42% of staff part time against 32% for all other sectors). Part time employment is potentially beneficial to carers who are managing other challenging life commitments alongside work, and therefore supporting these sectors may provide some beneficial impacts to this socio-economic group.</i>	+	L
Low income groups	<i>The city centre proposals are designed to support the robustness and economic performance of the city's low wage retail hospitality and tourism sectors, following the</i>	+	M

	<p><i>immediate impacts of the Covid 19 pandemic and systemic change which is flowing. This will in turn help to support employment prospects and wages amongst the workers in these sectors, who are lower income groups.</i></p> <p><i>New and improved public spaces will ultimately accommodate a range of uses, activities and events which can be accessed and enjoyed at low or no cost to residents.</i></p> <p><i>Improving public transport connectivity, and accessibility to key transport links via active travel and public transport will support low income groups access a wider offering of services, cultural and social opportunities and education and employment opportunities.</i></p>		
Veterans, Armed Forces Community	<i>No additional impacts or issues are identified in this specific respect</i>	0	
Other	<i>No additional impacts or issues are identified in this specific respect</i>	0	
Impact on human rights:			
List any human rights impacted.	<i>The rights to freedom of expression and a fair and public hearing are positively reinforced through the ongoing extensive and open engagement being undertaken through My Castle Gateway, My City Centre, and the Haxby Station engagement.</i>	+	L

Use the following guidance to inform your responses:

Indicate:

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

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

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

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>As the proposals develop, further detailed engagement will be undertaken to ensure that adverse impacts are avoided where possible, and mitigated where unavoidable. Where adverse impacts are identified focused engagement will be undertaken to work to find mitigation solutions with those affected.</p> <p>Future project specific Equalities Impact Assessments will ensure that both adverse and positive impacts are identified and mitigated or maximised accordingly.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<ul style="list-style-type: none"> - No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review. 	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

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

Option selected	Conclusions/justification
<p><i>No major change to the proposal</i></p>	<p><i>The proposals provide positive impacts for groups sharing a protected characteristic, and there are further opportunities as the proposals progress, to embed additional positive impacts in subsequent stages of development. Whilst some disabled parking spaces would be lost by the closure of Castle Car Park the planning application commits to re-providing these in other council car parks, and any final decision to close the car park will be subject to a full EIA at that stage.</i></p>

Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	Action to be taken	Person responsible	Timescale

Step 8 - Monitor, review and improve

8. 1	<p>How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?</p>
	<p><i>Both the Levelling Up Funding bids and the UK Shared Prosperity Investment Plan are required to set out clear monitoring and evaluation plans outlining key metrics against which impact of the intervention will be assessed.</i></p> <p><i>Specifically for the My City Centre Vision and Delivery Strategy, there is a 3 year review process built in to match the evolving nature of the current climate.</i></p> <p><i>All capital projects operated out of the Council's regeneration function include ongoing lessons learnt assessment, with these disseminated within the Council.</i></p>



Executive

16 June 2022

Report of the Corporate Director of Place
Portfolio of the Executive Member for Finance and Performance

Castle Gateway update

Summary

1. This report provides a comprehensive update on the regeneration of the Castle Gateway and sets out the next delivery stages. The heart of the masterplan is the new Castle and Eye of York public realm and events space that will replace Castle Car Park. The designs for this world-class public space have been shared extensively and refined in response to public and stakeholder engagement and will be considered by planning committee in July. The project will, subject to Member approval, form part of the Council's Levelling Up Fund round two bid, which will be submitted on the 6th July 2022, with successful bids announced in the autumn. The recent completion of the English Heritage restoration of Clifford's Tower and new plaza area has provided an exciting glimpse of how the Castle and Eye of York will be transformed once the full ambition of the regeneration has been realised.
2. The Castle Mills site, which will create a new riverside park, pedestrian/cycle bridge, and new apartments that help to fund the wider masterplan's public benefits, has been subject to delays during the detailed design and costing process. The Council entered into a NEC3 Professional Services Short Form Contract ("**NEC3 PSSC**") with Wates Construction Limited ("**Wates**") to develop the RIBA Stage 3 design into a RIBA Stage 4 design, accompanied by a costed proposal for construction. COVID-19, Brexit and rising inflation have created significant cost pressures and supply chain uncertainty, which have made sub-contractor pricing of construction packages challenging. The design evolution process identified further challenges, which were not resolved to the Council's satisfaction, and as a result this has led to the Council terminating the NEC3 PSSC, and will now need to procure a new contractor. This delay will mean that the detailed design, construction tender price, and subsequent Executive decision to proceed

with construction will not be ready until summer 2023, although sufficient progress has been made on the new bridge to enable progress with the associated statutory processes in the meantime.

3. Castle Mills is the primary funding stream for other elements of the masterplan and this delay means that no decision on the optimum replacement car parking options that allow Castle Car Park to close is required until summer 2023. Deferring this decision provides the opportunity to collect more car parking data, engage further with city centre stakeholders, and assess all other options to identify a suitable replacement parking solution for the closure of Castle Car Park. This will ensure the Council adopts the best delivery strategy for the Castle Gateway masterplan.

Recommendations

4. The Executive is asked to:

- 1) Note the inclusion of the new public realm at Castle and Eye of York in the Council's round two Levelling Up Fund bid.

Reason: To seek additional funding to deliver the Castle Gateway regeneration.

- 2) Instruct officers, subject to planning permission being secured, to prepare tender documents to procure a contractor for Castle and Eye of York so that the procurement is ready to proceed should the Levelling Up Fund bid be successful.

Reason: To ensure the Castle and Eye of York project is able to deliver within the Levelling Up Fund timeframes.

- 3) Note the termination of the NEC3 PSSC with Wates to produce a RIBA Stage 4 design and construction price for Castle Mills.

Reason: Note that the Council have not been able to reach a satisfactory outcome on identified challenges, and are in the process of terminating the NEC3 PSSC.

- 4) Delegate to the Corporate Director of Place (in consultation with the Director of Governance) the authority to take such steps as are necessary to procure a construction contractor to complete the detail

design/costing and subsequent construction of the proposed apartments, pedestrian/cycle bridge and riverside park at Castle Mills, and bring a further report to Executive on the Castle Mills business case before proceeding into the construction contract based upon tendered price.

Reason: To allow the delivery of the Castle Mills project and the Castle Gateway regeneration on a 2 phase re-procurement basis to secure firm prices before commencing construction.

- 5) Delegate to the Corporate Director of Place the submission of details to secure the necessary statutory consent under s106 of the Highways Act 1980 from the Secretary of State for the new bridge over the Foss navigation and to enter in to a build over agreement with Yorkshire Water in respect of the sewer running across the Castle Mills development.

Reason: To secure the necessary approvals to allow Castle Mills to proceed.

- 6) Defer the decision on whether to build a multi-storey car park (“**MSCP**”) at St George’s Field until the Executive have a construction price for Castle Mills.

Reason: Deferring until the inter-related point in time when a construction price is agreed for Castle Mills would allow further evidence to be collected to inform a decision on whether the MSCP still represents the best alternative replacement parking solution for the closure of Castle Car Park.

- 7) Instruct officers to collect more data on parking demand, further engage with city centre businesses and stakeholders, and explore alternative options to maximise surface car parking provision at St George’s Field to inform the future decision on car parking replacement.

Reason: To provide further information and enable consultation with city centre businesses and scrutiny to inform consideration of replacement parking solutions to allow the closure of Castle Car Park.

Background

5. In April 2018, the Executive approved the Castle Gateway masterplan to transform a large area of the city centre that had endured decades of failed private sector regeneration proposals. By placing the public and stakeholders at the heart of the development and visioning process through the innovative My Castle Gateway engagement project, the masterplan gained widespread public and cross-party political support. The proposals were to create new high quality public realm and event spaces, significantly improve the setting of heritage assets, improve cycle and pedestrian routes throughout the area, and reduce and consolidate two large surface level car parks in to a modern MSCP outside of the inner-ring road.
6. The business case and delivery strategy for the first delivery phase was approved in January 2020. This phase included many of the key public benefits of the transformative masterplan, including a new footbridge and pedestrian and cycle routes, a riverside public park, and new apartments and commercial spaces at Castle Mills; and a MSCP at St George's Field to replace Castle Car Park, which would become new high-quality public realm in Phase Two.
7. Having considered a number of delivery options with different financial and delivery risk profiles, the Executive approved the Council taking the lead to deliver the project and acting as developer for the whole of phase one. The commercial return from the sale of apartments would then repay the majority of the upfront investment, with a small project viability gap to be met by the Council. Given the magnitude of the upfront investment, it was agreed to undertake a staged approach to decision making, with the full commitment to the investment only being made once actual construction costs were received for Castle Mills and St George's Field. To that end, the Executive approved the procurement of separate construction contractors to undertake the RIBA Stage 4 design of St George's Field and Castle Mills and provide tender prices for the build phases. These tender submissions would then enable the Executive to make an informed decision based on actual costs, and to finalise the budget in late 2020.
8. Following the Executive meeting, officers proceeded with the preparation of the procurement for St George's Field and Castle Mills alongside the on-going planning determination process. However, in March 2020 in response to the impact of COVID-19, the Council put all procurement on hold and instigated a review of the business case and delivery models

for all major projects. This led to a fundamental review of the Castle Gateway regeneration to understand if the project principles remain valid, the business case remains viable, and if the delivery strategy needed to be revised.

9. The outcome of this review in October 2020 was to continue as planned with the procurement of a construction partner for the Castle Mills apartments. However, whilst the Executive reiterated its commitment to providing parking to replace the closure of Castle Car Park, the procurement of a construction partner for the new multi-storey car park at St George's Field was paused until the impact of COVID-19, reviews of Council car parking locations, and the availability of more detailed data from the new pay on exit systems would provide clarity as to whether that proposal remained the best replacement parking solution. Similarly, a future decision on whether the Council should develop or dispose of 17-21 Piccadilly was also delayed until market conditions became clearer.
10. Since the last Executive decision, planning permission has been secured for both Castle Mills and St George's Field MSCP, and £4m of West Yorkshire Transport Funding ("**WYTF**") has outline business case approval secured for the new pedestrian/cycle footbridge and connecting riverside cycle route at Castle Mills. However, these elements can only be delivered as part of the Castle Mills apartments due to the key connecting bridge being an integral part of the apartment construction.

Castle Mills

11. Following the approval to recommence the paused procurement of a contractor for Castle Mills in October 2020, a full open market procurement process was undertaken, with Wates being appointed in May 2021. The structure of the contract was in two stages; the first was a NEC3 PSSC to progress existing RIBA Stage 3 designs to a detailed RIBA Stage 4 design and to provide a construction tender price based on those designs. The Council's appointed architects, Building Design Partnership Limited ("**BDP**"), were to be novated to the contractor to undertake the design work. On receipt of a satisfactory tender price, the Council would then formally commit to the construction phase, and enter a NEC3 Engineering and Construction Contract ("**NEC3 ECC**"). However, the Council would **only** issue the NEC3 ECC **if** the price was acceptable and the Council were satisfied with the detailed design produced. The NEC3 PSSC also made it clear that if the Council did not enter into the NEC3 ECC for whatever reason, the Council would not be

responsible and would have no liability for any loss of profit or any other losses suffered or incurred by Wates arising because of the NEC3 ECC not being entered into. Further, the Council's liability under the NEC3 PSSC would be strictly limited to any sums due under terms and conditions of the NEC3 PSSC.

12. The RIBA Stage 4 work with Wates commenced in late spring 2021, based on the approved RIBA Stage 3 Design that was granted planning approval in December 2020, with the intention to have produced a final design and construction price in late 2021. However, due to a combination of price volatility, high demand and material shortage owing to COVID-19 and Brexit, and challenges in arriving at design solutions that were acceptable to the Council, this process encountered significant delays. Having explored all available options the Council decided to exercise its right to terminate the NEC3 PSSC. This process remains subject to the on-going termination process and contractual and legal discussions between the parties. The Council has taken extensive legal advice to confirm and safeguard its position.
13. Whilst this is a disappointing outcome, it highlights the Council's prudent approach to procurement. By adopting the two-stage strategy it enabled design issues to be drawn out in the initial stage of the Castle Mills project, and rigorous assessment as to whether to proceed has enabled affirmative action to be taken. Elements of the RIBA Stage 4 design that the council deems to have been satisfactorily completed, including the bridge, drainage and highways designs, would be usable in any further design work.
14. Once the Council terminates the NEC3 PSSC with Wates, a new procurement exercise to appoint an alternative contractor is required. Having considered the various alternative procurement routes, it is proposed to replicate the two-stage approach applied previously, which has proved invaluable in allowing issues to emerge before entering in to the full construction phase of the project. Soft market engagement with contractors has also confirmed that a two-stage approach remains the industry preference given the high market demand, reducing the abortive costs of a full single stage costed tender for contractors, and allowing risk to be priced dynamically and minimised based on accurate designs. Wherever possible the RIBA 4 design work undertaken to date that is complete will be incorporated in to the new tender pack to reduce replication of work.

15. The need to procure a new contractor and restart the RIBA Stage 4 design process will result in a significant delay to the project. The procurement process, including the preparation of new tender documentation, is estimated to take 6 months; the RIBA Stage 4 design 6 months; with a further 6 weeks to confirm the construction costs. Consequently, the final tender price that would enable Executive to commit to the construction phase will not be available until summer 2023. At this point the actual tender price will allow a final review of project viability, supported by updated sale values to ensure the commercial return remains within the Castle Gateway project business case budget envelope (see risk section). If the construction phase is approved this would mean a start on site in autumn 2023.

St George's Field

16. The masterplan proposals for St George's Field were to consolidate the large surface level car park in to a land efficient MSCP, offsetting some of the lost car parking from Castle Car Park outside of the inner-ring road and creating a flood resilient car park with raised access at first floor level and high levels of Electric Vehicle charging. The space created at St George's from the closure of the existing surface level car park would then be repurposed as a new riverside park area, the creation of a new cycle route from the south through the site, and 52 new apartments built adjacent to the floodwall that separates the car park from the Foss Basin.
17. In January 2020, Executive approved the procurement of a construction partner on the same two-staged strategy as Castle Mills. Following the business case review necessitated by COVID-19 it was agreed to pause that procurement until the impacts on car parking of the pandemic became clear. Subsequently, in November 2020 the Executive commissioned a strategic review of Council car parks as part of decisions relating to the city centre footstreets, in part to assist future decisions on the MSCP. The review was approved by Executive in November 2021, and concluded that car parking demand had returned to and was exceeding pre-COVID-19 levels, and identified St George's Field as a priority car park location given it is outside the inner-ring road, is not accessed through residential streets, and has no alternative development use.
18. However, the review was also clear that the hierarchy of car parks is simply a tool to indicate priority car parks for investment, and which car parks may be appropriate for alternative uses should demand decline. It was not a definitive decision making tool, and any future decisions on

investment or alternative uses would need to be subject to individual business cases and Executive decisions. Consequently, any decision to proceed with a MSCP at St George's Field would need to be accompanied with a full strategic business case, which was proposed to be brought back to the Executive in February 2022 alongside the decisions relating to Castle Mills. During this period, the issues were also considered by scrutiny committee, with further pre-decision scrutiny agreed to take place on the replacement car parking solutions before any Executive decision is taken.

19. The decision to terminate the Castle Mills NEC3 PSSC with Wates means that the next decision point on Castle Mills – to proceed with construction – will not take place until summer 2023. As the MSCP was to be funded through the profit from Castle Mills, even if the strategic business case was approved for an MSCP, delivery could not proceed until there is certainty of Castle Mills also proceeding. Consequently, the delay to Castle Mills requires a delay to the MSCP decision which represents a prudent, measured approach to decision making and enables the following:
 - the collection of further data on car park usage;
 - further engagement with city centre businesses and stakeholder on car parking needs; and
 - consideration of alternative options to maximise car parking provision at St George's Field to offset the closure of Castle Car Park, which would also be considered at pre-decision scrutiny.

20. Regarding the first bullet point above, any decision can be improved by having more up to date data. Whilst a variety of mechanisms are applied to assess usage of Council car parks, this historically has not been a core metric analysed in its own right as part of the Council's business intelligence or monitoring functions. As a result, data has not been available in a full and consistent manner over a meaningful period of time. There is information held on car park income, and car park usage has been analysed manually through CCTV since May 2020, but these do not provide a clear and consistent data set, and the strategic review of parking noted that data could be improved. To that end, to reflect the need to improve data an officer decision was taken in May 2022 to install car park counters across the parking estate and upgrade the relevant software to collect the data, and the first counters are already operational. The Council are also working with the Business Improvement District ("**BID**") to expand the Moving Insights data that uses O2 and Visa spend to assess city centre usage, to include

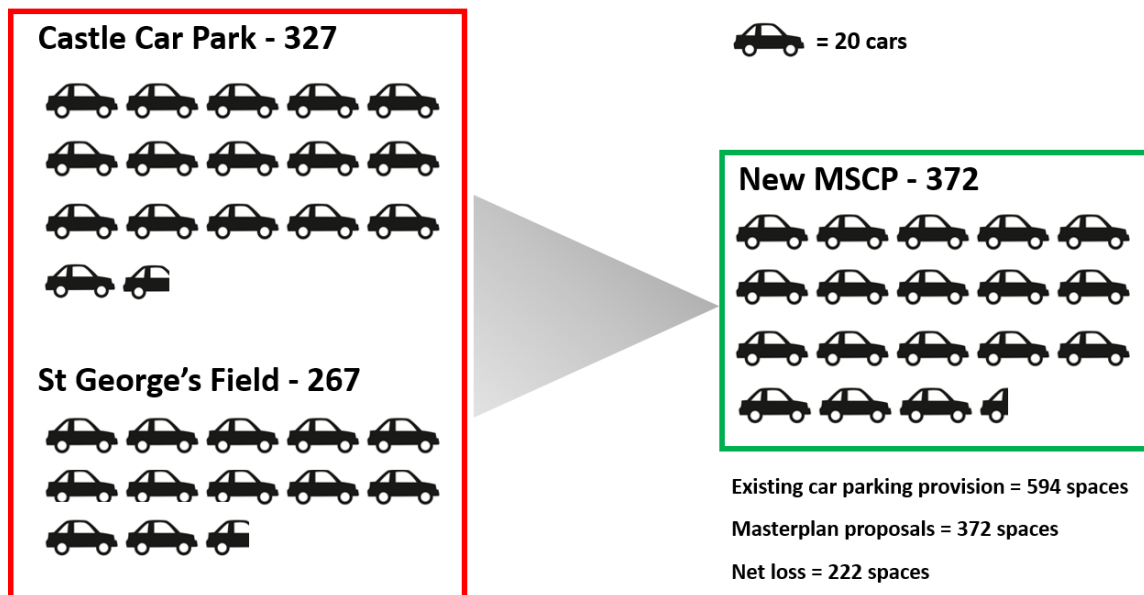
assessments of car parking usage. This, coupled with data from pay on exit that has been installed at Coppergate and Marygate car parks, will provide an improved evidence base collected over a longer period of time to inform future decisions.

21. The second advantage of delaying the decision is that it will allow further engagement with city centre businesses and stakeholders. Whilst there are differing views within these groups as to the needs for car parking, the majority of representative groups remain of the view that car parking plays an important role in a successful city centre economy. The masterplan was only supported by York Retail Forum in 2018 on the basis that the MSCP was built to replace Castle Car Park. The BID board, which represents 915 city centre businesses, has recently reiterated their formal position that their previous support for the masterplan had been predicated on the MSCP, and their ongoing support for the closure of Castle Car Park is now conditional on an acceptable replacement car parking solution being delivered.
22. However, it is important that the on-going debate on car parking is fully informed, through improving parking data as above, but also reviewing what has changed since the masterplan approval. There are two main changes that have taken place since 2018. Firstly, the MSCP had to reduce in size to secure planning permission. This meant that instead of the proposed 400 space MSCP the actual planning permission is for a 372 spaces.
23. The second change is that the number of car parking spaces at the two car parks that were proposed to be closed has changed, particularly at St George's Field. Until earlier this year St George's Field's capacity was only 150 spaces. In the first instance this was a temporary reduction resulting from the ongoing Environment Agency works to the Foss Flood Barrier, which have now completed. However, the crucial point is that the masterplan didn't just propose a MSCP for the St George's Field. The site was also expected to accommodate 52 apartments which also would have taken up existing car parking capacity and limiting any alternative surface, meaning the actual number of potential surface level parking spaces being replaced would still have been 150, even once the Foss Flood Barrier works had completed.
24. However, during the detailed development of the masterplan it has now become apparent that no technical solution can be identified for the proposed apartments that would satisfy the Environment Agency's requirements for a building on functioning flood plain. As a consequence

the plans for the apartments is not being progressed. Coupled with the now complete Foss Flood Barrier taking up less space than previously expected it means that retaining the surface level car park would now provide the existing 267 car park spaces, alongside 27 coach bays.

25. This evolution of the masterplan now means that the position regarding car parking numbers has now changed. At masterplan stage the new 400 space MSCP was replacing a 150 space surface level car park, creating 250 additional spaces. However, now with the loss of the apartments and the reduction in height of the MSCP through planning the new 372 space MSCP would replace a 267 space surface level car park, creating only an additional 105 spaces.

Figure 1 – the current position if the MSCP proceeds



26. Under the MSCP solution, there would be a net loss of 222 car spaces, whilst the failure to deliver any replacement car parking solution for Castle Car Park would see a loss of 327 spaces. If a decision was taken in the future not to build the MSCP, then there would need to be confidence in businesses that a reduction in spaces from the previously supported MSCP solution of 372 spaces would not harm the economic success and recovery of the city centre. Not proceeding with the MSCP would avoid a capital cost, but could see parking reduced to a level which may harm the city centre economy.

27. It is important to note that these high level numbers also do not reflect usage or, importantly, the proportion of time when parking is at capacity. This picture will be better understood after analysis of new data from parking counters.
28. Articulating what has changed and ensuring public clarity and transparency is the first key step in facilitating the debate with city centre stakeholders, and it is proposed to use the period of delay to enable further engagement. Consequently it is proposed that officers work with representative and stakeholder groups to consider the above and seek to build consensus on the best approach.
29. The third opportunity in delaying a decision on the MSCP would be to allow the exploration of whether the number of spaces could be increased further at St George's Field without building a MSCP. It should be noted that this could impact on other public benefits at the site such as the proposed riverside public park area and new cycle routes.
30. In summary, all of the above would benefit from delaying a decision on the MSCP, allowing exploration and refinement of the available replacement car parking solutions that will deliver the clear ongoing commitment and desire to close Castle Car Park to create the new public realm and event space that sits at the heart of the masterplan.

Castle and Eye of York

31. Work has progressed significantly on the Castle and Eye of York area and a planning application for the new public realm and event space is due to be considered by planning committee in July. This has been the subject of ongoing design input from the Castle Gateway Advisory Group and refinements through the My Castle Gateway public engagement project. Following feedback on the initial proposals, there have been a number of revisions, including the retention of the central oak tree at the Eye of York, the inclusion of more green space, and additional disabled parking bays at Tower Street. Following guidance from security consultants and the police, Hostile Vehicle Mitigation measures have been introduced, and access arrangements incorporated to meet the operational requirements of the Crown Court following discussions with Her Majesty's Courts and Tribunals Service and the judiciary.
32. Alongside the planning process, the first phase of transformation of the area has been delivered with the reopening of Clifford's Tower following English Heritage's £5m restoration project. The project has received

universal acclaim and has allowed a completely new appreciation and understanding of the Tower's history, and safeguarded its future by protecting the internal structure from the elements. The new entrance plaza at the base of the stairs leading up to the Tower offers a glimpse of how the proposed wider public realm will transform the whole space and allow a complete interpretation of the area in a car free setting. In response to the completion of the project, and working with English Heritage, the planning application has now been updated to incorporate the completed entrance plaza and seating and the repositioning of some of the proposed tree planting away from the entrance.

33. The delivery of the Castle and Eye of York will form part of the Council's round two Levelling Up Fund bid. Approval to submit this bid is sought as part of another report being considered by Executive on the same agenda. The bid will need to be submitted by 6th July, and successful bids are expected to be announced by central government in the autumn. The bid will build upon the round one bid which was unsuccessful, primarily as York is identified as a tier 3 area for investment, the lowest priority band. However, detailed feedback on the round one bid was that it was a very strong contender and the Council have been strongly encouraged to resubmit the same bid in round two with some refinements, and it was noted that there were 6 other tier 3 areas across the country that did secure funding in round one.
34. The key criteria to be noted in Levelling Up round two funding is that projects must be completed by March 2025, or by exception 2026. Castle and Eye of York could be completed within those timescales, and project deliverability is a key strength of the bid given that by July 2020 it will hopefully have planning permission. However, if the £10m of external funding is secured through this route, the closure of Castle Car Park would need to have taken place by early 2024 at the latest to allow for the 12 month construction period and completion by March 2025. Consequently, a decision on the replacement car parking solution could take place in summer 2023, as proposed in this report. However, in accepting the Levelling Up Funding, it should be noted that Executive would need to commit to the closure of Castle Car Park within those timeframes. The benefit of having £10m external funding would represent a significant change to the business case and would therefore warrant a review of the delivery strategy at that point in any case.
35. Given these timescales it is recommended that officers prepare tender documents and a procurement strategy for Castle and Eye of York so that the project is ready to proceed should the Levelling Up bid be

successful. If Executive accepted the funding the procurement process could commence immediately, ensuring – and evidenced in the bid documentation – the Council’s ability to deliver the world class public realm and event space by March 2025.

Consultation

36. The Castle Gateway regeneration continues to engage extensively with the public, residents and communities through the My Castle Gateway project. The plans for the Castle and Eye of York have been shared through multiple media platforms and at in-person events, including Facebook live Q&As, and the final plans being considered by planning committee have revised and refined in response to public feedback. The overarching regeneration masterplan also continues to be overseen by the Castle Gateway Advisory Group that is comprised of key stakeholders and meets on a bi-monthly basis.
37. A 1,335 signatory petition was presented to full Council by Councillor Kilbane in April 2022 which called for the deferral of any decision on St George’s Field MSCP. The recommendations in this report, which have been shaped over a long period of wider stakeholder engagement and through consideration by scrutiny committees, are unaffected by this petition. Any future Executive decisions will also be subject to pre-decision scrutiny.

Council Plan

38. The regeneration of the Castle Gateway is one of the priorities set out in the Making History, Building Communities 2019-23 Council Plan. The proposals will help contribute to meeting all eight of the plan’s core outcomes, and significantly improve an area of the city that is home to many of our heritage assets and cultural institutions. The focus on relocating car parking and creating new pedestrian and cycle links will help create a greener and cleaner city and enable people to get around sustainably. New homes will be created on Piccadilly and new bridges and public realm will create world class infrastructure, bringing back in to use vacant sites and driving the vibrancy of the area which will help to build strong, sustainable communities within the city walls. Continuing with the delivery of the masterplan will reaffirm the Council’s commitment to engaging residents and investing in shaping our city for the future.

Implications

39. The following implications have been identified:

- **Financial**

The Council has approved £5.4m funding towards the development of the Castle Gateway Scheme

Executive Date	Value £'000	Purpose
February 2016	180	Demolition of Castle Mills Car Park
February 2017	100	Castle Museum Masterplan
June 2017	38	Land Purchase
April 2018	2,400	Castle Gateway Masterplanning
January 2020	2,682	Delivery of phase one
Var	8	Project Assurance Budgets (with charges)
	5,408	

To date expenditure has totalled £3,483k leaving a budget of £1,925k that is carried forward into 2022/23. It is considered that this budget is sufficient to deliver the recommendations laid out in this report and progress the scheme to the next decision point, which will detail the expected costs of the Castle Mills development.

In addition to the above there has been a further £3.5m of CYC funding released for the future capital delivery of the Castle Gateway from the York Outer Ring Road Project (“YORR”) due to a switch of WYTF to that project, as reported in the capital monitor 3 (Feb 2022).

It should be noted that the funding agreed in January 2020 was been proposed to fund a sewer diversion (£532k) to facilitate the MSCP, and a further proportion for RIBA Stage 4 design and procurement of a contractor for the MSCP. This work has been deferred, and as such it is proposed to be utilised to develop the other elements of the Castle Gateway regeneration (Castle Mills/ Castle and Eye of York). Should Members agree to the recommencement of the MSCP the revised business case and funding will need to be agreed at that time including the funding that has been repurposed.

- **Human Resources (HR)** – none identified

- **One Planet Council / Equalities** – this report is an update on an ongoing project that does not materially impact on previous Equality Impact Assessments (“**EIA**”) of the Castle Gateway regeneration.

The inclusion of Castle Mills in the Levelling Up Fund bid is set out in another report on that matter to be considered by Executive on the same agenda with an accompanying EIA. The decision to procure a contractor to recommence the RIBA Stage 4 design has no material equality impacts beyond previous decisions to proceed with the project.

Any future formal Executive decisions that would be required on replacement car parking provision or the closure of Castle Car Park will be accompanied with full EIAs.

- **Legal**

Concerning the termination of the Castle Mills NEC3 PSSC with Wates:

- The Council’s Contract Procedure Rules require that where the Council proposes to terminate a contract:
 - officers must consult with Legal Services throughout the termination process.

The Executive should note that Legal Services have been involved since the issue of termination was first raised, and that officers have also sought additional advice and support from the Council’s duly appointed external solicitors for this matter – Bevan Brittan LLP (“**BB**”) – and the Council’s appointed project manager and costs management consultant, Turner and Townsend Cost Management (“**T&T**”) on this issue;

- it will only be possible for Contracts to be terminated early, where provided for within the Contract (see below), and if this action is authorised by the relevant Chief Officer through a Delegated Decision;
- a copy of the report and decision for termination of any Contract exceeding £100,000 in aggregate for the whole of

the contract period (including any extensions) must be sent to the Chief Procurement Officer for monitoring purposes; and

- subject to the above action being taken, any formal notice to terminate must be drafted and issued via Legal Services, in conjunction with the Authorised Officer. The wording of the notice will be determined in due course by Legal Services (in conjunction with external advisers), to ensure that the Council properly safeguards its position and correctly enforces its rights under the NEC3 PSSC.
- The NEC3 PSSC allows the Council to either terminate:
 - at will, for no other reason except that the Council no longer requires Wates' services under the NEC3 PSSC; or
 - in the event that Wates is in breach of the terms and conditions of the NEC3 PSSC, and has not put this right within four weeks of a notification by the Council.
- Upon termination of the NEC3 PSSC, Wates will be required to cease all work under the NEC3 PSSC, and provide the Council with any models, drawings, details, plans, sketches, CAD, material, analyses, estimates, budgets, reports, valuations, notes of meetings, specifications, bills of quantities, calculations and other documents of any nature whatsoever and any designs and inventions contained in them which have been or are hereafter prepared by or on behalf of the Consultant in the course of performing its obligations under the NEC3 PSSC, in accordance with the licensing and intellectual property clauses under the NEC3 PSSC.
- The Council may complete the pre-construction services themselves, or procure other people or organisations to do so and use any material to which he has title. At the same time, any new replacement contract will need to be subject to a brand new competitive tender process carried out in accordance with the Part 2 of the Public Contract Regulations 2015 and the Council's Contract Procedure Rules, with input and advice from Legal Services, the Procurement Team, and where necessary external advisers.

- A final negotiated payment will be made to Wates as soon as possible after termination. This amount will include:
 - an amount assessed by T&T as being due for normal payment under the NEC3 PSSC; and
 - any other costs T&T have assessed as reasonably incurred by the Consultant in expectation of completing the services and to which the Consultant is committed.

However, if the Council terminates due to any default by Wates, the amount due on termination will also a deduction assessed by T&T as the forecast additional cost to the Council for completing the services itself, or for having a replacement contractor complete the services on its behalf.

- Again, it is important to note that:
 - The NEC3 PSSC makes it clear that if the Council terminates and does not enter into the NEC3 ECC with Wates for the construction phase, the Council would not be responsible and would have no liability for any loss of profit or any other losses suffered or incurred by Wates arising because of the NEC3 ECC not being entered into.
 - Further, the Council's liability under the NEC3 PSSC would be strictly limited to any sums due under terms and conditions of the NEC3 PSSC. In addition, the Council shall not be liable to Wates for loss of profit, loss of any contract or for any indirect or consequential loss or damage that may be suffered by Wates because of termination of the NEC3 PSSC.
- As stated elsewhere within this report, the termination of the NEC3 PSSC with Wates will be subject to on-going contractual and legal discussions between the parties, as well as advice from Legal Services and where necessary our appointed external lawyers at BB and our cost management consultants and project managers at T&T. Such advice will be particularly critical going forward concerning the negotiation and agreement of the final payment due to Wates following termination, and if matters between the parties were to unfortunately escalate into a formal dispute necessitating adjudication.

- In order to minimise the Council's exposure to risk, officers will determine in due course:
 - what the most appropriate method of termination will be under the NEC3 PSSC;
 - how best to proceed with negotiating a settlement with Wates of any final amounts that are due under the terms and conditions of the NEC3 PSSC; and
 - if necessary, how to best protect the Council's position in the event of any possible adjudication and/or legal proceedings between itself and Wates relating to the NEC3 PSSC,

subject to on-going advice and input from both Legal Services, and (where necessary) and the Council's external solicitors at BB and external consultants at T&T.

- In addition, any necessary changes to any existing funding arrangements due to the delay to Castle Gateway Project caused by this termination will require the advice of Legal Services, to determine how to vary these arrangements in accordance with the relevant terms and conditions.

- **Crime and Disorder** - none identified
- **Information Technology (IT)** – none identified
- **Property** – covered in the report

Risk Management

40. The termination process with Wates under the NEC3 PSSC remains subject to ongoing contractual and legal discussions between the parties. The Council has taken extensive legal advice to confirm and safeguard its position, but should there be any unforeseen costs arising from this process they would be reported in due course. To minimise this risk any design work that has concluded and has been approved by the Council will be made available to the next contractor to prevent duplication of work.

41. The ongoing impact of COVID-19, Brexit and rising cost of living and inflation continues to be a challenge and risk to all project delivery. In response, the Council's cost management consultants at T&T are regularly updating price estimates based on market intelligence. At Castle Mills, the rise of construction costs is broadly equivalent to the rise in house prices of the new apartments. However, the proposed procurement process has an in built review once the contractor provides a fixed tender price for construction, where a detailed viability review can take place before committing the major capital budget for delivery. In a worst case scenario if the construction price for Castle Mills proved to be unviable the site could be disposed of on the open market with the benefit of the planning permission that has been secured.
42. There is a risk that should elements of the Castle Gateway not be progressed there will be abortive costs that will need to be recharged to revenue. This report does not propose any recommendations that would lead to abortive costs at this time. As noted above however, should Castle Mills prove to be unviable on receipt of tender the land value from a disposal would be expected to cover expenditure to date associated with the Castle Gateway regeneration, meaning the cost to the Council of abandoning the whole project in the future could be offset.
43. Deferring the decision on the St George's Field MSCP until a construction price for Castle Mills is available continues the measured approach to decision making undertaken to date. It will also allow the collection of further data and exploration of alternative solutions.
44. A successful Levelling Up Fund bid for Castle and Eye of York would provide a fully funded project alongside the £3.5m Council funding released from the YORR Project through realigning the funding received from WYTF. However, the funding deadlines of Levelling Up would mean that this part of the project would need to be brought forward. This would require a review of the delivery strategy at that time. However, submitting the funding bid does not commit the Council to accepting the funding, and if the revised delivery strategy proposed at that point was not acceptable Executive could chose not to accept the funding.
45. If Levelling Up Funding is not successful there are a number of alternative delivery options for Castle and Eye of York that could be considered, such as; funding the project via the commercial return from Castle Mills if a future decision is taken not to proceed with the MSCP; seeking devolution funding from any new combined authority's gain

share; phasing the development of the site; and scaling back the proposals and resubmitting a less ambitious planning application.

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Report Approved **Date** 6 June 2022

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Background Papers:

Report to the Executive, 'York's Southern Gateway', October 2015
Report to the Executive, 'York Castle Gateway', January 2017
Report to the Executive, 'The Castle Gateway Masterplan', April 2018
Report to the Executive, 'Castle Gateway phase one delivery strategy', January 2020
Report to the Executive, 'Update on Castle Gateway and Business Case Review', October 2020

Annexes

None

List of Abbreviations Used in this Report

BID - Business Improvement District

CCTV – Closed Circuit Television

EIA – Equalities Impact Assessment

LTP - Local Transport Plan

MSCP – Multi Story Car Park

NEC3 ECC – NEC3 Engineering and Construction Contract

NEC3 PSSC – Professional Short Services Contract

WYTF – West Yorkshire Transport Fund

YORR – York Outer Ring Road

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Executive

16 June 2022

Report of the Corporate Director of Place
Portfolio of the Executive Member for Finance and Major Projects

York Outer Ring Road (YORR) – Proposed A1237 (Rawcliffe to Little Hopgrove) Dualling – Update on progress and proposed utility diversions

Summary

1. The purpose of this report is to update Members about progress on the proposed YORR A1237 (Rawcliffe to Little Hopgrove) Dualling Scheme, (**‘the Scheme’**) and request delegated authority to proceed with procurement and implementation of utility diversions in order to de-risk the future construction phase of the scheme by avoiding costly delays.
2. Preparation of a planning application for the scheme is nearing completion and will be submitted imminently to the Local Planning Authority for validation and consideration.
3. Whilst the planning application is under consideration, other work streams will continue to be progressed; namely land acquisition, preparatory work in anticipation of a possible Compulsory Purchase Order (CPO), completion of the detailed design, development of the final business case and initial enquiries for procurement of a main contractor for the scheme.
4. One of the critical risks on the scheme is the diversion of utility apparatus affected by the proposals. On the A1237, there is a significant amount of utility apparatus present and in a number of situations this will need to be moved out of the way. Failure to do this in a timely manner will lead to a very high risk of delays and prolongation costs.
5. Therefore, a key task in 2022 is to engage with utility companies (also known as **“Statutory Undertakers”** (SU’s)) to ascertain what apparatus needs to be diverted to accommodate the scheme proposals. This piece of work is important in order to understand the extent of diversions

required and to identify which ones can be diverted at an early stage ahead of the main construction works.

6. Diverting SU apparatus ahead of the main works provides benefits by eliminating or reducing risks and delay damages during the construction stage of the scheme.
7. In accordance with the provisions of the New Roads and Street Works Act, 1991 (the “**NRSWA**”), initial discussions have already taken place with the SU companies to identify the necessary diversionary works. It is apparent that some diversions can be undertaken in advance of the main construction works. The project team is therefore seeking approval to procure and proceed with these diversions (and any others which arise) at the earliest possibility, commencing late summer of 2022.

Recommendations

8. The Executive are requested to:

- 1) Note that a planning application for the proposed scheme is about to be submitted.
- 2) Note the general progress and ongoing work on the scheme.

Reason: To inform Members of the progress on the scheme and to take into consideration for future decision making.

- 3) Give approval for Option 1, that is for the project team to identify, procure and undertake utility diversionary works within the existing highway in connection with the scheme, and where possible, in advance of the main works programme.

Reason: To comply with the provisions of the NRSWA 1991, and to maximise the opportunity to eliminate or reduce delay risks and resultant prolongation claims on the main construction programme.

- 4) Delegate authority to the Director of Transport, Environment and Planning (in consultation with the Director of Governance or her delegated officers) to procure and take all necessary steps to implement the diversions of the Statutory Undertakers’ apparatus, as required on the Scheme.

Reason: To grant the Director of Transport, Environment and Planning the authority to take such steps as are necessary to engage and negotiate with Statutory Undertakers for the efficient and timely delivery of utility diversions on the proposed scheme.

Background

9. The proposed scheme is making steady progress through the various stages and a significant milestone has been reached by the imminent submission of a planning application. Members will recall that this proposal is to upgrade the existing YORR A1237 to a dual carriageway from A19 Rawcliffe to A1036 Little Hopgrove. The assurance process and final approval for the release of funding is administered by West Yorkshire Combined Authority (“**WYCA**”).
10. For a scheme of this magnitude the planning application is a substantial piece of work supported by an Environmental Impact Assessment, overall presenting a complex procedure. The application is now about to be lodged with the Local Planning Authority for consideration.
11. Meanwhile, the project team are progressing other concurrent work streams; namely, completing the detailed design, developing the final business case, attempting to acquire land for the scheme, and engaging in preparatory work for a CPO should private treaty land acquisition not prove successful.
12. One of the other concurrent activities is to engage with Statutory Undertakers as required under the provisions of the NRSWA, 1991. This legislation sets out the steps to be taken by the highway authority and makes provisions when diversionary works may be required to apparatus owned by a Statutory Undertaker. There are approximately thirty-three (33) diversions required on the scheme. These are summarised in **Table 1** below.
13. Therefore, the main purpose of this report is to inform members that the process to identify where diversionary work is required has commenced, and specifically to seek approval to proceed with the procurement of all the necessary diversions works, at an early stage if appropriate, in order to de-risk the project.

Analysis

14. Whilst it would be possible to undertake utility diversions during the main construction works programme, a number of unnecessary and costly risks would highly likely be introduced. The main types of risk which exist when diversion works are done are listed below:

- i) Long lead in times (up to 6 months) for the statutory undertakers to mobilise affecting the start date and potentially delaying the progress of the main works.
- ii) Long lead in times (up to a year) for the procurement of apparatus and equipment e.g. specialist pipes and cables.
- iii) Long lead in times (up to a year) for the approval of shutdowns and outages of utility networks in order to complete a diversion e.g. the gas company do not allow shutdowns in wintertime.
- iv) Long lead in times when competing with other developers requiring diversionary works.
- v) Integration of the diversions within the main works creating additional interfaces/constraints delaying the main contractor's activities.
- vi) Risk that Statutory Undertakers will not deliver diversion works to the required programme. Utility companies are not contracted to the project, and therefore there is a high risk that their works are not completed in a timely manner.
- vii) Risk that the utility diversion works are more extensive/complex than anticipated. Utility records are notoriously inaccurate and when this happens more complex or extensive networks are often uncovered and revealed. This leads to a variation in the type or quantity of the planned diversion, again delaying the completion date and impacting on the main construction works.
- viii) Risk of time delays associated with the possible need to acquire third party land by the SUs to enable necessary utility diversions.

The proposed scheme is in a position where an opportunity now exists to eliminate or avoid these risks by diverting some of the apparatus before the start of the main works planned for summer 2023.

15. However whilst it is suggested that these risks can be reduced or eliminated, note that it is not possible to divert apparatus in advance of the main works in all cases.

16. As stated in paragraph seven of this report, the project team have already begun initial discussions with all the Statutory Undertakers affected by the proposals and have identified the diversions required across the whole of the scheme. These are summarised in **Table 1** below along with the preliminary costings.

Utility Company	No. of Diversions	Cost Estimate (exc VAT)	Discounted Cost ¹ (exc VAT)
Openreach	4	£954,703.05	£782,856.50
City Fibre	4	£575,660.11	£472,041.29
Northern Gas Networks	2	£130,747.27	£107,212.78
Northern Power Grid	10	£537,333.33	440,613.33
Mobile Phone Masts	2	£400,000 ²	£400,000 ²
Virgin Media	4	£279,030.24	£228,804.79
Yorkshire Water sewers	2	£872,046.77	£715,078.35
Yorkshire Water clean	5	£840,413.00	£689,138.66
Totals	33	£4,589,933	£3,835,745

Table 1 – YORR Utility Diversions & Costs

Note¹ - Discount applies where allowable under NRSWA Sharing of Costs Regulations.

Note² - Preliminary estimate and cost sharing under investigation.

17. The project team will continue to work with the Statutory Undertakers to establish the detailed requirements of each diversion. Once this is done orders could be placed to commence work, which Members should note involves a significant amount of pre-planning, not just physical works on the ground. Utility diversions are usually carried out by the Statutory Undertakers themselves working under their own contracts, supervision and standards.
18. The NRSWA 1991 and the Street Works (Sharing of Costs of Works) (England) Regulations 2000 provide supplementary instructions to enable the costs to be shared between the SU companies and highway authorities. If the proposed diversionary works are allowable under the sharing of costs principles, the highway authority is entitled to a discount of 18% on the total cost. The proposals for the Scheme fall in line to attract the discount and these costs are shown in **Table 1** above.¹ To enable the discount to be made the highway authority will need to make an advance payment for the diversion.²

Note¹ - Note that the two mobile phone mast relocations are still being investigated.

Note² - The highway authority make an advance payment of 75% of the 82% discounted rate.

19. Therefore, the overall recommendation is to proceed with the procurement of utility diversions across the whole of the proposed scheme and seek the 18% discount on costs. Furthermore where possible, diversionary works which can be undertaken in advance of the main contract works will be identified and procured to avoid or reduce costly delay risks as described above in paragraph 14 of this report.

Options

20. In order to make a decision it is useful to be aware of the options which apply as follows:
21. **Option 1** – Approve the recommendation sought by the project team to procure utility diversions affecting the Scheme, and to proceed with those diversions which are possible to be completed ahead of the outcome of the anticipated planning application and the construction stage.
 1. The advantages of this approach are to de-risk the project for all of the critically high risks listed in paragraph 14 above.
 2. The disadvantage of this approach is that if the scheme does not go ahead, the funding expended may be abortive. However, there may be a case to say that if the scheme were to be resurrected in the future, the diversions would still be needed.
22. **Option 2** – Wait until planning approval is forthcoming and the judicial review period has concluded with an outcome which enables the implementation of the Scheme, and then proceed with the diversionary works affecting scheme, and where possible undertake some diversions ahead of the main works programme. The current programme is based on a planning submission in June 2022 and a decision by December 2022, but the latter cannot be guaranteed.
 1. The advantage of this approach is to gain surety that the Scheme has planning approval to go ahead, the relevant judicial review period would have expired without any impediment to the Scheme, and therefore costs of utility diversions should not be abortive.

2. The disadvantage of this approach is that the time frame to plan and undertake diversionary works would be reduced to around six months. This amount time would severely limit the amount of advance diversionary work that could be undertaken.
23. **Option 3** – Wait until the planning approval is forthcoming, the judicial review period has concluded with an outcome enabling implementation of the Scheme, either the private treaty land acquisitions are completed and/or the anticipated CPO process is concluded successfully, enabling commencement of the construction works contract, and to carry out the diversionary works in co-ordination with the main contractor's programme.
1. The advantage of this approach is that if construction work has been enabled to commence, all approvals and funding will be in place, and therefore there would be no threat of abortive work.
 2. The disadvantage with this approach is that it exposes the council to all of the critical risks listed in paragraph 14.
24. **Option 4** – This is a variation on Options 1 and 2 above. This option is to engage with SU companies at an early stage to undertake all the pre-planning work to enable the diversionary works to be designed up and ready to commence, but to hold back on the notice to proceed with the actual diversions until planning approval is forthcoming.
1. The advantage of this approach is that all pre-planning work with the SU companies can be commenced at the earliest opportunity, and if planning approval is not forthcoming the more expensive physical works will not have been started.
 2. The disadvantage of this approach is similar to Option 2 in that the available time to do the work will be significantly reduced, and many of the critical risks will remain and be carried forward to the construction phase.

Council Plan

25. The scheme proposals are embedded in the Council Plan 2019-23. The implementation of this programme of highway improvements will be an integral part of the key priorities to “create homes and a world class infrastructure; well paid jobs and an inclusive economy; getting around sustainably; a greener and cleaner city; safe communities and culture for all and an open and effective Council”.
26. As such the Scheme is a key element of the York Local Plan and completion contributes to the early delivery of homes and access to jobs, and crucially removal of traffic from York city centre and outlying villages beyond the A1237.
27. Improvements to transport infrastructure such as reduced journey times are key drivers for improved productivity and unlocking sites for homes and jobs. This in turn leads to economic growth and the increase in wealth, helping local businesses to thrive.
28. The provision of cycling and walking infrastructure for the orbital pedestrian and cycling route is a key feature of the Scheme and provides major benefits to enable communities to get about sustainably. The Scheme has been designed considerately to sit within the landscape and provide a net gain in planting of woodland areas. The objective is that they will be more species rich to increase bio-diversity with the inclusion of wildflower planting for pollinators and the creation of habitats.
29. Residents, stakeholders and road users were consulted about the scheme proposals in 2020 to ensure that consideration of the potential impact of decisions in relation to health, communities and equalities has been made.

Implications

Financial Implications

30. The combined scheme of dualling and junction improvements had a total budget of £71.5m. This was funded by the West Yorkshire +Transport Fund £38.4m, Department for Transport grant £25.2m and CYC prudential borrowing £8m. To 31st March 2022, £10.3m has been spent which included the remodelled Wetherby Road roundabout completed in 2018/19. There is therefore £61.2m remaining for the Scheme to complete land acquisition, design and construction.

31. The proposed utility diversions shown above are estimated to cost in the order of £3.85m (including 18% discount) and it is anticipated at this stage these can be accommodated in the overall budget. The utility costs are to be funded by the West Yorkshire Transport Fund element of the funding package and therefore at no direct cost to the council. However Members should note that we are now at a point where there is very little contingency left. Therefore when the planning approval and requirements are known a full cost review will be undertaken and brought back to Members to seek the final construction budget.

Human Resources

32. The Major Transport Project Team will be the primary resource for this project. Support is provided by Legal Services, Property Services, Procurement and Finance. External advisors have been appointed where appropriate to provide additional resource and expertise.

One Planet Council / Equalities

33. The One Planet Council Better Decision Making Tool has identified the following areas which can be explored further during the design and development of the whole YORR improvement programme:

- Greater consideration of renewable materials during construction.
- Consideration about the reduction of crime where subways are proposed.
- Enhanced Landscaping.¹
- Use of Public Art to provide attractive spaces for residents.
- Enhanced Active Travel

¹ Notes on Better Decision Making Tool:

Commitment to a Landscape Strategy and inclusion of additional planted areas (Community Woodland) has now been included in the Scheme.

34. An equalities impact assessment has been undertaken and can be found at **Annex A**.

Legal and Procurement Implications

35. Under the NRSWA 1991, in particular, Section 84, provisions are made for statutory undertakers and highway authorities to work together to

move utility apparatus below on or above an existing highway, when affected by major works (as defined by Section 66(3) of the NRSWA).

The Scheme falls within the definition of major works.

36. A set of regulations under NRSWA, the Street Works (Sharing of Costs of Works) (England) Regulations 2000, give instructions about payment for the diversions and arrangements for sharing costs. The principle is that the highway authority will pay 82% of the costs, and the Statutory Undertaker 18% of the cost. To benefit from this discount, the highway authority must pay 75% of the 82% in advance of the diversionary works. Note that the prices quoted in **Table 1** above are estimates, and not the final outturn costs.
37. In terms of Procurement Law:
 1. Based on the amounts set out in **Table 1** above, the values of each of the discounted and non-discounted diversionary works packages fall below the current public works procurement threshold set out in the Public Contracts Regulations 2015 (PCRs) of £4,447,447 (exc. VAT).
 2. Even when aggregated together:
 - the total discounted works figure falls below this threshold; and
 - although the total non-discounted works figure exceeds this threshold, each diversionary works package forms its own separate and distinct public works contract. So even though the works are all part of the Scheme, they do not need to be aggregated together for the purposes of the public procurement rules under Public Contract Regulations 2015.
 3. As such, the diversionary works fall outside of the full procurement regime under Part 2 of the PCRs, and so there is no requirement to advertise or carry out a competitive tender.
 4. Further, each of these works packages are not required to be subject to any kind of competitive tender or request for quotations under the Council's Contract Procedure Rules set out in Appendix 11 of the Council's constitution, as Contract Procedure Rule 26.10.1 specifically states that the Contract Procedure Rules do not apply to

contracts for the execution of mandatory works by Statutory Undertakers.

There are therefore no procurement law implications or any issues under the Council's constitution with directly awarding the Statutory Undertakers these diversionary works as proposed in this report.

38. The works are funded in part by external grants from the West Yorkshire+Transport Fund and the Department for Transport. Use of the funding must be in line with the relevant grant funding terms and conditions, and any formal variations to the funding terms and conditions to facilitate these works will require advice from Legal Services.

Crime and Disorder

39. The project team have held early discussions with the Police Architectural Liaison Officer particularly with regard to potential crime and disorder issues at subways. No objections were raised.

Information Technology

40. There are no Information Technology implications.

Property

41. Property Services are involved in this project acting as land managers for the Council. However, in terms of this report there are no property implications.

Other

42. There are no other known implications

Risk Management

43. In compliance with the Council's risk management strategy a risk register is maintained for the project. The main risks concerning planning approval, land acquisition and utility diversions have been documented in previous reports and these are still the biggest risks to the Scheme. In terms of the purpose of this report these risks could lead to delay,

financial loss, damage to the Council's image and reputation and failure to meet stakeholders' expectations.

44. The top three risks currently affecting this project are:

- a. Risk associated with not obtaining planning approval. Mitigation for this risk is ongoing by working with all consultees and key stakeholders including planning authority and politicians to tease out the issues which will affect consideration of the planning application.
- b. Risks associated with land acquisition. There is a high risk that some landowners may potentially be unwilling to sell land to the Council by private agreement, or in a timely manner. This presents a programme risk potentially prolonging the time to complete the project, increase costs or lose the secured funding. In order to mitigate this risk, preparation of a CPO in parallel to land negotiation is being progressed as referred to elsewhere in this report.
- c. Risks associated with utility diversions. These risks are listed above in paragraph 14 of this report, and if they happen can lead to delays for delivery of the overall Scheme. The delays in themselves will have a cost to the project but very often these will lead to prolongation claims from other suppliers who are held up by the delay. The range of additional costs can range from a few thousand pounds per week to tens of thousands of pounds per week. If this leads to a programme delay, there are reputational risks which also need to be managed. The industry standard for mitigation is to engage with Statutory Undertakers at an early stage and if possible, undertake diversions before the main construction works commence in order to eliminate the risks.
- d. The scheme risk register lists three utility category risks with a range of estimated costs from 'most likely' to 'maximum'. The estimated 'most likely' cost to the project is £0.9m, whilst the 'maximum cost' is estimated to be £2.8m to deal with the risks. Acceptance of the recommendations in this report will contribute to managing the utility risks within these limits.

Contact Details

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James Gilchrist

**Director for Transport, Environment &
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Report **Date** 6th June 2022
Approved

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Procurement Implications
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Wards Affected:

Rawcliffe & Clifton Without, Rural West York, Haxby & Wigginton;
Huntington & New Earswick, and Strensall.

For further information please contact the author of the report

Annexes

Annex A – Equalities Impact Assessment

Background Papers:

Executive Report 13th July 2017 2020 – Proposed York Outer Ring Road Improvement – Approach to Delivery.

Decision Session Transport & Planning 15th March 2018 – YORR Improvements – Proposed A1237/B1224 Wetherby Road Junction Upgrade.

Decision Session Transport & Planning 13th September 2018 – YORR – Proposed A1237 Monks Cross Junction Upgrade.

Decision Session Transport 29th August 2019 – YORR – Proposed A1237 Clifton Moor Junction Upgrade.

Executive Report 26th September 2019 – YORR Update.

Executive Report 13th February 2020 - York Outer Ring Road (YORR) Improvements – Proposed Phase 1 Dualling from A19 Rawcliffe to A64 Hopgrove.

Executive Report 25th June 2020 - YORR Phase 1 Dualling - Procurement Strategy, Approach to Public Engagement and Landscaping.

Executive Report 18th March 2021 - York Outer Ring Road Phase 1 Dualling - Resolution in principle to promote a Compulsory Purchase Order and associated Side Roads Order.

Executive Report 30th September 2021 - York Outer Ring Road (YORR) – Phase 1 Dualling – Evaluation of the Consultation Process and Resolution to Submit a Planning Application.

List of Abbreviations Used in this Report

WYCA – West Yorkshire Combined Authority

YORR – York Outer Ring Road

CYC – City of York Council

WY+TF – West Yorkshire Plus Transport Fund

DfT – Department for Transport

CPO – Compulsory Purchase Order

SU – Statutory Undertaker

NRSA – New Roads & Street Works Act, 1991

PCRs – Public Contracts Regulations

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Transport, Environment and Planning		
Service Area:	Transport		
Name of the proposal :	York Outer Ring Road Phase 1 Dualling		
Lead officer:	Gary Frost		
Date assessment completed:	10 th August 2021. Note that this is ongoing and will be revisited 1 and 5 years post opening (2026 and 2030).		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Gary Frost	Major Transport Projects Manager	CoYC	Infrastructure development, civil engineering and project management.

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p>The aim of the proposal is to improve the operation of the York Outer Ring Road (YORR) across a number of areas:</p> <p>Local – reduce congestion of queueing vehicles at junctions on the A1237; improve journey time reliability for motorists along the route; improve air quality; reduce severance of communities; provide active travel facilities for pedestrians and cyclists; improve road safety; create capacity in suburban and urban areas of York to enable interventions for traffic restrictions.</p> <p>Strategic - provide better connectivity with the Strategic Road Network i.e. the A1(M); provide improved cross-country routes to North Yorkshire.</p> <p>Economic – the proposals will improve access to employment, retail, health and recreational facilities. Sites allocated for housing in the local plan will also be accessible from the scheme proposals.</p>

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p>Yes.</p> <ul style="list-style-type: none"> • Design Manual for Roads and Bridges • The Treasury Green Book on business cases • The WYCA Project Assurance Framework • Town and Country Planning Act • Highways Act • Compulsory Purchase Order code • Local Transport Note 1/20 • National Planning Policy Framework
1.3	Who are the stakeholders and what are their interests?
	<ol style="list-style-type: none"> 1. The direct stakeholders are travelling public who need to use the existing route including all classes of vehicles from private to commercial. As the scheme proposals include facilities for pedestrians and cyclists, they are also direct affected stakeholders. 2. Landowners, residents and business proprietors who are located nearby and who gain access from the YORR to their premises. 3. Businesses e.g. Nestle who use the YORR to enable distribution of their products. 4. York District Hospital who's patients and visitors access their services from the hinterland north of York.
1.4	What results/outcomes do we want to achieve and for whom?
	<p>The answer to this question comes from the objectives set out in 1.1 above. The proposals work on a number of levels as follows:</p>

Local: Improvement to the operation of the YORR by increasing capacity to decrease congestion and queueing. Improve journey time reliability, reduce end to end journey times and improve air quality. The provision of new pedestrian and cycle facilities will, it is anticipated, encourage sustainable transport and reduce the use of private vehicles which will lead to a reduction in congestion and pollution while increasing road safety.

Strategic: Better connectivity to the strategic road network e.g. A1M and cross country routes in North Yorkshire. By distributing vehicular traffic more evenly across the network, it is anticipated that opportunities will arise to restrict traffic from central and suburban areas of York, again improving air quality and reducing congestion.

Economic Growth: The improved operation of the YORR and creation of capacity will not only attract businesses to employ people, it will also enable existing businesses to function more efficiently ensuring that they stay in York. The proposals are a key component of the projected housing needs for the city in the Local Plan and provides the capacity to enable these developments to proceed.

In terms of the wider community, the proposals will impact on their daily lives by enabling them to get about easier than they do currently. The investment in cycling and walking facilities will also provide a step change to what is currently available. Not only will there be an orbital pedestrian/cycle path along the route, the scheme will provide more grade separated and controlled crossing points for users.

The Scheme proposals are embedded in the Council Plan 2019-23. The implementation of this programme of highway improvements will be an integral part of the key priorities to “create homes and a world class infrastructure; well paid jobs and an inclusive economy; getting around sustainably; a greener and cleaner city; safe communities and culture for all and an open and effective council”. Improvements to transport infrastructure such as reduced journey times are key drivers for improved productivity and unlocking sites for homes and jobs. This in turn leads to economic growth and the increase in wealth, helping local businesses to thrive.

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Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data/supporting evidence	Reason for using
	YORR Public Engagement Process 2020.	<p>This process was undertaken specifically to understand the public’s perception of the project teams’ proposals. A good response, exceeding 3,500 comments, was received. The process has been evaluated and resulted in a number of revisions to the scheme, notably more pedestrian and cycle facilities, which will be recommended to Members for inclusion in a future planning application for the project.</p> <p>The engagement process was targeted at specific groups, acknowledging their particular role or situation: Landowners Businesses Key Stakeholders Residents</p> <p>In this way the project team have been able to prioritise the nature of respondents’ comments and decide how to address them within the constraints of the scope of the scheme.</p>

<p>Modelling: Traffic modelling Noise Modelling Air quality modelling</p>	<p>These tools are used in the preliminary stages of scheme preparation to inform the decisions about:</p> <ul style="list-style-type: none"> • Value for money • Design • Planning requirements <p>They also give a sense of looking into the future and understanding the the day to day impacts on peoples' lives.</p>
<p>Road safety statistics (STATS 19)</p>	<p>The accident data from STATS19 will identify cluster and trends of road traffic collisions. In terms of the publication of the future monitoring and evaluation plan, we will be able to compare previous accident statistics with the rates post opening.</p>

Step 3 – Gaps in data and knowledge

<p>3.1</p>	<p>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</p>	
<p>Gaps in data or knowledge</p>		<p>Action to deal with this</p>
<p>How many cyclists and pedestrians will use the facilities?</p>		<p>Manual surveys</p>
<p>Will the upgrade to the route give the anticipated in road safety improvements?</p>		<p>Comparison of accident data pre and post opening of the road.</p>

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	May find using the ring road easier to use and negotiate with safer layouts and more space. Likewise those who take up the opportunity to walk or cycle will find it easier and safer to use and cross the ring road.	+	M
Disability	May be more encouraged to cycle more.	+	M
Gender	No differential impact identified	0	
Gender Reassignment	No differential impact identified	0	
Marriage and civil partnership	No differential impact identified	0	
Pregnancy and maternity	Improved journey time reliability and access to York District Hospital. For pedestrians and cyclists, access to health facilities in Haxby will be safer and easier to use if they live outside of the village.	+	L
Race	No differential impact identified	0	
Religion and belief	No differential impact identified	0	
Sexual	No differential impact identified	0	

orientation			
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	No differential impact identified	0	
Low income groups	May be more encouraged to cycle more for utility purposes.	+	M
Veterans, Armed Forces Community	No differential impact identified	0	
Other	Improvements in air quality will provide benefits to people with respiratory problems.	+	M
Impact on human rights:			
List any human rights impacted.	<p>Compulsory Purchase of land</p> <p>CYC are attempting to purchase the land required for the scheme by private agreement. However, if this approach fails CYC have resolved to make a Compulsory Purchase Order (CPO) to acquire the land.</p> <p>The MHCLG Guidance on the CPO confirms that an acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected.</p> <p>In this case no dwellings are to be acquired to deliver the Scheme, only strips of land adjacent to the existing A1237.</p>	-	M

	<p>However, before deciding whether to authorise a CPO, the Executive will need to consider the balance and compatibility between the compulsory powers sought and the rights enshrined in the ECHR and whether there is a compelling case for a CPO in the public interest which means that the acquisition of land to enable the scheme to proceed, brings benefits to the area, which could not be achieved without the use of compulsory purchase powers.</p> <p>Officers are of the view that a compelling case in the public interest for making and promoting a CPO could be made out and the use of the powers could be seen as both necessary and proportionate and the public benefits associated with the proposed works are likely to outweigh the interference with the rights of those affected. So whilst negotiations to acquire the necessary land by agreement are ongoing and will continue, in the event that these do not prove successful officers intend to take a report to a future Executive meeting requesting authority to make the Order.</p>		
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Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them

- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

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

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

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>In the construction phase, the contractor will be bound by a series of constraints which will limit things like possession of site areas and working hours to control the impact of those operations.</p> <p>On completion it is likely that the profile of the scheme will be high and members of the public will have awareness through press and social media. People will use the YORR in their daily lives and will see existence of the new cycleways and crossing facilities. The pedestrian and walking facilities will be shown in CYC's city-wide cycle route map, and there will be directional signing giving guidance to the local villages and other facilities.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<p>- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

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

Option selected	Conclusions/justification
No major change to the proposal	The only adverse impact is the potential for compulsory purchase of land. The opportunity to sell land to CYC by private agreement is and will be available throughout the process and compulsory purchase powers will only be used for those strips of land where the owners refuse to sell. If this occurs, acquisition of the land will be undertaken using the compulsory purchase powers within UK law.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
Safety of people with protected characteristics	Road Safety audits	Mel Farnham	At appointed times between 2021-2025
Improvement of air quality	Publication of benefits realisation report (monitoring and evaluation).	Clare Davies	Post opening in 2025

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	<p>In terms of the value for money and meeting objectives, the scheme will be subject to a benefits realisation process post opening in 2025. A comprehensive monitoring and evaluation report is a requirement as part of the above process.</p> <p>In terms of safety, the scheme will have road safety audits done at specified intervals including post opening and 1 year after opening.</p>

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Executive**16 June 2022**

Report of the Corporate Director of Place
Portfolio of the Executive Member for Economy and Strategic Planning

Minster Precinct Neighbourhood Plan**Summary**

1. The purpose of this report is to consider the results of the Minster Precinct Neighbourhood Plan referendum. It asks Members to formally 'make' the Neighbourhood Plan and bring it into full legal force as part of the Development Plan for York. This will allow the Neighbourhood Plan to progress in line with the relevant Neighbourhood Planning legislation and Regulations. This paper was considered by Members of Local Plan Working Group on 15th June 2022.

Recommendations

2. The Executive is asked to:
 - i) Consider the results of the referendum and formally 'make' the Minster Precinct Neighbourhood Plan.

Reason: To allow the Neighbourhood Plan to progress in line with the Neighbourhood Planning Regulations.
 - ii) To approve the Decision Statement attached at Annex B to be published in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

Background

3. The Localism Act 2011 introduced new powers for community groups to prepare neighbourhood plans for their local areas. The Council has a statutory duty to assist communities in the preparation of Neighbourhood Plans and to take plans through a process of Examination and Referendum. The local authority is required to take decisions at key stages in the process within time limits that apply, as set out in the Neighbourhood Planning (General) Regulations 2012 as amended in 2015 and 2016 (“the Regulations”) and within new government guidance in relation to the Covid-19 pandemic.
4. The Minster Precinct Neighbourhood Plan has been prepared by Minster Precinct Neighbourhood Forum with on-going engagement with the local community and City of York Council. The Plan has been through the following stages of preparation:
 - Designation as a Neighbourhood Area (14th March 2019)
 - Consultation on Pre-Submission Version (10th January to 23rd February 2020)
 - Submission to City of York Council (26st April 2021)
 - Submission Consultation (14th July to 8th September 2021)
 - Examiner Report considered at LPWG and Executive (7th March and 17th March 2022 respectively)
 - Referendum (10th May 2022)
5. The Examiner’s Report concluded that subject to a series of recommended modifications, the Minster Precinct Neighbourhood Development Plan met the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011) and subject to these modifications being made it should proceed to referendum.
6. At Local Plan Working Group on 7th March 2022 and Executive on 17th March 2022, Members accepted the Examiner’s recommendations and agreed that the Minster Precinct Neighbourhood Plan as so modified should proceed to referendum.
7. A referendum was held on Tuesday 10th May 2022.

Referendum

8. A referendum on the York Minster Precinct Neighbourhood Plan was held on Tuesday 10th May 2022 and was organised by the City of York Council. As per the Examiner's recommendations, the referendum area is the neighbourhood area and residential properties within the immediate vicinity of the neighbourhood area. An appendix included within the Examiner's Report lists the postcodes which were included in the referendum area.
9. A polling station was open from 7am until 10pm on Tuesday 10th May 2022 at Bedern Hall, Bartle Garth on St Andrewgate.
10. The Declaration of Results of Poll contained at Annex A to this report confirms that 166 residents casted a valid vote in the referendum, out of a potential 773 on the electoral roll (21.47% turnout). The results on whether to accept the Minster Precinct Neighbourhood Plan were:
 - YES = 137 (83%)
 - NO = 28 (17%)
11. The Neighbourhood Planning Regulations (2012 as amended) requires that where over 50% of those voting in the Neighbourhood Plan referendum, vote in favour of the Neighbourhood Plan, then the Council is legally obliged to 'make' the plan (i.e. bring it into force as part of the Development Plan). The Council is not subject to this legal requirement if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998) or there are unresolved legal challenges.
12. The Planning and Compulsory Purchase Act 2004 also provides that a Neighbourhood Plan for an area becomes part of the development plan for that area after it is approved by an applicable referendum, prior to the plan being 'made' by the Council. In the very limited circumstances where the local planning authority might decide not to 'make' the neighbourhood plan, it will cease to be part of the development plan for the area. Given that the referendum result was 83% in favour of the Neighbourhood Plan; the Minster Precinct Neighbourhood Plan and the policies within it are now part of the statutory development plan for City of York.

13. The Neighbourhood Plan must be made by the Council within 8 weeks beginning with the day immediately following that on which the referendum is held (unless the Plan is incompatible with EU/HR legislation or there is an unresolved legal challenge). This date is 5th July 2022.

Consultation

14. As mentioned earlier in the report, the York Minster Precinct Neighbourhood Plan has been through several stages of consultation. These are: consultation on designation as a Neighbourhood Area (14th March 2019), consultation on Pre-Submission version (10th January to 23rd February 2020), consultation on a Submission version (14th July to 8th September 2021), and the Referendum (10th May 2022).
15. A Consultation Statement accompanied the submission version of the Neighbourhood Plan and sets out the consultation undertaken. All the consultation undertaken by City of York Council has been carried out in accordance with the Council's Statement of Community Involvement.

Options

16. Members are asked to formally 'make' the Minster Precinct Neighbourhood Plan and bring it into full legal force as part of the Development Plan for York. The Council is legally obliged to make the plan because it meets the legal requirements for making a plan.

Analysis

17. This report presents to Members the outcome of the 0Minster Precinct Neighbourhood Plan referendum. At 83% in favour of using the Neighbourhood Plan to help determine planning applications in the defined neighbourhood area, this endorsement is demonstrably higher than the required threshold of more than half of those voting. A positive majority at the referendum means that the Council is now obliged to "make" the plan and bring it into full legal force as part of the Development Plan for York.
18. The Neighbourhood Plan is considered to meet the basic conditions and all relevant legal and procedural requirements and this is supported in the Examiner's Report. It is advised that the plan be made by the Council given the positive vote in support of the neighbourhood plan and nothing has changed since the earlier consideration of the

Examiner's report and modifications which would suggest that the Plan would breach, or be incompatible with any EU obligation or any of the Convention of Rights. Nor is there any unresolved legal challenge in respect of the Plan. There are no reasons why the Council should not proceed to 'make' the Neighbourhood Plan in accordance with the outcome of the referendum.

Next Steps

19. Once the plan is 'made', it will achieve its full legal status. It forms part of the statutory development plan for the area and will sit alongside the Local Plan (once adopted). The Neighbourhood Plan contains a series of policies that will be used when determining planning applications that are located within the defined Neighbourhood Area. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Council Plan

20. The Council Plan for 2019-2023 identifies eight priorities, seven of which are relevant to this work and include:
 - good health and wellbeing;
 - a well-paid and an inclusive economy;
 - getting around sustainably;
 - a greener and cleaner city;
 - creating homes and world-class infrastructure;
 - safe communities and culture for all; and
 - an open and effective council.

Implications

21. The following implications have been assessed:
 - **Financial** – The examination and referendum costs (anticipated to be c £20.3k) have been funded by City of York Council. However, the Council has applied for and received a government grant of £20k towards these costs.
 - **Human Resources (HR)** – There are no HR implications
 - **One Planet Council / Equalities** – There are no equality implications

- **Legal** – Following a positive result at a referendum, a neighbourhood plan has the same legal status as a Local Plan. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Local Planning Authority is required by the Localism Act 2011 and provisions of the Neighbourhood Planning (General) Regulations 2012 (as amended) to 'make' (adopt) a neighbourhood plan within 8 weeks of the day following a positive referendum result. There are only narrow circumstances where the Local Planning Authority is not required to 'make' the Plan. These are where it considers that the making of the Plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended). No such conflict has been identified by the Plan examiner or by Officers of the Council. In addition the Habitat Regulation Assessment and Strategic Environmental Assessment Screening report did not identify any likely significant effects on the Environment. As such no conflict or breach with the above has been identified.

- **Crime and Disorder**– There are no crime and disorder implications
- **Information Technology (IT)** – There are no financial implications
- **Property** – There are no property implications
- **Other** – None

Risk Management

22. In compliance with the Council's risk management strategy, the main risks associated with the Minster Precinct Neighbourhood Plan are as follows:

- The decision whether or not to 'make' the Neighbourhood Plan is, like all decisions of a public authority, open to challenge by judicial review. The risk of any such legal challenge being successful has been minimised by the thorough and robust way in which it has been prepared and tested.
- Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and Strategic Environmental

Assessment processes and not exercising local control of developments.

Contact Details

Author:

John Roberts
Strategic Planning Policy
Officer

Chief Officer Responsible for the report:

Neil Ferris
Corporate Director Place

Report Approved **Date:** 31 May 2022

Kirstin Clow

Interim Head of Strategic
Planning Policy

Specialist Implications Officer(s):

Patrick Looker, Finance Manager
Heidi Lehane, Senior Solicitor, Planning

Wards Affected: Guildhall

For further information please contact the author of the report

Background Papers: None

Annexes:

Annex A: Declaration of Result of Poll
Annex B: Regulation 19 Decision Statement
Annex C: Better Decision Making Tool

List of Abbreviations Used in this Report:

EU	European Union
HR	Human Rights
SEA	Strategic Environmental Assessment
HRA	Habitat Regulation Assessment
NP	Neighbourhood Plan

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DECLARATION OF RESULT OF POLL

City of York Council

Referendum on the Minster Precinct Neighbourhood Plan Area

I, Janie Berry, being the Deputy Counting Officer at the Minster Precinct Neighbourhood Plan Area referendum held on Tuesday 10 May 2022, do hereby give notice that the results of the votes cast is as follows:

Question:		
Do you want the City of York Council to use the Neighbourhood Plan for Minster Precinct to help it decide planning applications in the neighbourhood area?		
	Votes Recorded	Percentage
Number cast in favour of a YES	137	83%
Number cast in favour of a NO	28	17%

The number of ballot papers rejected as follows:	Number of ballot papers
A Want of an Official Mark	0
B Voting for more answers than required	0
C Writing or mark by which voter could be identified	0
D Being unmarked or wholly void for uncertainty	1
TOTAL	1

Electorate: 773

Ballot Papers Counted: 166

Turnout : 21.47%

And I do hereby declare that more than half of those voting **HAVE** voted in favour of the Neighbourhood Plan.

Dated: 10 May 2022

Janie Berry, Deputy Counting Officer

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York Minster Precinct Neighbourhood Plan

Final Decision Statement published pursuant to Section 38A (9) and (10) Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

1. Summary

Following a positive referendum result on the 10th May 2022, City of York Council is publicising its decision of 16th June 2022 by the Executive to 'make' the York Minster Precinct Neighbourhood Plan ("Neighbourhood Plan") part of the City of York Development Plan with immediate effect, in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

2. Background

York Minster Precinct Neighbourhood Plan Forum (YMNPF), as the qualifying body, successfully applied for the Minster Precinct Neighbourhood Plan to be designated as the Minster Precinct Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012) on 14th March 2019. The Neighbourhood Plan describes the focus of the neighbourhood area as the Cathedral and Metropolitan Church of St Peter, in York, better known as York Minster. The Neighbourhood Plan does not follow any particular parish or ward boundaries, but lies within an area of approximately 6 hectares, bounded by the historic city walls to the north and west and by city streets to the south and east.

YMNPF undertook pre-submission consultations on the draft Neighbourhood Plan in accordance with Regulation 14. Consultation on the Pre-Submission Version took place between 11th January and 23rd February 2019. A second Pre-Submission consultation took place between 16th December 2020 and 14th February 2021.

Following the submission of the Neighbourhood Plan to the Council on 26th April 2021, the Council publicised the draft Neighbourhood Plan for a six-week period and representations were invited in accordance with Regulation 16. The 'Submission' consultation took place between 14th July and 8th September 2021. All duly made representations were forwarded to an independent Examiner, Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI, who was appointed by the Council to review whether the Plan met the basic conditions required by legislation and whether the Plan should proceed to referendum.

3. Decision and Reasoning

The Examiner's Report concluded that subject to a series of recommended modifications, the Neighbourhood Plan met the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990 (as amended) and subject to these modifications being made it could proceed to a local referendum.

At Local Plan Working Group on 7th March 2022 and Executive on 17th March 2022, Members accepted the Examiner's recommendations (in line with the Neighbourhood Plan Regulation 17A (2) Consultation) and agreed that the Neighbourhood Plan as so modified should proceed to referendum.

A referendum on the modified Neighbourhood Plan which incorporated the Examiner's modifications was held on Tuesday 10th May 2022 and 83% of those who voted were in favour of the Neighbourhood Plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the Council must 'make' the Neighbourhood Plan if more than half of those voting have voted in favour of the Plan. unless (under Para 38A(6)) this would breach, or would otherwise be incompatible with an EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The referendum held on 10th May 2022 met the requirements of the Localism Act 2011; it was held in the York Minster Precinct Neighbourhood Area and posed the question:

Do you want City of York Council to use the Neighbourhood Plan for Minster Precinct to help it decide planning applications in the neighbourhood area?

The count took place on the 10th May 2022 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the plan area.

The results of the referendum were:

Response	Votes recorded (percentage)
Yes	83%
No	17%
Turnout	21.47%

The Council considers that the York Minster Precinct Neighbourhood Plan meets the basic conditions (set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 as amended), its promotion process was compliant with legal and procedural requirements and it does not breach the legislation (set out in Section 38A(6) of the Planning and Compulsory Purchase Act 2004 (as amended)).

4. Inspection of Decision Statement and made Neighbourhood Plan

This decision statement, declaration of referendum results and related documents can be viewed on the City of York Council website:

<https://www.york.gov.uk/MinsterPlan>

The decision statement can also be viewed on the York Minster Precinct Neighbourhood Plan website:

[York Minster Neighbourhood Plan | York Minster](#)

In accordance with Regulation 20 of the Regulations, the 'made' York Minster Precinct Neighbourhood Plan can be viewed on the Council's website:

<https://www.york.gov.uk/MinsterPlan>

The Neighbourhood Plan can also be viewed on the York Minster Precinct Neighbourhood Plan website:

[York Minster Neighbourhood Plan | York Minster](#)

A copy of this decision statement is being sent to:-

- The qualifying body, namely York Minster Precinct Neighbourhood Plan Forum; and
- To any person who asked to be notified of the decision.

Paper copies of this statement and the made Neighbourhood Plan can also be viewed at the following locations:

York Explore Library, Library Square, York, YO1 7DS

(Monday 9am-8pm, Tuesday 9am-8pm, Wednesday 9am-8pm, Thursday 9am-8pm, Friday 10am-6pm, Saturday 9am-5pm, Sunday 11am-4pm)

If open at the time of the Neighbourhood Plan Adoption (post 16th June 2022) five hard copies are available in York Explore Library.

The Neighbourhood Plan Adopted Version and this Decision Statement will also be available to view online via computer access at Explore Libraries, if open at Adoption (post 16th June 2022). Computer access will be in line with the library opening hours and the protocols in place for Covid 19, such as booking computer access by appointment only. For further information on computer access, please see: <https://www.exploreyork.org.uk/libraries/>

York Minster Stoneyard, The Works Department, 4 Deangate, York, YO1 7JA.

Viewing at the York Minster Stoneyard is via prior arrangement only - please contact Sally-Ann Long (sally-annl@yorkminster.org) to arrange to view the documents.

City of York Council Offices, West Office's Station Rise, York, YO1 6GA

Hard copies of the Neighbourhood Plan Adopted Version and this Decision Statement will be made available, after adoption (post 16th June 2022), at West Offices, if open and will be available to view by appointment only. Should you wish to arrange an appointment, you should contact the Forward Planning team directly on (01904 552255). Access to the documents will be in line the protocols in place for Covid 19, such as quarantine of documents after use.

If you do not have internet access, you should telephone 01904 552255 to discuss and/or arrange a viewing, including where appropriate access to hard copies subject to prevailing Covid 19 measures and public health advice. Officers will only seek to provide hard copies on request for those who have no other means of access.

For further information please contact the Neighbourhood Planning team on neighbourhoodplanning@york.gov.uk or 01904 552255.

Neil Ferris
Corporate Director Place

16th June 2022

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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

Service submitting the proposal:	Strategic Planning Policy
Name of person completing the assessment:	John Roberts
Job title:	Strategic Planning Policy Officer
Directorate:	Economy and Place
Date Completed:	27/05/22
Date Approved: form to be checked by service manager	Kirstin Clow

Part 1

Section 1: What is the proposal?

1.1	Name of the service, project, programme, policy or strategy being assessed?
	York Minster Precinct Neighbourhood Plan

1.2	What are the main aims of the proposal?
	York Minster Precinct Neighbourhood Plan seeks to ensure the future care and development of York Minster is based on a shared sustainable vision with residents and businesses. The key area of changes set out in the plan identify locations where appropriate development should take place to provide the facilities needed to address existing shortcomings and provide the assets needed to support the functioning of the Minster in the 21st century. The main purpose of the report is to request that Members agree the result of the Referendum and adopt the Plan, so it forms part of the Development Plan for York.

1.3	What are the key outcomes?
	To adopt the York Minster Precinct Neighbourhood Plan, so it forms part of the Development Plan for York.

Section 2: Evidence

	What data / evidence is available to understand the likely impacts of the proposal? (e.g. hate crime figures, obesity levels, recycling statistics)
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2.1	The Neighbourhood Plan uses the Local Plan evidence base to support its policies alongside the York Minster Strategic Plan (2015 - 2020); consultation based evidence gathering; Conservation Management Plan (2021); Heritage Impact Assessment (2021); Sustainability Appraisal (2021); Habitats Regulation Assessment (2021); Ecology Report (2016); Draft York Minster Liturgical Plan (2021).
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	What public / stakeholder consultation has been used to support this proposal?
2.2	A series of consultations were undertaken by the Neighbourhood Planning Forum and the City of York Council as follows: Issues and Options May - June 2018; Draft Plan May - June 2019; Pre-submission Draft (Reg 14) January - February 2020; Pre-Submission Draft (Reg 14) December 2020 - January 2021 and Submission Version (Reg 16) July - September 2021.

	Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)
2.3	The Neighbourhood Plan has been developed alongside an emerging City of York Local Plan. The residents, businesses and people with a land interest in the Neighbourhood Plan area will also be consulted on as part of the Local Plan process.

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 Impact positively on the business community in York?	Positive	The neighbourhood plan is seeking to invest in the quality of the Precinct environment which will support the economic wellbeing of the Neighbourhood Area's business community and this is reflected in the General Principles and Policy A12 'Sustainable Development' and Policy D1 'Wellbeing' which seeks to support partnership working with businesses.
3.2 Provide additional employment or training opportunities in the city?	Positive	Policy A3 'Policies Map' identifies project areas where development and change are focused. This includes the development of visitor experience facilities, a refectory, a new civic and ceremonial square, a centre for education and learning with a museum and investment in the Stoneward leading to 'new partnership opportunities with both universities and local heritage organisations'. These projects, will support additional employment and learning opportunities in the city.
3.3 Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?	Neutral	No specific provision is made for this.

Health & Happiness

Does your proposal?	Impact	What are the impacts and how do you know?
3.4 Improve the physical health or emotional wellbeing of staff or residents?	Positive	Policy A2 'Sustainable Development' seeks to provide 'accessible green space which contributes to the social health and cultural wellbeing of the city' and to ensure the area is 'safe and welcoming'. Policy D1 'Wellbeing' seeks to support development 'which supports the wellbeing of York's residents by increasing public access, creating new public spaces and supports the Minster's Mission of welcome will be supported. Policy PA3 'Learning and Gardens' seeks to deliver a sensory garden. 'Policy E4 'Green Travel Plan' seeks to work towards reducing unnecessary vehicle movement and parking'.
3.5 Help reduce health inequalities?	Positive	Policy A2 'Sustainable Development' seeks to provide 'accessible green space which contributes to the social health and cultural wellbeing of the city' and to ensure the area is 'safe and welcoming'. Policy D1 'Wellbeing' seeks to support development 'which supports the wellbeing of York's residents by increasing public access, creating new public spaces and supports the Minster's Mission of welcome will be supported. Policy PA3 'Learning and Gardens' seeks to deliver a sensory garden. 'Policy E4 'Green Travel Plan' seeks to work towards reducing unnecessary vehicle movement and parking'.
3.6 Encourage residents to be more responsible for their own health?	Positive	Policy A2 'Sustainable Development' seeks to provide 'accessible green space which contributes to the social health and cultural wellbeing of the city' and to ensure the area is 'safe and welcoming'. Policy D1 'Wellbeing' seeks to support development 'which supports the wellbeing of York's residents by increasing public access, creating new public spaces and supports the Minster's Mission of welcome will be supported.'
3.7 Reduce crime or fear of crime?	Positive	Throughout the Neighbourhood Plan, policies seek to work towards ensuring the Minster Precinct is 'safe and welcoming'.
3.8 Help to give children and young people a good start in life?	Neutral	No specific provision is made for this.

Culture & Community

Does your proposal?	Impact	What are the impacts and how do you know?
3.9 Help improve community cohesion?	Positive	Policy D1 'Wellbeing' seeks to promote partnership working with the 'public, voluntary, business and community sectors. A number of Community Actions seek to address potential conflicts between cyclists and pedestrians. Policy E2 seeks to 'recognise the needs of people of all abilities and stages of life'.
3.10 Improve access to services for residents, especially those most in need?	Positive	Throughout the Neighbourhood Plan, policies seek to ensure public access to new and improved facilities.
3.11 Improve the cultural offerings of York?	Positive	The plan centres on the York Minster Precinct, one of York's primary cultural assets, and how to ensure it's future for the York Minster community as well as the wider city. Policy A2 'Sustainable Development' states a social objective to support the 'cultural wellbeing of the city'. This objective is reflected through the policies and projects within the plan.
3.12 Encourage residents to be more socially responsible?	Neutral	No specific provision is made for this.

Zero Carbon and Sustainable Water

Does your proposal?	Impact	What are the impacts and how do you know?
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3.13	Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?	Positive	Policy A2 'Sustainable Development' seeks to meet and where possible exceed Government standards in relation to energy and achieve highest practicable energy efficiency.
3.14	Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?	Positive	Policy A2 'Sustainable Development' seeks to meet and where possible exceed Government standards in relation to water and maximise water efficiency and minimise water demand.
3.15	Provide opportunities to generate energy from renewable/low carbon technologies?	Positive	Policy A2 'Sustainable Development' seeks to meet and where possible exceed Government standards in relation to energy and incorporate technologies such as PV Cells whilst respecting the significance of heritage assets.

Zero Waste

Does your proposal?		Impact	What are the impacts and how do you know?
3.16	Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?	Neutral	Policy A2 'Sustainable Development' Environmental Objective seeks to minimise waste. Policy A4 'Design Excellence' seeks to include suitable accessible space for waste management facilities'.

Sustainable Transport

Does your proposal?		Impact	What are the impacts and how do you know?
3.17	Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?	Mixed	Policy A2 'Sustainable Development' seeks to prioritise sustainable forms of travel. Policy E1 'Movement and Public Realm' seeks to place a greater emphasis on pedestrian safety and prioritising this over vehicles, alongside supporting a strategy for pedestrian and cycle movement.
3.18	Help improve the quality of the air we breathe?	Mixed	Policy A2 'Sustainable Development' seeks to prioritise sustainable forms of travel. Policy E1 'Movement and Public Realm' seeks to place a greater emphasis on pedestrian safety and prioritising this over vehicles, alongside supporting a strategy for pedestrian and cycle movement.

Sustainable Materials

Does your proposal?		Impact	What are the impacts and how do you know?
3.19	Minimise the environmental impact of the goods and services used?	Neutral	Policy A2 'Sustainable Development' seeks to minimise pollution and reduce the carbon footprint

Local and Sustainable Food

Does your proposal?		Impact	What are the impacts and how do you know?
3.20	Maximise opportunities to support local and sustainable food initiatives?	Neutral	No specific provision is made for this.

Land Use and Wildlife

Does your proposal?		Impact	What are the impacts and how do you know?
3.21	Maximise opportunities to conserve or enhance the natural environment?	Positive	Policy A2 'Sustainable Development' seeks to contribute to improving biodiversity and support an increase in biodiversity. Policy B1 'Landscape an Biodiversity Net Gain' seeks to protect and enhance existing areas of biodiversity and states that proposals should result in biodiversity net gain. This policy is also supportive of Green roofs.
3.22	Improve the quality of the built environment?	Positive	Policies throughout the plan seek to improve the quality of the built environment specifically Policy C1 'Historic Environment', Policy C2 Listed Building Consent, Policy C3 'Archaeology & Scheduled Monument Consent and Policy A4 Design Excellence.
3.23	Preserve the character and setting of the historic city of York?	Positive	Policy C1 'Historic Environment' seeks to protect, conserve and seek opportunities to enhance historic environment of the Minster Precinct alongside other heritage assets including their setting. Policy PA3 'Learning and Gardens' and Policy PA4 'Own Use Properties' seeks to ensure design responds appropriately to setting of heritage assets.
3.24	Enable residents to enjoy public spaces?	Positive	Policy PA1 'Minster Yard and College Green' seeks to enhance college green to provide greater usable public space. Policy PA2 'West Front and Queen Elizabeth Square' seeks to provide a new public square.

3.25	Additional space to comment on the impacts		

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?
4.1	Age	Positive	Policy E2 'Accessibility and Wayfinding' states the 'Minster Precinct is to work towards universal accessibility wherever possible to provide a welcoming environment which recognises the needs of people of all abilities and stages of life.
4.2	Disability	Positive	Dean's Park will be designed to facilitate disabled access from the Precinct onto a small part of the City Walls.
4.3	Gender	Neutral	
4.4	Gender Reassignment	Neutral	
4.5	Marriage and civil partnership	Neutral	
4.6	Pregnancy and maternity	Neutral	
4.7	Race	Neutral	
4.8	Religion or belief	Neutral	
4.9	Sexual orientation	Neutral	
4.10	Carer	Positive	Policy E2 'Accessibility and Wayfinding' state the 'Minster Precinct is to work towards universal accessibility wherever possible to provide a welcoming environment which recognises the needs of people of all abilities and stages of life. Dean's Park will be designed to facilitate disabled access from the Precinct onto a small part of the City Walls.
4.11	Lowest income groups	Neutral	

4.12	Veterans, Armed forces community	Neutral	
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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	
4.14	Right not to be subjected to torture, degrading treatment or punishment	Neutral	
4.15	Right to a fair and public hearing	Neutral	
4.16	Right to respect for private and family life, home and correspondence	Neutral	
4.17	Freedom of expression	Neutral	
4.18	Right not to be subject to discrimination	Neutral	
4.19	Other Rights	Neutral	

4.20	Additional space to comment on the impacts



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 <u>current form</u>, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?	
5.1	Overall the vision, objectives, policies and projects responds to the issues, opportunities and challenges facing the area and it is considered that the plan will have a positive impact overall on creating a fair, healthy, sustainable and resilient neighbourhood.

What could be changed to improve the impact of the proposal on the <u>One Planet principles</u>? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)	
5.2	No improvements considered necessary.

What could be changed to improve the impact of the proposal on <u>equalities and human rights</u>? (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

What further evidence or consultation is needed to fully understand its impact? (e.g. consultation with specific communities of identity, additional data)	
6.1	The community has been widely consulted on the content of the Plan, including having the final say when they voted in the referendum, to agree with the final Plan.

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 rows if needed)	
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Action	Person(s)	Due date

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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.

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?

1.1

Potential impacts are considered to be positive and in line with national and local planning policy and as such no further work has been undertaken to clarify understanding.

What changes have you made to your proposal to increase positive impacts?

1.2

No changes considered necessary.

What changes have you made to your proposal to reduce negative impacts?

1.3

No negative impacts anticipated.

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?

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.

1.4

Overall the vision, objectives, policies and projects responds to the issues, opportunities and challenges facing the area and it is considered that the plan will have a positive impact overall on creating a fair, healthy, sustainable and resilient neighbourhood.

Any further comments?

1.5



Executive**16 June 2022**

Report of Corporate Director of Place
Portfolio of the Executive Member for Finance and Major Projects

Introduction of Community Infrastructure Levy**Summary**

1. Since 2010, authorities in England and Wales have also been empowered to establish a Community Infrastructure Levy (CIL) to help pay for infrastructure to support development such as schools, green infrastructure and sustainable transport. This report seeks agreement to introduce a CIL in York to support the implementation of the Local Plan (“the Plan”). It will help ensure infrastructure to support development envisaged is delivered in the right time and in the right place. Subject to views of Executive, a CIL Draft Charging Schedule setting out the proposed charges for consultation can be prepared for approval and then formal consultation in Autumn 2022.

Recommendations

2. The Executive is asked to:

- 1) Agree to move forward with the preparation of a Community Infrastructure Levy (CIL) for York.

Reason: To enable collection of funding from landowners/developers to help support delivery and mitigate infrastructure impacts of the development envisaged in the emerging Local Plan.

- 2) To note that a Draft CIL Charging Schedule setting out proposed rates will be presented to Executive for agreement prior to formal consultation later in 2022.

Reason: Before CIL can be published and charged, a Draft Charging Schedule must be formally consulted on in line with the CIL Regulations 2010 (as amended 2019).

Background

3. As York moves a step closer to its first adopted Plan, there is an opportunity to consider how the Council can use other planning tools and processes to support its implementation, from Supplementary Planning Documents to support policy implementation to *targeted* and evidence led use of Article 4 Directions to ensure Plan delivery. The Council's approach to securing developer contributions presents a particular opportunity to enable delivery of Plan policies.
4. Planning obligations (frequently referred to as 'Section 106 agreements' or S106) are negotiated between the Council and landowners/developers to mitigate the impact of a development or to secure certain requirements/obligations as part of a development. They are currently the only mechanism used in York to secure landowner/developer financial contributions. They can include:
 - Requirements for parts of a development to be used in certain ways, for example, for a percentage of home to be affordable housing;
 - Requirements for certain works to be undertaken or for other requirements and/or restrictions on the form of the development, for example requiring certain works to the highway;
 - Financial contributions to address the impacts of development – usually limited to those cases where it is not feasible to meet policy requirements on site and/or to mitigate specific development impacts, such as the provision of open space.
5. S106 can only be used where the legal tests set out in the CIL Regulations 2010 (as amended) are met. That is S106 must be:
 - Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
6. Since 2010, authorities in England and Wales have been empowered to establish a Community Infrastructure Levy (CIL) to help pay for infrastructure to support development. This charge on the development can operate alongside S106, which can continue to be used for affordable housing and other on-site infrastructure.

7. CIL is a fixed, non-negotiable, charge per square metres on most development of 100 square metres or more, or a new dwelling of any size. It is calculated using standard formulae set out in the CIL Regulations. There are exceptions and reliefs from payment of CIL provided for in the Regulations, and available by application; this applies to affordable housing, most charitable developments, self-build homes and residential annexes.
8. CIL rates must be set out in a CIL Charging Schedule by the charging authority – that is the Council. The level at which CIL rates are set must strike an appropriate balance between collecting money to fund the infrastructure needed to support development *and* the ability of developments in its areas to afford the charge – that is the viability of development. Accordingly, CIL Draft Charging Schedules are supported by evidence of infrastructure needs and costs and viability impacts – with the latter having a central role in defining the CIL charge. These are all then subject to public consultation before going forward to an examination in public by an ‘Independent Person’, such as an Inspector from the Planning Inspectorate.
9. Once the CIL Charging Schedule takes effect, payment of CIL becomes due from commencement of the development – this is either 60 days as specified in regulations or as defined in an Instalment Policy published by the Council. The CIL monies collected can then be applied to fund a wide range of infrastructure subject to the limits defined in section 216(2) of the Planning Act 2008, and regulation 59, as amended by the 2012 and 2013 Regulations). This can include transport infrastructure, flood defences, schools, hospitals, and other health and social care facilities, open spaces, cultural and sports facilities, district heating schemes and other community safety facilities.
10. A portion of CIL must be allocated to neighbourhoods. Where there is a Neighbourhood Plan in place 25% of CIL is applied to neighbourhood priorities, and is passed to the relevant Parish Council. Where there is no Neighbourhood Plan made and adopted, this is reduced to 15% of receipts up to certain cap defined in the CIL Regulations 2010 (as amended). This neighbourhood element can be spent more widely than on infrastructure – but must be used to address the demands that development places on the area.
11. Communities without a parish or town council still benefit from the neighbourhood portion. The Council will engage with the communities where development has taken place and agree with them how best to

spend the neighbourhood funding, including priorities set out formally in neighbourhood plans. The approach to engagement and decision making for the neighbourhood portion of CIL will be published once CIL is operational. Further information on the policy approach to this will be outlined alongside the Draft Charging Schedule report. The final policy will be subject of decision by Executive, who will review this from time to time.

12. The Regulations allow for up to 5% of CIL receipts to be used to recover the costs of administering the levy.
13. It is worth noting that combined authorities with planning powers can charge a strategic infrastructure tariff in addition to a local CIL. The Mayor of London can also charge a CIL for strategic transport projects. A CIL for York and North Yorkshire has not been part of discussions to date.
14. The Government has signalled its intention to reform both CIL and S106. The most detailed statement published at the time of writing, was as set out in the Planning for the Future White Paper, August 2020. This set out proposals to replace Section 106 and CIL with a new 'National Infrastructure Levy'. It identifies that this would be "a nationally-set value based flat rate charge", with either single or varied rate could be set by central Government. It also suggests that it would be charged on the final value of a development and at the point of occupation. There would be a minimum threshold below which it would not be charged. It was proposed this National Infrastructure Levy could be spent with the same or even greater flexibilities than CIL with the neighbourhood element retained.

Consultation

15. The work programme attached to the Economy and Place Policy and Scrutiny Committee, March 2019 identifies CIL as a future area of policy development. However, to date limited consultation has taken place other than that associated with the Local Plan and the production of a viability assessment which included some engagement with developers on the assumptions used.
16. The CIL Regulations 2010 (as amended) set out a clear requirement for consultation on the Draft CIL Charging Schedule in addition to a public independent examination of the proposed charges. This Draft Charging Schedule, setting out proposed rates, would be subject to approval by

Executive and consultation with the Local Plan working group ahead of formal consultation.

Options

17. The Council can maintain the status quo and continue with planning obligations approach, but introduction of CIL allows greater flexibility than S106 for the Council to choose the infrastructure that is to be funded to deliver the Local Plan – whether through mitigating or unlocking development. It also provides for a ‘neighbourhood pot’ for communities most directly impacted by development. Should progress on the emerging Local Plan stall, this remains the default position, until such time as the proposed Government replacement mechanism comes into effect.
18. The Council could wait for the introduction of CIL’s replacement mechanism, the ‘Infrastructure Levy’ proposed by Government. However, the timescale for introduction is unclear, the legislation will take several months or even years to enact legislation and the Government has described the introduction of this new levy as a ‘test and learn’ approach suggesting a staggered rather than immediate roll out. Furthermore, the Government’s statements on the proposed CIL, consistently indicate a levy type approach (an evolution of CIL rather than a fundamental change of direction). In this context, moving forward with CIL may enable an easier transition to the proposed ‘Infrastructure Levy’ intended to replace CIL and S106.

Analysis

19. Viability studies associated with the development of the Local Plan include a 2018 study and updated sensitivity testing in 2022 (see ‘Background papers’). CIL rates can also be varied by the use and scale of development as well as by area – but the variations must be based on viability. These initial viability studies indicate that a CIL could be charge for residential development and potentially certain other categories of development. The 2018 assessment suggested charges from zero to £150 per square metre depending on use, with £130 per square metres for most residential uses (schemes of less than 10 units outside the city centre where viability may be more challenging). However, further analysis and consultation with developers is needed to determine the appropriate level of charge in York. If the decision to move forward with CIL is taken, this work will be undertaken in over the summer.

20. CIL and Section 106 can be used alongside each other where the legal requirements set out in the Regulations are met. In very broad terms, CIL has a particular role in meeting the cumulative demand arising from development overall, including smaller scale development, but there will still be a role for Section 106 in the context. The initial results of these viability studies suggest that where there are very significant section 106 costs associated with on-site infrastructure requirements (typically associated with the largest strategic sites - over 1,000 homes), a lower or even zero CIL *may* be appropriate. It is not uncommon for this to be the case with many CIL Charging Schedules across England adopting lower/zero rates very large-scale development/ new settlements in light of the significantly higher on-site Section 106 requirements. This does not mean that the developments of a larger scale are paying less – it means that of the total developer contributions sought the larger proportion comes from S106 rather than CIL. Again, this will need to be assessed as part of further viability work associated with the introduction of a CIL. As outlined above, the introduction of CIL will have the advantage of providing a new funding stream that can be strategically applied to projects to enable delivery of the Council's first Local Plan. It has a number of advantages compared to continuing with Section 106 alone. These include:

- Reducing time taken in negotiation Section 106 agreements as the non- site-specific infrastructure costs will be set out up front in a Charging Schedule, providing certainty for developers and infrastructure providers (and CIL is non-negotiable).
- Capturing financial contributions from smaller developments from one or more units which cumulatively can give rise to infrastructure; infrastructure impacts of this size category of development are not effectively mitigated as S106 is typically limited to major developments. Development of less than 10 units has comprised a fifth of developments in York over the last 10 years.
- Allowing more flexible allocation of spend than the narrowly ringfenced contributions secured through Section 106 agreements, enabling more effective response to changes in capacity in infrastructure across the City, such as in response to deficits or surpluses in education or primary health care infrastructure.
- Providing a funding stream to support neighbourhood priorities – which is particularly valuable given the high take up of neighbourhood planning in York.
- Laying the foundation for a transition to a levy approach in readiness for the Infrastructure Levy as proposed by central Government.

21. Further analysis on CIL impacts and implications will be set out in a future report to Executive in Autumn 2022 alongside proposed rates. This analysis will extend to estimates of likely receipts any implications of the limitations on borrowing against CIL and will form part of any report to executive on the proposed draft Charging Schedule ahead of formal consultation. This analysis will be supplemented advice on when Section 106 clarifying how used in tandem with the Community Infrastructure Levy and ensuring that this meets the 'tests' for the use of Section 106 identified in paragraph 5 above.
22. CIL **must** be spent on infrastructure to support development within the area. Accordingly, a CIL spend strategy taking into account development impacts, will be used to guide any future spend in York after a period of accrual of CIL funding. This strategy will need to be evidence-led and will be critical to ensure that the right range of infrastructure is delivered in the right place and at the right time – including for education uses where there are particular challenges in projecting demand in the medium to longer term.
23. The CIL spend strategy along with data on the actual spend of CIL receipts will be reported the Council's Infrastructure Funding Statement, annual publication, which is requirement of the CIL Regulations 2010 (as amended). The Council already publishes a report in connection with Section 106 receipts and expenditure as required by these regulations.

Council Plan

24. As well as supporting delivery of the emerging Local Plan, introduction of a CIL for York will contribute to the attainment of 'Creating homes and world-class infrastructure' outcome, as set out in the Council Plan 2019-2023 (Making History, Building Communities) and indirectly support other objectives.

Implications

Financial

25. The Community Infrastructure Levy will allow the council to raise significant sums towards the costs of major infrastructure that will be required to deal with the impact of new developments. The levy provides greater certainty to the values that can be raised to fund key

infrastructure projects to support the growing city. The Regulations allow the authority to charge a fee to cover administrative expenses of both setting up and operating the CIL. This fee covers actual expenses but cannot exceed 5% of the value of the CIL collected in any one financial year.

26. This report **recommends** the development of the strategy and that further details over the scale of the infrastructure needs and level of fees will be brought back to Executive in the Autumn. This development work can be contained within existing budgets.

Legal

27. The power to charge by way of the Community Infrastructure Levy was introduced by Part 11 (Sections 205-225) of the Planning Act 2008. The Community Infrastructure Levy Regulations 2010 (as amended) deal with the detailed implementation of CIL and cover matters such as the procedure for setting CIL, the charging and collecting of the levy and liability for payment. A charging authority cannot adopt CIL unless it has first produced a charging schedule based on appropriate available evidence, which has informed the preparation of the charging schedule.
28. Setting and reviewing the Community Infrastructure Levy must follow a statutory process, as defined in the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended). In addition, there is considerable Government Planning Policy Guidance dealing with the approach to be adopted in setting and reviewing rates within the Charging Schedule.
29. The statutory process requires demonstrable evidence of how the Council has derived the Charging Schedule and liable development, and consultation of that evidence. There is also a requirement to consider the outcome of that consultation prior to setting or reviewing a rate, which includes external validation by an independent examiner with the Charging Schedule being subject to any modifications recommended by the examiner.
30. A charging authority can think strategically in their use of CIL to ensure that key infrastructure priorities in their Local Plan are delivered to facilitate growth and the economic benefits of their area. Subject to meeting the 3 tests set out in CIL regulation 122 (as set out in para 5 above), charging authorities can use funds from both CIL and section 106 planning obligations to pay for the same piece of infrastructure

regardless of how many planning obligations have already contributed towards an item of infrastructure.

31. There are no known risks associated with the introduction of CIL noting the mitigating factors presented in connection under 'Options' above. However, a more complete analysis will be presented in connection with a report later this year in connection with proposed charges.

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Report Approved **Date** 1 June 2022

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All

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Background Papers:

[City of York Local Plan Viability Update Addendum, March 2022 \(updated May 2022\)](#)

[Porter Planning Economics Viability Assessment Update Study, April 2018](#)

The Community Infrastructure Levy Regulations 2010
<http://www.legislation.gov.uk/uksi/2010/948/contents/made>

The Community Infrastructure levy (Amendment) Regulations 2011
<http://www.legislation.gov.uk/uksi/2011/987/made>

Annexes

N/A

List of Abbreviations Used in this Report

CIL – Community Infrastructure Levy



Executive**16 June 2022**

Report of the Chief Operating Officer
Portfolio of the Executive Member for Finance and Performance

Finance and Performance Outturn 2021-22**Summary**

- 1 This report provides a year end analysis of the overall finance and performance position. This is the final report of the financial year and assesses performance against budgets, including progress in delivering the Council's savings programme.
- 2 As outlined in reports to Executive throughout the previous year, the COVID-19 pandemic has continued to have a significant impact on the Council's financial position and has adversely affected performance against a number of indicators.
- 3 However, the overall financial impact has been mitigated by continued financial support from Government in the form of a COVID support grant and the Contain Outbreak Management Fund. These one off grants have been used, in accordance with the grant conditions, to fund additional COVID related pressures across the Council thus preventing the need to use the general reserve to balance the overall position.
- 4 Within the overall position outlined in this report there are some significant pressures. However, the overall outturn position has been balanced through the use of COVID grants along with the early achievement of a corporate saving and increased income from parking and recycling.
- 5 The financial pressures outlined in this report and in annex one are mainly underlying and recurring pressures relating to social care. In particular, the cost of placements and agency staff within children's services. We have been able to mitigate these costs through the use of the one off COVID funding, but this funding will not be available in future years.
- 6 There remain considerable financial challenges looking ahead into 2022/23 and beyond. These challenges include the underlying pressures in both adults and children's social care, rising inflation and the current "cost of living" crisis, all of which increase pressure on the Council's

already stretched budget. This is alongside the need to deliver £6.4m of ongoing savings as outlined in the annual budget report considered by Executive in February of this year.

- 7 The council's overall financial health provides a strong platform upon which to meet these financial challenges and good progress has been made with the achievement of savings in the year. Whilst some areas have experienced slight delays, as set out in the report, overall progress is good and areas of delay have generally been mitigated by other savings in relevant areas.
- 8 The 2022/23 budget agreed in February 2022 provided for significant growth in adults and children's services budgets and made proper provision for all known cost increases at that time. Since then, inflationary pressures have become apparent and further work is needed to identify ways to manage and mitigate this pressure.

Recommendations

- 9 The Executive is asked to:
 - 1) Note the year end position.
 - 2) Note the finance and performance information
 - 3) Approve the extension to March 2024 for the letter of credit to York Museums Trust as outlined in paragraphs 15 to 21

Reason: to ensure significant financial issues can be appropriately dealt with.

Financial Summary

- 10 The council's net General Fund budget for 2021/22 was £131m and the provisional outturn position is a net overspend of £2.6m funded from the use of COVID grant.
- 11 An overview of the outturn, on a directorate by directorate basis, is outlined in Table 1 below and the key variances are summarised in Annex 1.

	21/22 net budget	21/22 Monitor 3 net forecast variation	21/22 draft outturn
	£'000	£'000	£'000
People	69,592	8,738	7,542
Place	21,772	-341	-1,842
Customers & Communities, Public Health & Corporate Services	22,182	0	+328
Central budgets	18,344	-800	-3,390
Sub Total		7,597	2,638
Contingency	-500	-500	0
Use of COVID grants		-2,000	-2,638
Use of earmarked reserves		-500	0
Total including contingency	131,390	4,597	0

Table 1: Finance overview

Reserves and Contingency

- 12 The February 2021 budget report to Full Council stated that the minimum level for the General Fund reserve should be £6.4m (equating to 5% of the net budget). At the beginning of 2021/22 the reserve stood at £6.9m and, as part of the budget report, approval was given to maintain this level of reserve in 2021/22 thus giving some headroom above the minimum level to take account of the continued risks facing the council, in particular the scale of future reductions on top of those already made. In addition, the budget report outlined significant risks associated with major capital projects, reduction in New Homes Bonus and health budgets. The report also contained a strong recommendation that revenue reserves should be increased over the next couple of years, in recognition of the current risks the council faces.
- 13 On the general contingency, it has been assumed throughout the year that this would be needed to offset forecast budget pressures. As the COVID grant has covered the outturn position, it is proposed that the unused contingency is carried forward into 2022/23 to help deal with the increased costs of energy as a result of rising inflation. This would be in addition to the budget of £500k in 2022/23, resulting in a contingency of £1m available to offset budget pressures already being experienced.

Loans

- 14 Further to a scrutiny review, it was agreed that these quarterly monitoring reports would include a review of any outstanding loans over £100k. There are 2 loans in this category. Both loans are for £1m and made to Yorwaste, a company part owned by the Council. The first was made in June 2012 with a further loan made in June 2017 as agreed by Executive in November 2016. Interest is charged on both loans at 4% plus base rate meaning currently interest of 5% is being charged. All repayments are up to date.
- 15 In August 2020, Executive approved a letter of guarantee to the York Museums Trust providing them with access to a maximum of £1.95m over the next 2 years, should it be required, in order to secure the museums as a going concern. This support was required in the light of an estimated loss of revenue in 20/21 of £2.6m due to Covid-19. In June 2021 Executive agreed a further years extension of the letter of guarantee to 31 March 2023.
- 16 With the support of Arts Council England emergency grants and DCMS cultural recovery grant in 2020 and 2021 of £1.7m YMT have managed to open their venues around the various lockdowns. They have also cut staffing and costs to ensure they managed to minimise the losses that resulted from the loss of visitors and visitor income which is 70% of the income normally received.
- 17 Having made a financial loss in 2021/22 they are projecting a further loss in 2022/23. The size of the loss will vary with the strength of the recovery in numbers of visitors, but is expected still to be affordable within their current retained reserves.
- 18 YMT have requested that the letter of guarantee be further extended by one year to 31 March 2024 as they will be operating with minimal reserves and will need the letter of guarantee extending in order for their auditors to be able to sign off their accounts as a going concern.
- 19 The continued backing of CYC in this way is also helpful to the current YMT bid for continued ACE funding for 2023 to 2026 of £1.2m per annum.
- 20 The letter of guarantee outlines the council's commitment to providing YMT with the funds should they be required, up to an amount of £1.95m, on receipt of evidence that the funds are required (i.e. that reserves and other income sources have been exhausted). This allows the Trust to demonstrate that they are a going concern, as well as providing the certainty that they need to continue to operate.

- 21 YMT are assuming improved visitor figures in 2022/23 and again in 2023/24 so that in the medium term there is evidence that they are able to operate with an income surplus and rebuild depleted reserves without the continuing need for a formal letter of guarantee.

Performance – Service Delivery

- 22 In spite of the many challenges that the organisation and City has faced over the last two years, performance across the wider organisation, not just the Council plan indicators, has continued to remain high and continues to compare favourably when benchmarked against other areas with similar characteristics to York. Whilst Covid and the actions taken to tackle the global pandemic have in places affected performance in the short-term, the general pattern for data and information monitored by the Council is that levels of resident and customer satisfaction, timeliness and responsiveness, as well as various directorate and service based indicators, have remained positive.
- 23 It is likely that due to impacts of COVID, a number of the Council Plan indicators will continue to see a change both in terms of their numbers and their direction of travel in future reporting periods. The majority of the performance measures within the Council Plan have a lag between the data being available, and the current reporting period and therefore impacts will not be immediately seen, and may occur over several years as new data becomes available.
- 24 Over recent months, the cost of living has continued to rise, due in part to the following:
- The Office for Budget Responsibility (OBR) forecast inflation to be above 7% until at least Q1 2023-24, which is much higher than originally forecast in October 2021. In response to higher inflation, interest rates have been raised from a low of 0.1% to 0.75% in March 2022.
 - In the year to March 2022, domestic gas prices increased by 28% and domestic electricity prices by 19%, due in part to a return of global gas demand as pandemic restrictions are lifted and lower than normal production of natural gas.
 - Food price inflation is expected to rise further reflecting the pass through of cost increases over recent months.
 - Benefits increased by 3.1% in April 2022, which is less than the current (and expected) level of inflation.
- 25 This crisis will have an impact on residents, particularly those from lower income families, and businesses in the city. A number of performance indicators across all eight council plan themes will be affected in the short term, with both financial and reputational impacts. These indicators will be

monitored and reported on through performance management framework processes over the coming months.

- 26 The Executive for the Council Plan (2019-23) agreed a core set of strategic indicators to help monitor the council priorities and these provide the structure for performance updates in this report. The indicators have been grouped around the eight outcome areas included in the Council Plan. Some indicators are not measured on a quarterly basis and the DoT (Direction of Travel) is calculated on the latest three results whether they are annual or quarterly.
- 27 A summary of the strategic indicators that have an **improving** direction of travel based on the latest, new, available data are shown below and further details around all of the core indicator set can be seen in Annex 2.
- **Number of new affordable houses delivered** - The number of new affordable homes delivered in York remains high, with 224 delivered during 2021-22. This is a large increase on the 130 delivered during 2020-21.
 - **Number of incidents of anti-social behaviour within the city centre** - There were 1,276 incidents of anti-social behaviour during 2021-22, compared to 1,410 in 2020-21, and continues the year-on-year reduction seen since 2018-19.
 - **Parliament Street Footfall** - Footfall in Parliament Street during 2021-22 totalled just under 7 million data captures. This is slightly under the 7.8 million data captures during 2019-20 (pre-pandemic) but there were still national restrictions during the early weeks of 2021-22 so it is anticipated that figures for 2022-23 will be similar to those seen pre-pandemic
 - **P&R Passenger Journeys** - Passenger journeys for park and ride customers totalled 2.59m (provisional) for 2021-22. This is a large increase on the 0.74m journeys made during 2020-21 showing good signs of recovery post-covid.
 - **Local bus passenger journeys** - Passenger journeys on local buses totalled 7.82m (provisional) for 2021-22. This is a large increase on the 3.07m journeys made during 2020-21, showing signs of recovery, but lower than the 11.56m journeys made during the same period in 2019-20.
 - **Library Visits** - Library visits during 2021-22 totalled 617,771, which is a large increase on the 183,706 visits during 2020-21. This shows a very positive direction of travel, although the 2021-22 figure is still a long way below the pre-pandemic figures (1,023,034 visits in 2019-20).

- **% of 4C's Complaints responded to 'in-time'** - In Q4 2021/22 there were 323 complaints dealt with as either a grade 1 or grade 2 complaint under the corporate 4Cs and 97.5% were responded to within their required timescales. This is a further improvement for in time performance compared to the last reporting quarter and the Corporate Governance team will continue to work with managers and services across the council to maintain this improvement.
- **% of working age population qualified – to at least L2 and above** - 87.9% (up from 83.4% in 2020/21) of the working age population in York were qualified to at least L2 and above (GCSE grades 9-4), which is higher than the national and regional figures (78.2% and 76.4% respectively).
- **% of working age population qualified – to at least L4 and above** - 59.3% (up from 46.4% in 2020/21) of the working age population in York were qualified to at least L4 and above (certificate of higher education or equivalent), which is higher than the national and regional figures (43.5% and 38.0% respectively).
- **CYC Apprenticeships** - Apprenticeships continue to play an important role in providing opportunities for those entering the workforce or who need to reskill or upskill at both the council and within York. The number of CYC stand-alone apprenticeships only, which excludes those within schools or being completed alongside existing roles, was 24 at the end of March 2022. This figure has increased throughout 2021-22 from 13 at the start of the year and 19 in quarters 2 and 3.

28 Strategic indicators that have a worsening direction of travel, mainly due to direct adverse effect from COVID-19 are;

- **Number of homeless households with dependent children in temporary accommodation** - The latest available data shows that there are 27 homeless households with dependent children in temporary accommodation at the end of Q3 2021-22. This figure remains higher than normal, although it is a slight reduction from Q2, but it should be noted that these figures are snapshot figures and therefore may fluctuate between the snapshot dates.
- **The average number of days to re-let empty Council properties (excluding temporary accommodation)** – The average number of days to re-let empty Council properties (excluding temporary accommodation) was 74 days at the end of 2021-22. This is an increase from 67 days at the end of 2020-21. The effects of the pandemic and Brexit continue to impact performance on re-letting council properties. Whilst dealing with pent up demand following national lockdowns, additional covid related

challenges have slowed progress including new safety checks and staffing availability through both staff illness/isolation and vacancy controls. Lack of availability and increased costs of materials and 3rd party labour as a result of Brexit have further impeded the service. Brexit has also affected recruitment in some areas. An 'Impacts of Brexit and Covid' report which outlines the key issues and action plan to address them was submitted to the Housing & Community Safety Policy & Scrutiny Committee in October 2021.

Annexes

- 29 Annex 1 shows the quarterly financial summaries for each of the Council directorates.
- 30 Annex 2 shows performance updates covering the core set of strategic indicators which are used to monitor the progress against the Council Plan.
- 31 All performance data (and approximately 1,000 further datasets) within this document is made available in machine-readable format through the Council's open data platform at www.yorkopendata.org under the "performance scorecards" section.

Consultation

- 32 Not applicable.

Options

- 33 Not applicable.

Council Plan

- 34 The information and issues included in this report demonstrate progress on achieving the priorities set out in the Council Plan.

Implications

- 35 The implications are:
- **Financial** are contained throughout the main body of the report.
 - **Human Resources (HR)** There are no HR implications related to the recommendations
 - **One Planet Council / Equalities** Whilst there are no specific implications within this report, services undertaken by the council make due consideration of these implications as a matter of course.

- **Legal** There are no legal implications related to the recommendations
- **Crime and Disorder** There are no crime and disorder implications related to the recommendations
- **Information Technology (IT)** There are no IT implications related to the recommendations
- **Property** There are no property implications related to the recommendations
- **Other** There are no other implications related to the recommendations

Risk Management

- 36 An assessment of risks is completed as part of the annual budget setting exercise. These risks are managed effectively through regular reporting and corrective action being taken where necessary and appropriate.

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Wards Affected: All			✓
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Glossary of Abbreviations used in the report:

ARZ	Alcohol Restriction Zone
ASCOF	Adult Social Care Outcomes Framework
CCG	Clinical Commissioning Group
CIPFA	Chartered Institute of Public Finance and Accountancy
CVS	Centre for Voluntary Service
CYC	City of York Council
DCMS	Department for Digital, Culture, Media and Sport
HRA	Housing Revenue Account
LAC	Local Area Co-ordination
RIBA	Royal Institute of British Architects
YFAS	York Financial Assistance Scheme
YMT	York Museums Trust

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Annex 1 – Directorate Financial Summaries

People

- 1 Within the People directorate the outturn position is an overspend of £7.5m, an improvement of £1.2m from the position reported at Monitor 3. The reasons for this variation are explained in the following paragraphs.

Adult Social Care

- 2 The final outturn position for Adult Social Care is an overspend of £1,282k. The improvement in the financial position is due in no small part to a lot of hard work in finding ways of mitigating the forecast overspend at monitor three. However, it should be noted that the largest contributor to the final year-end position was the use of one-off funding and funding recovered from the Hospital Discharge Programme.
- 3 The Council recovered £2m from NHS England via Vale of York Clinical Commissioning for costs incurred on customers being discharged from Hospital. The funding has now ceased but best practice continues to ensure customers are discharged to the most appropriate setting. However, the cost of this will carry a significant pressure into 2022/23 and we are working with Health to source funding for some of this activity and prioritise what has the greatest impact to the health and care system.
- 4 Adult Social Care still needs to address other budget pressures in 2022/23 based on customer numbers and prices as at February 2022. Even after the allocation of budget growth, there remains an estimated £4m budget pressure on external care. This is alongside the delivery of a savings programme of over £1.7m in what are still very testing times for the workforce and sector.
- 5 The cost of transitions customers coming through from Children's Services was £254k less than assumed in the budget and the Older People's Accommodation Project management budget underspent by £416k. The latter was largely due to the budget set aside to fund customers from Haxby Hall moving to more expensive placements not being fully spent due to using a greater number of beds at our standard rate than was expected.

- 6 Several schemes in the Better Care Fund underspent due to difficulties in recruiting staff. This slippage in 2021/22 has been used to fund overspends elsewhere in the Department (£456k).
- 7 Personal Support Services have overspent by £199k largely due to the additional costs arising from Riccall Carers going into administration during the year and the service and staff being brought into the Council (£283k). This is offset by an overachievement of rental income compared to budget.
- 8 Yorkcraft has overspent by £96k in 2021/22. This is due to an underachievement of income (£86k) and the failure to achieve a previous year's budget saving (£62k), offset by an underspend on staffing due to vacancies.
- 9 Small Day Services have underspent by £349k. This is largely due to vacancies at Pine Trees, Pastimes, Greenworks, Community Base and the Community Support Assistants which had been held for part of the year due to the service being run at reduced capacity because of Covid restrictions. In addition, the Service Manager post has been vacant for most of the year.
- 10 The Mental Health Housing & Support Project budget has underspent due to the agreement with Tees Esk Wear Valley Mental Health Trust (TEWV) that £250k of their contribution towards this programme can be redirected to support pressures felt in the Mental Health budget due to TEWV struggling to recruit staff and the Council picking up the consequences of this.
- 11 Permanent nursing care has overspent by £609k in 2021/22. The gross expenditure budget overspent by £1,324k due to the increase in the average weekly gross cost. This has been offset by the allocation of £500k Contain Outbreak Management Funding (COMF) to this budget as well as an increase in the average rate of Continuing Health Care income received per customer.
- 12 Permanent residential care has overspent by £526k. This is due to the increased cost of placements (£218k) along with an increase in the number of customers (£300k) and a reduction in customer income (£104k). This is offset by a small increase of £94k in continuing health care income.
- 13 The budget for placements in residential and nursing short stay beds has overspent by £335k. Customers have been discharged from hospital into short-term beds more quickly than was previously the case and they have also been staying in those beds for longer. The lack of

capacity in the home care market has made it harder to source the necessary care to meet the needs of these customers.

- 14 Physical & Sensory Impairment Supported Living schemes have overspent by £635k in 2021/22. This is in line with previous years and is largely due to the weekly average gross cost of a placement having increased by 13% leading to a £440k overspend. There has also been a net increase of three customers since the budget was set (£134k over recovery of income) and the average amount of income received from CHC customers has been less than assumed in the budget.
- 15 Older People Direct Payments have overspent by £125k largely due to an increase in the average direct payment per customer of £51 per week over the year (17 % greater than budget), which has been partially offset by higher than expected reclaims made in year. The P&SI Direct Payment budget has overspent by £66k, which is due to an increase in the average direct payment per customer of £38 per week (10% higher than in the budget) again offset by higher than budgeted reclaims.
- 16 Learning disability residential budgets have overspent by £300k. This is due to having a net increase of 4 customers in working age placements since the budget was set (£208k) and the average gross cost per customer in a working age placement has risen by £55 per week (an increase of 3% over the budgeted rate).
- 17 Learning Disability direct payments have overspent by £159k. This is due to having an average of 8 more customers during the year than was assumed in the budget (£198k), the average gross weekly direct payment per customer increased by £86 over the year (23% more than in the budget) (£754k), and the average amount of CHC income per customer was less than assumed in the budget (£52k). This is offset by a higher than budgeted level of reclaims made in year (£851k).
- 18 The Learning Disability Social Work team has overspent by £186k. This is largely due to the use of WWY and external agency staff to cover vacancies and being over establishment for part of the year.
- 19 The Mental Health budgets overspent by £515k. The main overspend is due to working age residential placements (£264k). £295k is due to the average gross cost per placement having increased by £89 a week (8.5% more than in the budget) and in addition, there are two more customers in placement (£134k). This is offset by an increase in the number of customers receiving CHC income.

- 20 The Mental Health social work team has overspent by £159k this year due to the use of agency and WWY staff to cover vacancies and to having two agency posts above establishment for part of the year.

Children's Social Care

- 21 The number of Children Looked After (CLA) in York was consistently at a higher level than the budget was built to accommodate. The number at the beginning of the financial year was 283 and we ended the year with 281 (with a total of 357 individual children being in care at some point during the year).
- 22 The placement budgets overspent by a total of £3,949k in 2021/22. This figure is made up of variances of £479k on local Fostering placements, £446k on IFAs, £262k on adoption/SGO/CAO allowances, £2,725k on the General Fund element of Out of City Placements and £37k on Leaving Care placements. The pressure on this budget is partly due to the limited market for children's placements and the statutory requirements placed on local authorities to meet children's needs, coupled with inflationary pressures which will continue to worsen the position.
- 23 In addition there was a staffing overspend in the Permanency Staffing Teams of £447k due to additional Working with York staff, and a net overspend on Inter-Agency Adoption Fees of £46k.
- 24 Safeguarding Interventions overspent by £727k, due to additional capacity to assist in the improvement journey being undertaken, mainly in the Court and Child Protection Teams who are dealing with the continued higher number of cases than the budget has capacity to deal with. In addition, Legal fees overspent by £429k.
- 25 Staffing budgets with Children's Social Work Services overspent by £188k. This is mainly due to temporary staffing across the service, which the directorate has worked hard to eliminate with permanent appointments.
- 26 There was a net overspend of £441k in the Referral, MASH and Assessment teams. The major variance was an overspend of £469k in The MASH and Assessment Teams due to posts over establishment and significant temporary staff expenditure, offset by savings in the Response / Edge of Care service.
- 27 A net overspend in Disabled Children's Services of £735k was mainly due to additional staffing (£137k) in the core service, staffing

overspends on the Beehive and Glen (£200k) and overspends on short breaks and direct payments (£398k).

- 28 The Local Area Teams budgets underspent by £231k, mainly due to vacancies in the core team (being held vacant pending the restructure which transfers this resource into core Childrens Safeguarding posts) and additional Troubled Families grant.
- 29 The Home to School Transport budget was already in an historic overspend position of approximately £200k. The savings targets for the SEN element of home to school transport have not been achieved because of a growth in the number of pupils/students requiring transport and the specialist requirements of that transport. The main increase in numbers have been at post 16/19 where because of the city now being able to provide more specialist education provision for this group of students more locally, subsequently we have had to provide more transport to establishment such as York College, Askham Bryan, Choose 2 and Blueberry Academy. The changes in legislation to allow EHCPs to ages 19-25, resulting in significantly more students accessing this option, has significantly increased our transport spend accordingly.
- 30 The final position was an overspend of £290k, due mainly to the continuing overspend on SEN taxis (219k), and additional buses required to transport an increase in pupils to Fulford School and Huntington Schools (£71k).

Dedicated Schools Grant

- 31 The Dedicated Schools Grant (DSG) overspent by £3.503m in 2021/22. The main pressure is within the High Needs Block and is due to the continuing increase in High Needs numbers, and increasing complexity, requiring expensive provision, especially in Post 16 and Post 19 provision and the education element of Out of Authority placements.
- 32 The brought forward balance on the DSG at 1st April 2021 was a deficit of £9.940m. As a result of the 2021/22 in-year overspend the cumulative deficit to carry forward to 2022/23 would have been £13.443m. However, following discussions with officials from the DfE and ESFA, a Safety Valve Agreement was secured, resulting in an additional payment of £7.6m of DSG on the 31st March 2022. This reduces the cumulative deficit to carry forward into 2022/23 to £5.843m.
- 33 This additional funding represents the first payment under this Safety Valve agreement, which commits the local authority to bring the DSG

into an in-year balanced position by 2025/26. Further payments are conditional on the local authority meeting the targets set out in the Management Plan, and reporting quarterly to the DfE on progress, with the eventual aim of eliminating the in-year deficit by the target date, with additional payments by the DfE eliminating the historic deficit at that point.

Place

- 34 The Directorate outturn position is an underspend totalling £1,842k (including commercial portfolio). This includes £599k of Covid-19 grant support primarily relating to income shortfalls in quarter 1 partly compensated by the Government Sales Fees and Charges Compensation Scheme.
- 35 The primary reasons for the underspend have arisen due to the Directorate receiving additional income from car parking, waste disposal and asset management.
- 36 There is an underspend across waste disposal mainly due to recycle sales which have been at levels above budget due to high commodity prices and outturned £688k higher than budget (114%). There was also income above budgeted levels from household waste sites (£89k), power generation royalties (£73k) and bulky waste collections (£36k).
- 37 There is a shortfall in commercial waste income totalling £244k (17%) as the service returns to previous operating levels. Moving into 2022/23 income levels will be monitored and reviewed as it is uncertain to what level income will finally recover.
- 38 Within Highways there are overspends relating to the delivery of the winter service (£115k) and flooding (£118k). These budgets are difficult to forecast as they are dependent on the severity of the winter weather. In addition there was an overspend on civils works which was offset by an underspend on street lighting electricity. This will be kept under review in 2022/23 as the impact of increased energy costs becomes clearer.
- 39 There is an underspend in Transport of £533k. There are a number of variations but the main saving is against the Concessionary Fares payments (£589k) as passenger numbers remain lower than budget assumptions. There are increased costs across highway regulation primarily relating to the implementation of the permitting system (£206k). This has been offset by an overachievement of income for

temporary traffic regulation orders (£181k) as works around the city resume.

- 40 Parking income at both on street and off street car parks remained strong across the financial year particularly once Covid restrictions were eased in the May/June. Total income from Q2 to Q4 was £917k (20%) above budget offset by reduced season ticket income £205k (46%) and reduced Respark income £112k (20%). There was also compensation from the use of Marygate Car Park from Environment Agency (£180k) and rents at Askham Bar (£23k). There were additional direct costs related to processing payments of £95k.
- 41 There is a shortfall in planning fees of £325k primarily in relation to pre application advice fees. The profile of planning income will be reviewed in light of the impact of the Local Plan.
- 42 There is additional expenditure (£193k) above budget in relation to the Local Plan. The Local Plan examination will take place in 3 phases during 2022/23. The costs for these phases and the subsequent adoption process are currently being reviewed and will be reported in future monitoring reports.
- 43 Within Housing, Economy & Regeneration the main variance relates to the reimbursement of Business Rates paid for Alliance House (£538k) as part of its sale back to Network Rail.

Housing Revenue Account

- 44 The HRA position at year end is an underspend of £2,336k, of which £2,138k relates to capital financing that has slipped into 2022/23. The adjusted year end position is therefore a deficit of £1,401k which is an underspend of £198k compared to budget.
- 45 There was an overspend on general repairs and maintenance totalling £343k as a result of a combination of additional job volumes and increased material costs. However there was an underspend of £425k on the electrical testing programme due to a later than forecast start of the newly procured electrical testing programme contract. This has resulted in an overall underspend of £82k across the revenue budget. To assist with the continuing efforts to deal with the increasing cost of repairs it is recommended that this underspend is carried forward to support the repairs budget in 2022/23.
- 46 There was an underspend of £350k within General Management primarily due to the service having a number of vacancies across the year (-£166k) as well as court admin costs (-£74k).

- 47 The HRA financial assistance scheme was created in 2020/21 to provide financial support and assistance to HRA tenants with their rent arrears, a new partner advice services has been created to provide a more streamlined service across all aspects of debt advice. There was an underspend of £44k in 2021/22 on this scheme and it is recommended that this be carried forward in to 2022/23 for the rent arrears element of this service to continue.
- 48 There was a shortfall in dwelling rents of £192k due to the number of void properties and the time taken to complete the required works to bring these empty homes to a lettable standard. A pilot commenced in October 2021 to improve the turnaround of void properties, which is continuing in to the new financial year.
- 49 The revenue contribution to capital has underspent by £2.1m due to the slippage of capital expenditure. These funds will be carried forward to 2022/23 to fund the slippage
- 50 The working balance position at 31 March 2021 was £28.83m. The projected outturn position outlined in paragraph 46 means the working balance increased to £29.57m at 31 March 2022. This compares to the balance forecast within the latest business plan of £27.2m.
- 51 There are a number of ongoing implications of the outturn position into 2022/23. It is necessary to reprofile the revenue contributions funding the capital programme slippage of £2,138k into 2022/23. This leaves a balance of £199k from which £82k has been requested to fund the increasing repair costs and £44k from the financial assistance scheme has been requested to carry forward in to 2022/23, leaving a balance of £72k to contribute to the ongoing HRA working balance. The Directorate position is an underspend of £1.8m, an improvement of £1.5m from the position reported at Monitor 3.

Corporate Services, including Customers & Communities and Public Health

- 52 Overall the remaining Council services have overspend by £328k. This is mainly due to under recovery of Housing Benefit overpayments (£339k).
- 53 Since the introduction of Universal Credit (UC) in 2013, there has been a steady reduction in Housing Benefit caseload as customers are moved onto UC (handled by the DWP). HB subsidy has reduced from £45m in 2013/14 to £25m in 2021/22. This in turn has resulted in a reduction in new overpayments being raised, the financial impact of

which in 2021/22 is £360k. Whilst there is an increase in overpayments being recovered from UC by the DWP and invoiced debts to customers who have come off benefits entirely, this trend in terms of reducing HB overpayment income into the general fund will continue until all customers have migrated to UC and historic debts have been recovered.

- 54 Internal Business Support overspent by £343k due to reduced income from schools for payroll services and not achieving the budgeted vacancy factor. Other variations include the non-achievement of approved budget savings in ICT (£189k). These overspends were offset by underspends in policy & partnerships (£188k) and finance & procurement (£64k) due to staff vacancies in both these areas. In addition, there were savings on West Office costs of £212k.

Corporate Budgets

- 55 These budgets include Treasury Management and other corporately held funds. The net underspend of £3.3m is due to the early delivery of a corporate saving planned for 2022/23. The budget report considered by Executive in February 2022 agreed a saving of £2m from a review of the Minimum Revenue Provision policy. This review was completed and the revised policy agreed at Full Council in February and therefore it has been possible to realise the saving in 2021/22. In addition, due to slippage on the capital programme, there has been a saving on interest and the cost of borrowing.

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Annex 2 – Performance – Council Plan Outcomes

- 1 This report concentrates on the indicators that make up the Council Plan performance framework and does not cover COVID-related activity.
- 2 It is likely that due to impacts of COVID, a number of the indicators will see a significant change both in terms of their numbers and their direction of travel in future reporting periods. The majority of the performance measures within the Council Plan have a lag between the data being available, and the current reporting period and therefore impacts will not be immediately seen, and may occur over several years as new data becomes available.
- 3 Within the updates on the Council Plan indicators, are a number of indicators which show the status of economic, community or corporate recovery since the start of the pandemic.

Well paid jobs and an inclusive economy

Well paid jobs and an inclusive economy						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Business Rates - Rateable Value	£255,784,673 (2020/21)	£255,734,051 (2021/22)	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
Median earnings of residents - Gross Weekly Pay (£)	£572.60 (2020/21)	£597.90 (2021/22)	➡	Annual	National Data 2021/22: £613.10 Regional Data 2021/22: £568.50	2022/23 data available in November 2022
% of working age population qualified - to at least L2 and above	83.6% (2020/21)	87.9% (2021/22)	⬆ Good	Annual	National Data 2021/22: 78.20%	2022/23 data available in May 2023
% of working age population qualified - to at least L4 and above	46.4% (2020/21)	59.3% (2021/22)	⬆ Good	Annual	National Data 2021/22: 43.50% Regional Data 2021/22: 38.0%	2022/23 data available in May 2023
% of vacant city centre shops	8.89% (2020/21)	8.49% (2021/22)	➡	Monthly	National Data 2021/22: 14.40%	Q1 2022/23 data available in July 2022
GVA per head (£)	29,274 (2018/19)	29,913 (2019/20)	➡	Annual	Regional Rank 2019/20: 2	2020/21 data available in June 2022
% of working age population in employment (16-64)	79.50% (Q2 2021/22)	80.50% (Q3 2021/22)	➡	Quarterly	National Data Q3 2021/22: 74.80%	Q4 2021/22 data available in July 2022
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Business Rates

- 4 The 2021-22 collection rate for Business Rates was 96.38% (2.12% below the target collection rate but 6.42% above the collection rate in 2020-21). The 2021-22 collection rate for Council Tax was 96.58% (1.22% below the target collection rate but 0.14% above the collection rate in 2020-21).

Median earnings of residents – Gross weekly pay

- 5 In April 2021, the median gross weekly earnings for full-time resident employees in York were £597.90, which is an increase of 4.4% from £572.60 in 2020. Nationally in 2021, gross weekly earnings for full-time employees increased most in the lower paying occupations such as process plant and machine operatives (9.1%) and elementary occupations (7.7%). Skilled trades also saw a large increase (9%) after having the largest decrease between 2019 and 2020 (negative 6.5%) but the highest paying occupations had the smallest increases between 2020 and 2021.

% of working age population qualified – to at least L2 and above

- 6 In 2021-22, 87.9% of the working age population in York were qualified to at least L2 and above (GCSE grades 9-4), which is higher than the national and regional figures (78.2% and 76.4% respectively). This result ranks the city of York first regionally. The 2021-22 figure has increased from 2020-21 (83.4%). Achieving level 2 is valuable in itself: full level 2 qualification on average results in a 9% increase in earnings.

% of working age population qualified – to at least L4 and above

- 7 In 2021-22, 59.3% of the working age population in York were qualified to at least L4 and above (certificate of higher education or equivalent), which is higher than the national and regional figures (43.5% and 38.0% respectively). This result ranks the city of York first regionally. The 2021-22 figure is a big increase from 2020-21 (46.4%).

GVA (Gross Value Added) per head (£)

- 8 In 2019-20 (the latest available data), the GVA per head in York was £29,913 which was the second highest figure regionally. The slight increase on GVA values from last year (£29,274) was expected, given the national context, and the GVA per head has been increasing annually since 2009-10 where it was £25,976 per head. Data for 2020-21 will be available in June 2022.

% of vacant city centre shops compared to other cities

- 9 Whilst acknowledging that a number of city centre streets and prime commercial locations seem to be experiencing higher vacancy levels than York's average, overall at the end of March 2022, there were 55 vacant shops in the city centre, which equates to 8.7% of all city centre shops, and is much lower than the national benchmark in 2021-22 of 14.4%. Properties in York are owned by different commercial parties and CYC commercial properties have very low levels of vacancies. The York figure has not fluctuated a great deal in the past 10 years, with a high of 10.3% in 2017-18. The national benchmark figure had remained stable for a number of years since a high of 12.5% in 2013-14, but the latest figure of 14.4% in 2021-22 is the highest seen since then.

- 10 This measure will continue to be monitored alongside looking at vacancy rates within secondary shopping centres, which are areas that the organisation has a long-term commitment towards investing in, in order to broaden the economic picture of the city. At the end of Q4 2021-22, the vacancy rates within secondary shopping centres were relatively low (8% at Clifton Moor, 0% in Haxby Village and 3% in Acomb High Street), apart from at Monks Cross where the vacancy rate was 23% (an increase from 16% in Q3).
- 11 In the financial year up to the end of March 2022, there were 746 new business start-ups in the City of York Council area, which is lower than in previous years (917 in 2020-21 and 932 in 2019-20). Nationally the number of new companies registered in the UK in 2020 rose significantly as small and local businesses emerged in response to the pandemic; this may indicate why the 2020-21 figures looked positive for York and why a lower number of registrations can be seen during 2021-22.

% of working age population in employment (16-64)

- 12 In Q3 2021-22 (the latest available data), 80.5% of the working age population were in employment, which is higher than the national and regional figures (74.8% and 73.9% respectively) and the York performance gives the city a ranking of first regionally. The figure for Q3 2021-22 in York is higher than seen in previous years.
- 13 At the end of March 2022 there were 11,271 people, in York, on Universal Credit which is an increase of 76% compared with February 2020 (pre-pandemic figures). However, there has been a decrease of -14% from April 2021. This trend should continue as restrictions continue to be lifted and the, nationally reported, staff vacancies in the service sector are filled. Nationally 3.8% of the workforce were unemployed in February, equalling the low recorded on the eve of the pandemic. Prior to that, unemployment hadn't been so low since the mid-1970s. Right now, there are as many unfilled job vacancies as people looking for work: 1.3m of them. The suggestion is that unemployment may soon fall yet further.

Getting around sustainably

Getting around sustainably						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
P&R Passenger Journeys	0.74m (2020/21)	2.59m (Prov) (2021/22)	↑ Good	Quarterly	Not available	Q1 2022/23 data available in July 2022
Local bus passenger journeys originating in the authority area (excluding P&R)	3.07m (2020/21)	7.82m (Prov) (2021/22)	↑ Good	Quarterly	Not available	Q1 2022/23 data available in July 2022
% of road and pathway network that are grade 4 (poor) or grade 5 (very poor) - roadways	22% (2020/21)	22% (2021/22)	→	Annual	Not available	2022/23 data available in November 2022
% of road and pathway network that are grade 4 (poor) or grade 5 (very poor) - pathways	3% (2020/21)	4% (2021/22)	→	Annual	Not available	2022/23 data available in November 2022
Area Wide Traffic Levels (07:00 -19:00) (Excluding A64) from 2009/10 baseline (2.07m)	1.77m (2019/20)	1.34m (2020/21)	→	Annual	Not available	2021/22 data available in November 2022
Index of cycling activity (12 hour) from 2009 Baseline (31,587)	138.00% (2019)	113.00% (2020)	↓ Bad	Annual	Not available	2021 data available in June 2022
Index of pedestrians walking to and from the City Centre (12 hour in and out combined) from 2009/10 Baseline (37,278)	103.00% (2020/21)	103.00% (2021/22)	→	Annual	Not available	2022/23 data available in March 2023
% of customers arriving at York Station by sustainable modes of transport (cycling, walking, taxi or bus - excluding cars, Lift, Motorcycle, Train)	71.90% (2019)	79.40% (2021)	→	Annual	Not available	2022 data available in March 2023

The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly.
All historic data is available via the Open Data Platform

P&R Passenger Journeys

- 14 Passenger journeys for park and ride customers totalled 2.59m (provisional) for 2021-22. This is a large increase on the 0.74m journeys made during 2020-21 showing good signs of recovery post-covid.

Local bus passenger journeys

- 15 Passenger journeys on local buses totalled 7.82m (provisional) for 2021-22. This is a large increase on the 3.07m journeys made during 2020-21, showing signs of recovery, but lower than the 11.56m journeys made during the same period in 2019-20.

% of ROAD and pathway network that are grade 4 (poor condition) or grade 5 (very poor condition) - Roadways / Pathways

- 16 No update since the Q3 2021-22 Monitor as annual data.

Area Wide Traffic Levels (07:00 -19:00) (Excluding A64)

- 17 No update since the Q3 2021-22 Monitor as annual data.

Index of cycling activity (12 hour)

- 18 There has been no new data since the Q1 2021-22 Monitor as an annual data production. The historic data for 2020 cycling levels has been updated as some data points were not manually extracted from the cycle counters during the pandemic, as visits to counter sites could not be made, with data being estimated. This data has now been cleaned and anomalies removed prior to final re-calculation of results, leaving a final level of 113% of baseline compared to 138% the previous year. At the end

of December 2020 there was a 48% decrease in the use of public transport (Google mobility data). The drop in cycling levels in 2020 is therefore at a lesser level than the drop in the use of other forms of transport activities, which may suggest that cycling levels as a proportion of overall trips may well have increased, although it is recognised this is not a like-for-like comparison.

- 19 In order to put the fall in cycling levels in wider context of reduced movement activity during the pandemic, where there has been a work-at-home order and major businesses and establishments such as university have had reduced on-site activity, community mobility data has been tracked regularly from Google to see how visits to places such as shops and transit stations are changing. Data is sourced through phone location history, where consented, and changes for each day are compared to a baseline value. At the end of December 2021, in York, retail and recreation activity is 11% lower than the baseline, there has been a 12% increase in grocery and pharmacy activity, and a 43% decrease in the use of Public Transport, and therefore York has performed better than the national averages and comparison cities, with levels starting to return to pre-pandemic levels.
- 20 LTP4 is building on the work already undertaken on initiatives such as My City Centre and the Local Plan, and will complement the strategies being developed for York's Economic Recovery and Carbon Reduction / Climate Change by addressing transport accessibility in terms of travelling around the city using different modes of transport.

Index of pedestrians walking to and from the City Centre (12 hour in and out combined)

- 21 From a baseline in 2009-10 (37,278), there has been a 3% increase in the number of pedestrians walking to and from the city centre in 2021-22. This is the same as in 2020-21 but 8% lower than in 2019-20. Data is gathered on an annual basis over the course of one day; it is a count of pedestrians crossing an inner cordon set just beyond the inner ring road and includes off-road routes such as riverside paths.

% of customers arriving at York Station by sustainable modes of transport (cycling, walking, taxi or bus – excluding cars, lift, motorcycle or train)

- 22 In 2021, 79% of customers arrived at York station by sustainable modes of transport which is an increase from 72% in 2019 (Due to COVID restrictions on movement, the survey did not take place during 2020, therefore data is not available for this year). The data is gathered by an annual survey which takes place for a five- hour period in seven locations around the station. Members of the public are asked how they arrive at the station and the results are flow weighted to take into account the split of people arriving at each entrance.

Good Health and Wellbeing

Good Health and Wellbeing						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Proportion of adults in contact with secondary mental health services living independently, with or without support	65.00% (Q2 2021/22)	65.00% (Q3 2021/22)	→	Quarterly	National Data 2020/21 58%	Q4 2021/22 data available in June 2022
Overall satisfaction of people who use services with their care and support	68.10% (2019/20)	72.30% (2020/21)	↑ Good	Annual	National Data 2020/21 67.70%	2021/22 data available in November 2022
% of reception year children recorded as being obese (single year)	7.60% (2019/20)	NC (2020/21)	→	Annual	National Data 2019/20 9.90%	2021/22 data available in November 2022
Slope index of inequality in life expectancy at birth - Female - (Three year period)	6.2 (2019/20)	5.7 (2020/21)	→	Annual	Regional Rank 2020/21: 3	2021/22 data available in February 2023
Slope index of inequality in life expectancy at birth - Male - (Three year period)	8.3 (2019/20)	8.4 (2020/21)	→	Annual	Regional Rank 2020/21: 3	2021/22 data available in February 2023
% of adults (aged 16+) that are physically active (150+ moderate intensity equivalent minutes per week, excl. gardening)	63.0% (2020/21)	66.5% (mid-year 2021/22)	→	Bi-annual	National Data mid-year 2021/22 61.4%	2021/22 full year data available in November 2022
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

- 23 There has been a continuing high demand for adult social care during the past year, partly caused by the COVID-19 pandemic, although there have been variations in how likely these contacts are to receive care packages. Our Customer Contact Workers (CCWs) record the number of contacts received to ASC, whether made by email, telephone or other methods. During the final quarter of 2021-22, they received 4,352 contacts, which is a 22% reduction from the number received during the corresponding quarter in 2020-21 (5,594). Around 26% of the contacts during the final quarter of 2021-22 were resolved using Information, Advice and Guidance (IAG), which is the same percentage that were resolved using IAG during that quarter in 2020-21. There has been a change in recording practice to record clients who 'only' received IAG during 2021-22 as most clients will receive an element of IAG during their contact, regardless of the outcome of it.
- 24 The number of individuals in residential/nursing care placements fell sharply at the start of the 2020-21 financial year, mainly due to the Covid crisis, and then remained steady as the year progressed, but this number increased during the early months of 2021-22 before falling again in recent months. At the end of March 2022, this number was 552, compared to 538 at the end of March 2021. During the final quarter of 2021-22, the number of new admissions of people to residential/nursing care was 36, a decrease of 27% on the same period in 2020-21 (49).

25 There has been a continuing decline over the last year in the number receiving home care services, although it has slowed in recent months. At the end of March 2022, there were 624 people in receipt of a home care service; this is 14% lower than the corresponding figure at the end of March 2021 (726). This reflects the continuing difficulties ASC are encountering with obtaining home care services, as some providers have ceased trading in recent months.

26 In the final quarter of 2021-22, 129 clients were recorded as receiving a paid ASC service for the first time (“new starters”). This is a significant reduction from the number in the corresponding quarter during 2020-21 (190). There has also been a decrease in the number during the final quarter of 2021-22 (88) that have returned to ASC for a paid service compared with the number during the final quarter of 2020-21 (186). This suggests that we have improved our efforts in keeping the number of first-time entrants low, and that some success is evident by ensuring that fewer people re-enter ASC for additional spells of care.

Proportion of adults in contact with secondary mental health services living independently

27 The percentage of all adults in contact with secondary mental health services living independently, with or without support, has decreased over recent months; during 2021-22 Q3 (the latest figures available), 65% of them were doing so. The 2020-21 ASCOF results showed that York is in the upper quartile for performance with 73% of this group saying they live independently, compared with the England average of 58% and 60% in its statistical neighbour group.

28 During 2021-22 Q3 (the latest figures available), 19% of all clients in contact with secondary mental health services were in employment – a figure that has consistently been above the regional and national averages. The 2020-21 ASCOF results showed that York is the 3rd best performing LA in the country on this measure, with 20% of all those in contact with secondary mental health services in employment, compared with the England average of 9% and 10% in its statistical neighbour group.

Overall satisfaction of people who use services with their care and support

29 No update since the Q2 2021-22 Monitor as annual data.

% of reception year children recorded as being obese (single year)

30 The full National Child Measurement Programme (NCMP) is in progress in York for 2021-22 after a partial programme in the previous two measurement years due to the Covid-19 pandemic. To date, 58.3% of reception aged children and 28.3% OF Year 6 children have been measured. In 2020-21, only 5 schools in York were measured as part of a limited programme to provide data at regional and national level. No local authority level obesity prevalence data was published for 2020-21.

- 31 The NCMP programme for 2019-20 was discontinued in March 2020 due to the COVID-19 pandemic. The data submitted for children measured prior to lockdown was published with appropriate local data quality flags. The coverage rates for York for 2019-20 were 38% for year 6 pupils and 57.2% for reception (annual coverage rates are usually in excess of 95%). As a result of this, the York values have been flagged as 'fit for publication but interpret with caution'.
- 32 The 2019-20 NCMP found that 7.6% of reception children in York were obese, which is significantly lower than the England average (9.9%). The York figure has fallen from the 2018-19 level (9.5%). Of Year 6 children in York, 22.1% were found to be obese in 2019-20, which is not significantly different from the England average (21.0%). The York figure has increased from the 2018-19 level (15.1%). There is a wide variation in obesity rates at ward level, and there is a strong correlation between obesity and deprivation at ward level.

Healthy Life expectancy at birth – Female/Male (slope index of inequality)

- 33 Average Life Expectancy and Healthy Life Expectancy for males in York (79.9 years and 65.8 years) is above the England average (79.4 years and 63.2 years). Average Life Expectancy and Healthy Life Expectancy for females in York (83.6 years and 66.4 years) is also above the England average (83.1 years and 63.5 years).
- 34 The inequality in life expectancy for men in York for the measurement period 2018-20 is 8.4 years. This means there is around an 8-year difference in life expectancy between men living in the most and least deprived areas of the City. This inequality has been fairly stable in recent periods (8.4 years in 2016-18 and 8.3 years in 2017-19).
- 35 The inequality in life expectancy for women in York for the measurement period 2018-20 is 5.7 years. This means there is around a 6-year difference in life expectancy between women living in the most and least deprived areas of the City. This figure has fallen (improved) compared with the figure of 6.2 years in the period 2017-19.
- 36 This inequality in York is below the national average for men (9.7 years) and for women (7.9 years).

% of adults (aged 16+) that are physically active (150+ moderate intensity equivalent minutes per week, excluding gardening)

- 37 The latest data from the Adult Active Lives Survey for the period from mid-November 2020 to mid-November 2021 was published in April 2022. The period covered by the survey includes five months of notable restrictions (two-and-a-half months of full national lockdowns and two-and-a-half months of significant restrictions) and seven months of limited restrictions

(three months of easing restrictions and four months with no legal restrictions). In York, 523 people aged 16 and over took part in the survey, and they reported higher levels of physical activity, and lower levels of physical inactivity, compared with the national and regional averages. Positively:

- 67% of people in York did more than 150 minutes of physical activity per week compared with 61% nationally and 60% regionally. There has been no significant change in the York value from that 12 months earlier.
- 24% of people in York did fewer than 30 minutes per week compared with 27% nationally and 28% regionally. There has been no significant change in the York value from that 12 months earlier.

A Better Start for Children and Young People

A Better Start for Children and Young People						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Secondary school persistent absence rate (10% absence) (recorded over 6 terms) (relates to prev academic year to financial year shown)	15.50% (2017/18)	13.18% (2018/19)	➔	Annual	Not available	Data for 2019/20 will not be released due to COVID19. Data for 2020/21 available in July 2022
Voice of the Child - Service Usage and Life Opportunities	Narrative	Narrative	N/A	Quarterly	Not available	Q4 2021/22 narrative available in June 2022
% of children who have achieved a Good Level of Development (GLD) at Foundation Stage - (Snapshot)	74.80% (2017/18)	75.60% (2018/19)	➔	Annual	National Data 2018/19 71.80%	Data for 2019/20 and 2020/21 will not be released due to COVID19
Average Progress 8 score from KS2 to KS4	0.11 (2017/18)	0.22 (2018/19)	⬆ Good	Annual	National Data 2018/19 0.01	Data for 2019/20 and 2020/21 will not be released due to COVID19
% of pupils achieving 9-4 or above in English & Maths at KS4 (C or above before 2016/17)	69.60% (2017/18)	73.60% (2018/19)	➔	Annual	National Data 2018/19 65.70%	Data for 2019/20 and 2020/21 will not be released due to COVID19
%pt gap between disadvantaged pupils (eligible for FSM in the last 6 years, looked after and adopted from care) and their peers achieving 9-4 in English & Maths at KS4	33.20% (2017/18)	29.40% (2018/19)	➔	Annual	National Data 2018/19 27.00%	Data for 2019/20 and 2020/21 will not be released due to COVID19
% of Year 12-13 (academic age 16-17) NEET who possess less than a L2 qualification - (Snapshot)	89.40% (2020/21)	85.40% (2021/22)	➔	Monthly	Not available	Q1 2022/23 data available in July 2022
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

- 38 The number of children in York's care was 274 at the end of Q4 2021-22, matching the outturn at the end of 2020-21 (278). York's rate per 10k is above the comparator averages at 74, compared to 62.5 in our statistical family and 67 nationally.
- 39 Analysis shows that we have a high proportion of children who are placed with parents, in comparison to our statistical family. Children's Social Care are focusing on discharging the care orders of these children in a safe way. There is also a renewed focus on Special Guardianship Orders (SGO) with a newly appointed social worker to focus on increasing the number of children living under this permanence arrangement.

- 40 The number of children who were the subject of a child protection plan was 126 at the end of March 2022. This is much closer to the 2020-21 year-end figure of 129 and has returned to the expected safe range for York (per 10,000 population).
- 41 March 2022 saw the highest number of referrals to children's social care in a month (169) since April 2021. The total number of referrals in the year was 1571, level with the 2020-21 outturn (1552). Despite monthly fluctuations, referral volumes have shown an anticipated recovery from the turbulent year of 2020-21, but continue to be lower than in 2019-20.
- 42 The number of contacts to Early Help increased in Q4 in comparison to the rest of the year. There were 684 contacts in the last quarter of 2021-22. Annually, Early Help received 2,476 contacts in 2021-22 compared to 2,657 last year.

Voice of the Child

- 43 Advocacy casework for children and young people who are in care or leaving care, going through the child protection process or wanting to make a complaint has continued to be provided throughout this period. Between January and March 2022, Speak Up received a total of 28 referrals for advocacy; these consisted of 5 children and young people subject to Child Protection Plans, 12 children and young people in care and 9 care leavers. Of the 28 children and young people referred, 8 receive SEN support, with 7 of those also having an EHCP.

Secondary school persistent absence rate

- 44 The May 2020 pupil census was cancelled by the Department for Education due to COVID-19. National and local schools attendance data has not yet been released by DfE. It is anticipated that DfE will release a version of the standard attendance performance in Summer 2022.

% of children who have achieved a Good level of Development (GLD) at Foundation Stage

- 45 There is no data for 2019-20 or 2020-21 as the tests were cancelled due to the pandemic. We anticipate the summer 2022 tests will take place and data will be available at the end of Q2.

Education Progression (Average Progress 8 score from KS2 to KS4) and GCSE Results (% of pupils achieving 9-4 in English and Maths at KS4)

- 46 Progress 8 is a measure of the progress made by pupils between Key Stage 2 and Key Stage 4. A positive score represents progress above the average for all pupils and a negative score progress below the average for all pupils.

47 In 2020 and 2021, due to COVID-19, all GCSE, AS and A level exams were cancelled and replaced by a combination of teacher assessment, mock exam results, course work and a standardised calculation.

48 The Department for Education did not release data for 2019-20 or 2020-21 due to the way in which Key Stage 4 results were calculated. We anticipate the summer 2022 exams will take place and data will be available at the end of Q2.

% point gap between disadvantaged pupils (eligible for FSM in the last 6 years, looked after and adopted from care) and their peers achieving 9-4 in English and Maths at KS4

49 The DfE did not release data for 2019-20 or 2020-21 due to the way in which Key Stage 4 results were calculated due to COVID-19. We anticipate the summer 2022 tests will take place and data will be available at the end of Q2.

50 Reducing the attainment gap between disadvantaged pupils and their peers is a key priority in all phases of education across 0-19 years.

% of 16-17 year olds who are NEET who do not have a L2 qualification

51 The number of all 16-17 year olds in York who are NEET is below average and lower than expected at this point in the year. Historically, NEET figures follow the academic year, with increases over the summer months when a small number of 16 year olds finish school without a plan for September.

52 At the end of March 2022, 85.4% of the 41 young people who were NEET did not have a Level 2 qualification. This is in line with historical performance.

53 There have been several changes over the past 18 months that are thought to have contributed to the reduction in the 16-17 year old NEET population. The Danesgate (PRU) cohort of Year 11 leavers was considerably smaller in summer 2021 (Q2) and was particularly successful with most pupils remaining in education, training or employment. Additionally, York College launched off-site provision for young people with SEMH (social, emotional or mental health) needs which meant more young people with these challenges were able to continue in learning after Year 11. Schools retain the responsibility for tracking and supporting young people who are at risk of, or already NEET and the recent reconfiguration of CYC services reflects this. Performance will need to be monitored into next year to see if these trends can be sustained.

A Greener and Cleaner City

A Greener and Cleaner City						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Percentage of household waste sent for reuse, recycling or composting	47.35% (Prov) (Q2 2021/22)	40.75% (Prov) (Q3 2021/22)	➡	Quarterly	National Data 2020/21 42.30%	Q4 2021/22 data available in July 2022
Residual household waste per household (kg/household)	134.96kg (Prov) (Q2 2021/22)	123.18kg (Prov) (Q3 2021/22)	➡	Quarterly	National Data 2020/21 552.9kg	Q4 2021/22 data available in July 2022
Incidents - Flytipping /Cleansing(includes dog fouling,litter)/Graffiti - On Public/Private Land	2,277 (2020/21) (Flytipping)	2,069 (2021/22) (Flytipping)	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
	1,990 (2020/21) Cleansing	2,150 (2021/22) Cleansing	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
	479 (2020/21) Graffiti	452 (2021/22) Graffiti	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
Citywide KPI on air quality (to be created during CP lifespan)	N/A	In development	N/A	TBC	Not available	Indicator to be created during Council Plan lifespan
Carbon emissions across the city (tonnes of carbon dioxide equivalent) - (Calendar Year)	NC	1,132,541.02 (2018)	➡	Annual	Not available	2019 data available in June 2022
Level of CO2 emissions from council buildings and operations (tonnes of carbon dioxide equivalent)	NC	3,657.56 (2020/21)	➡	Annual	Not available	2021/22 data available in September 2022
Flood Risk properties assessed at lower level than 2019 baseline	N/A	In development	N/A	TBC	Not available	Indicator to be created during Council Plan lifespan
Number of Trees Planted (CYC)	271 (2020/21)	73 (2021/22)	➡	Annual	Not available	2022/23 data available in April 2023
% of Talkabout panel who think that the council are doing well at improving green spaces	44.31% (2020/21)	43.26% (2021/22)	➡	Bi-annual	Not available	Q1 2022/23 data available in July 2022
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Percentage of household waste sent for reuse, recycling or composting

- 54 The latest provisional data for the amount of household waste sent for reuse, recycling or composting was 40.8% within Q3 2021-22 (the latest available data), which is a slight decrease from 42.6% during the same period in 2020-21. Recycling rates do fluctuate during the year due to the seasonal nature of collection and volumes of collection. To date this year, there has been an additional 2,500 tonnes increase in overall household waste, connected to a wide variety of factors including greater number of people working from home and whilst this has contributed to a decrease in Q3, the year-to-date recycling figure of 45.1% is still comparable to the same period last year (45.8%).

Residual household waste per household (kg/household)

- 55 The latest provisional residual waste (i.e. non-recyclable) per household data shows that figures have decreased slightly during Q3 2021-22 (the latest available data) to 123.2kg of residual household waste per household.

Incidents - Fly tipping / Rubbish / Cleansing (includes dog fouling, litter and all other cleansing cases) / Graffiti – On Public/Private Land

- 56 The number of service calls received during 2021-22 due to fly-tipping have reduced since 2020-21 (from 2,277 to 2,069). The number of service calls received due to street cleansing (including dog fouling and litter) have increased slightly from 1,990 in 2020-21 to 2,150 in 2021-22.
- 57 The number of service calls received due to graffiti decreased from 479 in 2020-21 to 452 in 2021-22. However, due to increased CYC pro-active activity, the figures during the second half of 2021-22 were steadily increasing and therefore figures for the start of 2022-23 could be similarly high. To help tackle graffiti on private property, CYC have entered into a trial with Virgin O2 to assist the cleansing and painting of their utilities boxes. Discussions are currently underway with other utilities providers to extend the trial to their infrastructure, with a number of companies agreeing in principle to move to new arrangements when their existing contracts come to an end.

Air Quality

- 58 In March 2022, CYC was awarded £8.4m through DfT's ZEBRA fund to buy an additional 44 new electric buses. This will be matched by a further £10m investment by First. Once in operation, this will expand the York bus fleet to 77 fully electric buses, which will cover more than half the bus-miles operated in the city. The new buses will be used on First's routes 1, 4, 5 and 6, for the York Hospital shuttle bus and on Park & Ride route 2, reducing nitrogen dioxide (NOx) and particulate emissions across the city and cutting carbon emissions in York by 2,300 tonnes per year. In addition to this, CYC was awarded an additional £17m to support the development of key schemes and initiatives in line with York's Bus Service Improvement Plan, including wider electrification of the urban bus fleet.
- 59 DEFRA have agreed to extend CYC's Low Emission Taxi grant scheme for a further 12 months. Over 30% of York's taxis are either electric or petrol hybrid vehicles.
- 60 A review of all CYC's real-time monitoring sites has been undertaken. The review considered the age and condition of all continuous air quality monitors, alongside future suitability of equipment for ongoing monitoring of air quality in line with statutory Local Air Quality Management (LAQM) requirements and the Environment Act 2021 (that will set new UK standards for fine particulate PM2.5 from Autumn 2022). A competitive tender exercise was undertaken in Jan/Feb 2022 and works are expected to progress in mid-2022 subject to Executive Member approval. Upgrades will be funded through an existing DEFRA capital grant allocated to support LAQM activities.

- 61 Public Protection are continuing compliance checks across petrol filling stations within CYC's area to ensure that all solid fuels being sold were certified as 'Ready to Burn' in line with the Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020.

Trees Planted

- 62 During 2021-22, there were 73 trees planted, compared to 271 in 2020-21. The trees planted this year are of the larger variety and include a mix of 20 Limes and Maples along Monks Cross Link Road.

% of Talkabout panel who think that the council and partners are doing well at improving green spaces

- 63 Talkabout panel surveys are run twice a year in Q1 and Q3 and therefore there is no update in this monitor. Previous data is shown within the table.

Creating Homes and World-class infrastructure

Creating homes and World-class infrastructure						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Net Additional Homes Provided - (YTD)	622 (2020/21)	160 (at Q2 2021/22)	➡	Bi-annual	Not available	2021/22 data available in June 2022
Net Housing Consents - (YTD)	1,133 (2020/21)	108 (at Q2 2021/22)	⬇️ Bad	Bi-annual	Not available	2021/22 data available in June 2022
Number of homeless households with dependent children in temporary accommodation - (Snapshot)	31 (Q2 2021/22)	27 (Q3 2021/22)	⬆️ Bad	Quarterly	Not available	Q4 2021/22 data available in August 2022
Average number of days to re-let empty properties (excluding temporary accommodation) - (YTD)	66.86 (2020/21)	74.41 (2021/22)	⬆️ Bad	Monthly	Not available	Q1 2022/23 data available in July 2022
Energy efficiency - Average SAP rating for all Council Homes	70.60 (2019/20)	70.60 (2020/21)	➡	Annual	Not available	2021/22 data available in November 2022
Number of new affordable homes delivered in York	130 (2020/21)	224 (2021/22)	⬆️ Good	Quarterly	Not available	Q1 2022/23 data available in July 2022
Average broadband download speed (Mb/s)	56.1 (2019/20)	147.1 (2020/21)	➡	Annual	National Data 2020/21 68.92	2021/22 data available in June 2022
Superfast broadband availability	94.13% (2020/21)	95.53% (2021/22)	➡	Annual	National Data 2021/22 95.86%	2022/23 data available in September 2022

The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly.
All historic data is available via the Open Data Platform

New Additional Homes Provided

- 64 Between April 2021 and September 2021 there were 160 net additional homes completed. This represents a lower level of completions than anticipated which can largely be attributed to the impact of the Covid-19 pandemic on working practices, labour force capacity and building material supply, with this indicator predicted to increase in line with projections set out in Local Plan. Of these additional homes:

- 99% were completed on housing sites;
- A total of 122 new build homes were completed whilst 1 home was demolished

- Changes of use to existing buildings for residential use and conversions to existing residential properties accounted for 24% of all homes completed
- Individual sites that saw the construction of five or less dwellings contributed an additional 35 homes (22%)
- Development sites including Germany Beck and the Former Lowfield School site all provided notable completions over the year.

65 Data for the full year 2021-22 will be available in June 2022 and will be published on the Council website and in Q1 F+P as per previous years.

Net Housing Consents

66 Between April 2021 and September 2021, there were 108 net housing consents. Of these consents, the main features were;

- 78.7% were granted on traditional housing sites;
- 21 senior living homes (19.4%) were approved at Beverley House in Clifton
- Sites granted approval for traditional housing included Duncombe Barracks, the Crescent and Heworth.

67 Compared to previous updates this represents a significant drop in the level of housing consents. However, a further 266 homes had the benefit of approval by Councillors through a resolution to grant planning permission subject to the completion of legal agreements and are likely to add to overall consent levels before the end of the full 12 month monitoring period. The sites and capacities included in this figure are:

- Plumbase – Waterloo House, Fawcett Street (83)
- Barnitts – 28A Colliergate (12)
- Cherry Tree House – 218 Fifth Avenue (48)
- Burnholme Community Hub – Mossdale Avenue (83)

68 Further, the former York City Football Club site in Bootham Crescent was approved for 93 new homes in August 2020 and is due to have a legal agreement signed off. It is anticipated that these will add to the end of year consents total.

69 Data for the full year 2021-22 will be available in June 2022.

Number of homeless households with dependent children in temporary accommodation

70 The latest available data shows that there are 27 homeless households with dependent children in temporary accommodation at the end of Q3 2021-22. This figure remains higher than normal, although it is a slight reduction from Q2, but it should be noted that these figures are snapshot figures and therefore may fluctuate between the snapshot dates.

71 Data for 2021-22 around the number of people sleeping rough on a single night was released in February 2022. In response to areas of improvement identified in a compliance review, small values (between 1 and 4) are now suppressed. The latest data for York is 1-4 which is less than the pre-pandemic figure of 7.

Average number of days to re-let empty Council properties (excluding temporary accommodation)

72 The average number of days to re-let empty Council properties (excluding temporary accommodation) was 74 days at the end of 2021-22. This is an increase from 67 days at the end of 2020-21.

73 The effects of the pandemic and Brexit continue to impact performance on re-letting council properties. Whilst dealing with pent up demand following national lockdowns, additional covid related challenges have slowed progress including new safety checks and staffing availability through both staff illness/isolation and vacancy controls. Lack of availability and increased costs of materials and 3rd party labour as a result of Brexit have further impeded the service. Brexit has also affected recruitment in some areas. An 'Impacts of Brexit and Covid' report which outlines the key issues and action plan to address them was submitted to the Housing & Community Safety Policy & Scrutiny Committee in October:
<http://modgov.york.gov.uk/ieListDocuments.aspx?CId=963&MIId=13035>

Energy efficiency – Average SAP rating for all Council Homes

74 No update since the Q3 2021-22 Monitor as annual data.

Number of new affordable homes delivered in York

75 The number of new affordable homes delivered in York remains high, with 224 delivered during 2021-22. This is a large increase on the 130 delivered during 2020-21.

76 Over the 10 year period from February 2012 to February 2022, the average house price in York rose by 64% (compared to 55% regionally and 70% nationally). The ratio of house prices to mean annual salary sheds some light on the relative affordability of owner occupied housing. In 2021, the ratio of house prices to the average annual salary in York rose by 19% to 8.27:1 from 2020 (compared to an increase of 10% to 5.87:1 regionally and an increase of 12% to 7.54:1 nationally).

Superfast broadband availability/Average broadband download speed (Mbs)

77 In 2021-22, 95.53% of properties in York had access to superfast broadband, which compares to 94.13% in 2020-21. This increase can be attributed to the Council's continued work with service providers to improve infrastructure.

- 78 The average broadband download speed in York in 2020-21 was 147.1Mb/s, which compares to 56.1 Mb/s in 2019-20. The national benchmark download speed is 68.92 Mb/s in 2020-21. This data is provided by an Ofcom panel of consumers so should be treated as an indication rather than actual figures. Data for 2021-22 will be available in June 2022.

Safe Communities and culture for all

Safe Communities and culture for all						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
% of Talkabout panel satisfied with their local area as a place to live	84.90% (2020/21)	84.38% (2021/22)	→	Bi-annual	Community Life Survey 2020/21 79%	Q1 2022/23 data available in July 2022
All Crime per 1000 population	52.4 (2020/21)	67.4 (2021/22)	→	Monthly	National Data 2021/22 86.3	Q1 2022/23 data available in July 2022
Number of Incidents of ASB within the city centre ARZ	1,410 (2020/21)	1,276 (2021/22)	↓ Good	Monthly	Not available	Q1 2022/23 data available in July 2022
Visits - All Libraries	183,706 (2020/21)	617,771 (2021/22)	↑ Good	Quarterly	Not available	Q1 2022/23 data available in July 2022
Visits - York Museums Trust (to be created during CP lifespan)	N/A	In development	N/A	TBC	Not available	Indicator to be created during Council Plan lifespan
% of Talkabout panel who agree that they can influence decisions in their local area	27.30% (2020/21)	24.26% (2021/22)	↓ Bad	Bi-annual	Community Life Survey 2020/21 27%	Q1 2022/23 data available in July 2022
% of Talkabout panel who give unpaid help to any group, club or organisation	71.22% (2020/21)	61.35% (2021/22)	→	Bi-annual	Community Life Survey 2020/21 62%	Q1 2022/23 data available in July 2022
Parliament Street Footfall	3,876,800 (2020/21)	6,955,548 (2021/22)	↑ Good	Monthly	Not available	Q1 2022/23 data available in July 2022

The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly.
All historic data is available via the Open Data Platform

% of Talkabout panel satisfied with their local area as a place to live

- 79 Talkabout panel surveys are run twice a year in Q1 and Q3 and therefore there is no update in this monitor. Previous data is shown within the table.

All Crime per 1000 population

- 80 Overall crime levels in York for 2021-22 show that levels have risen slightly since 2020-21 and are back to pre-pandemic levels (67.4 in 2021-22 and 66 in 2019-20).

Number of Incidents of ASB within the city centre (Alcohol Restriction Zone)

- 81 There were 1,276 incidents of anti-social behaviour during 2021-22, compared to 1,410 in 2020-21, and continues the year-on-year reduction seen since 2018-19.

Visits - All Libraries

- 82 Library visits during 2021-22 totalled 617,771, which is a large increase on the 183,706 visits during 2020-21. This shows a very positive direction of travel, although the 2021-22 figure is still a long way below the pre-pandemic figures (1,023,034 visits in 2019-20).

% of Talkabout panel who agree that they can influence decisions in their local area

83 Talkabout panel surveys are run twice a year in Q1 and Q3 and therefore there is no update in this monitor. Previous data is shown within the table.

% of Talkabout panel who give unpaid help to any group, club or organisation

84 Talkabout panel surveys are run twice a year in Q1 and Q3 and therefore there is no update in this monitor. Previous data is shown within the table.

Parliament Street Footfall

85 Footfall in Parliament Street during 2021-22 totalled just under 7 million data captures. This is slightly under the 7.8 million data captures during 2019-20 (pre-pandemic) but there were still national restrictions during the early weeks of 2021-22 so it is anticipated that figures for 2022-23 will be similar to those seen pre-pandemic.

An open and effective Council

An open and effective Council						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Forecast Budget Outturn (£000s Overspent / -Underspent) - CYC	£1,328 (excluding contingency) (2020/21)	£2,638 (excluding contingency) (2021/22)	➡	Quarterly	Not available	Q1 2022/23 data available in July 2022
Average Sickness Days per FTE - CYC (Excluding Schools) - (Rolling 12 Month)	8.8 (2020/21)	11.73 (2021/22)	➡	Monthly	CIPD Public Sector 2020/21 8	Q1 2022/23 data available in August 2022
Customer Services Waiting Times - Phone / Footfall / Webchat	00:00:16 (Phone) (2020/21)	00:01:28 (Phone) (2021/22)	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
	90.60% (Footfall) (2020/21)	72.80% (Footfall) (2021/22)	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
	96.20% (Webchat) (2020/21)	75.90% (Webchat) (2021/22)	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
Number of days taken to process Housing Benefit new claims and change events (DWP measure)	3.14 (2020/21)	3.19 (2021/22)	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
% of 4Cs complaints (grade 1 and 2) responded to 'In Time'	NA	84.15% (2021/22)	↑ Good	Monthly	Not available	Q1 2022/23 data available in July 2022
% of 4Cs complaints (grade 1 only) responded to 'In Time'	94.00% (2020/21)	80.71% (2021/22)	➡	Monthly	Not available	Q1 2022/23 data available in July 2022
CYC Apprenticeships	14 (2020/21)	24 (2021/22)	↑ Good	Quarterly	Not available	Q1 2022/23 data available in July 2022
FOI & EIR - % In time - YTD	82.17% (2020/21)	81.20% (2021/22)	➡	Quarterly	Not available	Q1 2022/23 data available in July 2022
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Average Sickness Days per FTE - CYC (Excluding Schools)

86 At the end of March 2022, the average number of sickness days per FTE (rolling 12 months) has increased to 11.73 days. In 2020-21, sickness had reduced in the authority by approximately 2 days per FTE, to 8.8 days per FTE, which is close to the LGA public sector for Yorkshire and Humber authorities average of 8 days. Since the start of Covid, although comparative figures are not yet available, all authorities in Yorkshire and

Humber have seen a significant increase in sickness levels within the whole workforce due to both Covid cases and increased pressures in frontline services. The increase in York's figures mirror other authorities and sickness cases continue to be closely managed to support employees wellbeing in the most appropriate way.

Customer Services Waiting Times (Phone / Footfall / Webchat etc)

- 87 Customer Service is the main point of contact for residents and business visitors. Similar to previous years, throughout Q4 demand increased as expected due to seasonal demand such as; Council Tax annual billing, queries relating to the £150 energy rebate and commencement of garden waste collections. The number of calls received increased to 53,574 (44,588 in Q3 2021-22), with 70% answered (37,230). 30.5% of calls were answered within 20 seconds. In addition, approximately 252 people contacted Customer Service for support due to the impact of COVID-19.
- 88 During Q4, 517 customers booked an appointment with Customer Service at West Offices and a further 3,361 'dropped by' and received support. This figure includes Probation Services, Registrars and Blue Badge assessments. The majority of people 'dropping in' can access services without having to come to West Offices. In addition to speaking to customers over the phone, the customer service team also responded to 12,781 e-mails (an increase from 12,174 in the previous quarter). Customer satisfaction remains high, with 95% of people rating the service as either good or very good. The system used to capture customer satisfaction levels will be replaced in May. One benefit of the new system is that the customer will be invited to take part in the survey as opposed to the current method which involves the CSR asking the customer if they wish to take part.
- 89 Customers are continuing to opt to access services using alternative means:
- 7,062 customers made payments using the auto payments facility
 - 16,943 people used the auto operator
 - 61% of issues available to report online were reported by customers on-line
 - There were around 1.9 million pages of the CYC website reviewed
 - Web chat is now available for Council Tax customers, with 1,315 customers using the chat service during Q4. 78% of customers waited no more than 20 seconds for their chat to be answered and 82% said they were satisfied with the service.

Number of days to process Benefit claims (currently Housing Benefit)

- 90 The average number of days taken to process a new Housing Benefit claim, or a change in circumstance, has remained stable, being just over

three days during 2021-22. York performance is above the most recent national average of 4.98 days (2020-21).

91 At the end of Q4 2021-22, all Covid-19 welfare support schemes came to an end. The Household Support Fund (HSF) that was introduced at the start of Q3 2021-22 was extended until September 2022 to meet the rising cost of living. The Government introduced an energy rebate of £150 at the start of Q1 2022-23. The York Financial Assistance Scheme (YFAS) fund which aimed at keeping residents in the community, along with emergency payments, continues to operate as normal. Welfare support provided during 2021-22 includes:

- Over 6,373 CTS customers helped with council tax (£75) with a total value to date of £478k in 2021-22
- 2,846 Local Covid Support Grants to families totalling £390k (scheme now closed)
- 6,905 Household support fund payments to families totalling £1,037k
- 3,182 Isolation Grants totalling £1,591k
- 1,000 YFAS Payments totalling £272k
- 400 Discretionary Housing Payments totalling £231k
- Mobile and internet access for digitally vulnerable residents totalling £10k

% of 4C's Complaints responded to 'In Time' / % of Grade 1 4C's Complaints responded to 'In Time'

92 In Q4 2021-22 there were 323 complaints dealt with as either a grade 1 or grade 2 complaint under the corporate 4Cs and 97.5% were responded to within their required timescales. This is a further improvement for in time performance compared to the last reporting quarter and the Corporate Governance team will continue to work with managers and services across the council to maintain this improvement.

CYC Apprenticeships

93 Apprenticeships continue to play an important role in providing opportunities for those entering the workforce or who need to reskill or upskill at both the council and within York.

- The number of CYC stand-alone apprenticeships only, which excludes those within schools or being completed alongside existing roles, was 24 at the end of March 2022. This figure has increased throughout 2021-22 from 13 at the start of the year and 19 in quarters 2 and 3.
- The published data for the first two quarters of 2021-22 (academic year) is also encouraging, with 730 new apprenticeships having been started by York residents in the six months to 31 January 2022. This equates to 72% of York's starts in the previous year and brings the total number of apprenticeships being undertaken to 2,080 (Q2 2021-22 academic year).

- 94 The council's own apprenticeship and levy transfer strategies continue to support local recovery. As of 31 March 2022, there were a total of 79 forms of apprenticeships active within the council and Local Authority Maintained schools, compared with 53 at 30 September 2021. It has been agreed that a comprehensive report on apprenticeships be available every six months. The latest Apprenticeships Update was submitted in April 2022:

<https://democracy.york.gov.uk/documents/s158685/Apprenticeships%20update%20EMDS%2026%20April%202022.pdf>

FOI/EIR and SAR - % In time

- 95 In Q4 2021-22, the council received 483 FOIs (Freedom of Information Act requests) and EIRs (Environmental Information Regulation requests) and 34 SARs (subject access to records request). We achieved an 85.81% in-time compliance for FOIs and EIRs and 73.33% for SARs. This shows an improvement in the timeliness of FOI/EIR responses since the last reporting quarter. Whilst there has been a small decrease for in time performance for SARs this quarter, the 'year to date' in time performance shows a small improvement. The Corporate Governance team and service area managers have already started working on identifying areas for sustained improvement for SARs.

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Executive

16 June 2022

Report of the Chief Finance Officer

Capital Programme Outturn 2021/22 and Revisions to the 2022/23 – 2026/27 Programme

Report Summary

1. The purpose of this report is to set out the capital programme outturn position including any under or over spends, overall funding of the programme and an update as to the impact on future years of the programme.
2. The report contains details of the capital investment made during 2021/22 and how this has supported delivery of the Council Plan. Key areas of investment are listed below with further details contained in the body of the report.
 - £4.9m on the expansion and improvement of school facilities across the city
 - £10.7m on construction of new council housing
 - £12.7m on the modernisation of and ongoing repairs to council homes
 - £1.2m for new apartments, along with community facilities and café at Marjorie Waite Court
 - £5.6m on highways
 - £2.9m on the purchase of new waste vehicles
 - £10m on the delivery of the Guildhall scheme
3. Some of the direct outcomes from this investment include:
 - Upgraded kitchen and dining room facilities at Huntington School
 - 34 additional apartments at Marjorie Waite Court, including 10 dementia ready apartments, a community hall and a community café.
 - 88 homes completed at Lowfield Green

- 289 tenants choice works completed with a further 143 homes modernised through the standing water and voids programme
- 470 households benefited from new gas central heating systems and 136 properties benefited from new windows
- Upgrades to traffic signals at 11 locations across the city
- Installation of electric vehicle charging points at nine sites across the city
- 72.5km of carriageway was renewed and 371 street lighting columns were replaced
- A range of high quality office, meeting room and business spaces are available at the Guildhall

4. The economy is currently experiencing levels of inflation that have not been seen for around 20 years. At the time of writing this report inflation stands at 9% and inflation in the construction sector is running at a higher level. Prices of raw materials such as steel and timber are particularly expensive due to supply issues, global demands and wider economic factors. This has also impacted on the prices quoted by contractors and willingness to fix prices in quotes and tenders. This has and will continue to put pressure on the Council Capital programme. Many of the estimates for costs assumed lower inflation pressures (c 2%) so there will be a need to review costs on the major schemes and rolling programmes. Any impact will be reported back to future Executive meetings.
5. This report in particular reports on the completion of the Guildhall project which is reporting a £4.0m pressure compared to the latest budget. The additional costs have arisen partly due to the impact of the economic factors above but were more so by a number of delays resulting from the complexities of refurbishing this unique historic building. These are detailed further in the sections later in the report.
6. The report shows an outturn of £78.220m compared to an approved budget of £127.584m, an overall variation of £49.364m.
7. The net variation of -£49.364m is made up as follows:
 - Requests to re-profile budgets of a net -£49.153m of schemes from 2021/22 to future years (currently approved budgets in the capital programme but requires moving to or from future years in line with a changing timetable of delivery for individual schemes)

- Adjustments to schemes decreasing expenditure by a net £211k, mainly due to additional grant funding being received.
8. The level of re-profiling reflects the scale of the capital programme, and in particular that it contains a number of major and complex projects. The overall capital programme continues to operate within budget, due to careful management of expenditure against the budget.
9. The main areas of re-profiling included within the £49.153m include:
- £4.807m – Home Upgrade Grant
 - £4.564m – Highways Tadcaster Road
 - £3.158m – LA Homes – Hospital Fields/ Ordnance Lane
 - £2.832m – LA Homes – Burnholme
 - £2.053m – Highway Schemes
 - £1.925m – Castle Gateway (Picadilly Regeneration)
 - £1.888m – Local Transport Plan
 - £1.753m – York Outer Ring Road dualling
 - £1.600m – York Central Infrastructure
 - £1.521m – Highways – Ward Committees
 - £1.496m – LA Homes Energy Efficiency Programme
 - £1.438m – Duncombe Barracks
 - £1.422m – Lowfield Housing
 - £1.222m - Major Repairs & Modernisation of Local Authority Homes

Recommendations

10. The Executive is requested to
- Note the 2021/22 capital outturn position of £78.220m and approve the requests for re-profiling totalling £49.153m from the 2021/22 programme to future years.
 - Note the adjustments to schemes reducing expenditure in 2021/22 by a net £211k
 - Recommend to Full Council the restated 2022/23 to 2026/27 programme of £525.049m as summarised in Table 3 and detailed in Annex A
 - Approve the use of £4m contingency to fund the additional costs of the Guildhall refurbishment
11. Reason: to enable the effective management and monitoring of the Council's capital programme

Summary of Key Issues

12. Table 1 outlines the variances reported against each portfolio area.

Department	Current Approved Budget £m	Outturn £m	Increase/ decrease £m	Reprofile £m	Total Variance £m	Paragraph Ref
Children's services	9.442	6.326	0.475	(3.591)	(3.116)	13 – 30
Adult Social Care	2.107	1.565	(0.114)	(0.428)	(0.542)	31 - 33
Housing & Community Safety	47.674	30.251	(1.025)	(16.398)	(17.423)	34 - 54
Transport, Highways & Environment	43.267	21.389	0.111	(21.989)	(21.878)	55 – 70
Property Services	16.008	13.979	2.258	(4.287)	(2.029)	71 – 78
Community Stadium & Other Major Projects	2.066	1.329	0.040	(0.777)	-	79
FM & Buildings	0.431	0.011	(0.137)	(0.283)	(0.737)	-
ICT	3.598	2.942	0.149	(0.805)	(0.656)	87 – 94
Customer & Corporate Services	2.209	-	(1.980)	(0.229)	(2.209)	-
Communities, Culture & Public Realm	0.617	0.297	0.012	(0.332)	(0.320)	80 - 83
Climate Change	0.165	0.131	-	(0.034)	(0.034)	84 - 86
Total	127.584	78.220	(0.211)	(49.153)	(49.364)	

Table 1 – Summary of capital outturn by department

Children's services

13. Capital Expenditure within the Children, Education & Communities service area totalled £6.326m in 2021/22.
14. The majority of this expenditure was incurred under three major scheme headings where there was significant work and progress in 2021/22. These schemes were: Schools Condition and Maintenance Works (£3.586m), the expansion of Fulford School (£0.869m), and Improving School Accessibility (£0.669m).

15. Expenditure on smaller schemes within the general Basic Need budget totalled only £45k in 2021/22. In addition to the remaining budget of £452k, further Basic Need has been transferred back to the scheme due to the opportunity to substitute some Section 106 funding instead of originally allocated Basic Need funding to other schemes in the programme, increasing the amount of reprofiling to £765k. This £765k is now available in future years to deal with place pressures across the City.
16. The major expansion at Fulford School is being funded by the local authority to deal with secondary place pressures, and organised by South York Academy Trust at their school.
17. Site set up and enabling works began at the end of the autumn term 2021 and construction work started on the 4th January 2022, with a current estimated completion date of February 2023. The last month has seen the completion of the new extension foundations and the installation of the steelwork is now well advanced. Main entrance works were completed over the Easter break seeing the remodelling of the central island and the installation of new parking and a pathway. Works to the access road are ongoing. The amount of expenditure incurred by the end of March 2022 means that an amount of £434k requires reprofiling into 2022/23.
18. The All Weather Pitch being installed at Southbank Academy Trust is now completed with almost all associated works carried out. The remaining budget of £56k requires reprofiling into 2022/23 to fund retentions and minor outstanding issues.
19. This major expansion was funded by the local authority and managed by Pathfinder Multi-Academy Trust and was completed in 2020/21. The scheme delivered a new three storey classroom block, together with the conversion of some existing classrooms into specialist teaching facilities for Science, ICT and Graphics. The 2021/22 budget represented the final payment under the scheme.
20. The first phase of the latest expansion work at Applefields School has been completed, comprising of some internal alterations and associated roof works. A small amount of reprofiling is required to 2022/23 (£45k).
21. A significant amount of work has been carried out in 2021/22 to the maintained school estate under the various School Condition and Maintenance headings in the programme, many schemes having been

postponed from 2020/21 due to the impact of the Covid pandemic. In addition a number of new schemes were commissioned and carried out.

22. One of the biggest schemes was the works to Huntington School to upgrade kitchen and dining-room facilities. This work was carried out over the summer and completed during the autumn half-term break.
23. Other major schemes which were carried out during 2021/22 include: Clifton Green Primary (a major programme of works, including toilet replacement, a further phase of rewiring, and pipework replacement); Dringhouses Primary (window and door replacement together with improvements to the main entrance); Ralph Butterfield Primary (roof works and minor drainage improvements); St Mary's Primary (kitchen refurbishment); St Pauls Primary (roof works and rewiring); St Paul's Nursery (door and window replacement), Stockton-on Forest Primary (heating pipework), and various smaller works at a number of other schools in the city.
24. Expenditure in 2020/21 totalled £3,586k, resulting in net reprofiling of £1,420k into 2022/23. This will fund outstanding payments and retentions with any remainder available to fund further works in 2022/23 and future years.
25. Expenditure of £145k was incurred within this scheme in 2021/22., mainly minor adaptation works at Danesgate to improve provision for SEND pupils. The remaining £194k requires slipping into 2022/23 and will be used to contribute to capital works in schools to support the aims of the Safety Valve agreement.
26. A significant amount of further accessibility improvement work has been carried out at All Saints School which currently has the most critical issues in the city related to accessibility. In addition a major boiler replacement was included in the overall works, funded by a contribution from the RC Diocese.
27. The Centre of Excellence project is fully complete with only minor payments outstanding. The remaining 2021/22 budget of £68k needs reprofiling into 2022/23.
28. The Healthy Child Capital Fund (£93k) and Family Drug and Alcohol Facility (£100k) require reprofiling into 2022/23 whilst the future use of these budgets is planned.

29. The Children in Care Residential Commissioning Budget requires almost fully reprofiling into 2022/23 as plans are developed.
30. The remaining £50k of the Adaptations to Foster Carer's Homes budget also requires re-profiling into 2022/23 to fund planned work

Adult Social Care

31. Capital expenditure within the Adult Social Care service area totalled £1.565m in 2021/22. The majority of this expenditure was incurred on two schemes: Marjorie Waite Court and Ashfield Sports Pitches.
32. The construction of a community hall, community café, hair salon and meeting spaces at Marjorie Waite Court in Clifton is now complete. The hall and salon are available for bookings and the café is open daily. The new apartments at Marjorie Waite Court are now fully occupied. Residents, their families and the local community are all enjoying gathering in the café, which is operated by Choose 2 Youth, a community organisation which offers on the job training for adults with learning disabilities. Final snagging is now being completed on site, with the 12 month retention period complete in summer 2022.
33. The 8 pitch football facility at Ashfield was completed in May 2021 and comprises 8 turf pitches alongside a pavilion containing changing rooms and a function room. Due to the Covid pandemic the facility did not come into use until September 2021. Bishopthorpe White Rose FC are now operating the facility. The emergency/service road at the site is partially completed and operating over the existing surface in the area of land owned by BP. Once details have been agreed with CYC Highways the last section of this road will be upgraded.

Housing & Community Safety

34. Capital expenditure on schemes within the Housing & Community Safety service area totalled £30.251m in 2021/22. The capital budget has been used to cover an array of schemes including maintenance and modernisation of the existing housing stock, adapting homes so tenants can remain in their homes for longer, building and extending new properties to expand the stock level and meet the needs and demand for appropriate, affordable accommodation across the city. This includes

£12.7m of housing repairs, £2.8m on aids and adaptations to people's homes and £13.0m on the provision of new homes and the shared ownership scheme.

35. Phase 1 of the new council house building programme is now complete with the opening of Marjorie Waite Court in October 2021 and the 65th property under the Shared Ownership being purchased in February 2022.
36. At Marjorie Waite Court 34 additional apartments have been created, including 10 dementia ready apartments, a community hall and community café. All apartments are now occupied. Work is being carried out to modernise the communal spaces in the original building to bring it to a standard to match the extension areas. Funds from 2022/23 are to be reprofiled to 2021/22 to match the expenditure incurred.
37. In 2021/22 the Shared Ownership programme purchased 7 new properties from the open market of which we have received equity sales in 7 properties. The sale of the final property will be completed in the new financial year, this has completed the initial second hand shared ownership programme, providing 65 homes for professional families within York. The next tranche of 15 shared ownership homes was agreed by Executive on 17th March 2022 with Homes England funding of £720k being agreed along with a match funding budget of £720k provided from the Phase 2 housing delivery budget.
38. The budget within the Phase 2 House Building Programme has also been used to make purchases of one off properties for social rent to increase the housing stock and maximise the 1-4-1 Right to Buy receipts which are time limited. One such property was purchased in 2021/22.
39. In 2021/22 we received £461k of Homes England grant as a contribution towards the purchase of 6 one bed apartments to provide additional accommodation and support for rough sleepers. These properties were all purchased in the last quarter of the financial year and will provide the tenants with a tenancy and support worker for three years to aid in the prevention of them returning to street living.
40. At Lowfield the council is directly delivering 140 new homes, of which around 90 are now complete and occupied. The remaining site contains plots of land for development by others. This includes six self-build plots which are progressing well, one home is occupied and the other five are expected to be completed in 2022. Adjacent to the self-build site is a community build plot which the council have agreed to sell to Yorspace.

Planning permission is secured for this site and the community group have discharged their pre-start on site planning conditions. The group are finalising their construction contract following sharp rises in construction costs in the last 12 months. Yorspace expect to complete the land purchase and commence construction before the end of the year.'

41. There are two further plots on Lowfield. On the larger plot adjacent to the new public open space, the site has been identified and approved as a site for extra care. The council has previously been unsuccessful in procuring an extra care provider to deliver this site. As such, officers are undertaking further soft market testing with extra care providers in order to deliver this ambition. On the smaller plot located close to the site entrance with Dijon Avenue, there may be an opportunity to provide specialist housing for those who would benefit from more intensive support due to their physical or mental health. Colleagues from the Housing Delivery Programme and Adult Social Care are working together to create a business case to progress this ambition
42. Duncombe and Burnholme housing delivery sites have completed RIBA design stage 3 and tenders are to be awarded imminently with a start on site expected to be in the summer at Duncombe and by autumn on the Burnholme site
43. Ordnance Lane housing delivery site is at the design stage with the schemes planning application being submitted in December 2021. This scheme is expected to go to planning committee in Summer 2022.
44. The major repairs & modernisation of local authority homes programme has total capital expenditure of £12.705m in 2021/22 against a budget of £10.866m. The service have undertaken works during the year on major damp issues, replacement kitchens, bathrooms and roofs and upgrading of external door entry systems to flats, asbestos removals and installation programmes. There have been additional contributions of £101k from leaseholder and other income. The overspend of £1.839m has been funded from the major repairs reserve and a reduction of £1.2m in the 2022/23 programme.
45. During 2021/22 increased costs of works have been seen, with average costs across the Tenants Choice, Standing Water & Void capital programmes being 37% higher than the costs in the original budget. This is due to increased prices, amount of works required and therefore time taken to complete works. Whilst contractors have worked well across

these programmes, the team has been faced with several challenges including a larger than average number of properties being declined by tenants. There were also 34 properties in the Bell Farm area which were found to have standing water and required a change in the programme type from the Tenants Choice programme to Standing Water scheme. This came at an additional cost of c£817k, which was not included in the original forecast.

46. Historically, c30% of tenants have annually declined Tenants Choice work, mainly on the grounds of their inability to cope with what is quite a disruptive process of having a re-wire, new kitchen and new bathroom fitting all in a short space of time, in 2021/22, this was around 44%, possibly due to pandemic related issues. When these tenants vacate the property, Building Services take the opportunity to do the Tenants Choice work while the property is empty.
47. Overall 289 tenants choice works in customer's homes were completed, this was 134 properties more than in 2020/21, with a further 143 modernised through the standing water and voids programme.
48. 470 households benefited from new gas central heating systems in 2021/22 including fourteen properties that were part of the Warm Homes green deal scheme and which changed from electric storage heaters to gas central heating. Two air source heat pumps have also been installed.
49. In addition, 136 properties benefited from new windows, 492 from new external doors and 19 properties had full replacement roofs, which has improved the energy efficiency of our tenant's homes.
50. The council adaptation programme saw 115 residents supported to live in their homes safely and independently by the installation of adaptations such as the replacement of baths with level access showers and/or the provision of stair lifts to access their bedroom and/or ramps to enable them to move around their home safely. In addition, over 300 minor adaptations were installed such as grab rails and hand rails, many of the referrals originating from the hospital and outreach services to enable elderly residents to be discharged from home quickly and return home. Such minor adaptations make a huge difference people's lives and helps to prevent and reduce the need for adult social care services and health care services.
51. Home Upgrade Grant (LAD1B and LAD2) were new capital schemes for 2021/22. The Council successfully obtained £2.8m from BEIS (Business,

Energy and Industrial Strategy) and Tees Valley Combined Authority (TVCA), to deliver a range of energy efficiency schemes aimed at improving poor private sector homes in York, Harrogate, Selby and Craven. In 2021/22 45 households received a range of measures including 'room in roof' insulation, loft and cavity insulation. Both programmes have been extended by the government to the end of June 2022 in response to a number of difficulties, especially around supply chain issues, being experienced not only by York, but other councils too.

52. The governments energy efficiency grant schemes are continuing, with a further £3.2m being received across 3 other grant schemes, to be spent in 2022/23 on works to include solar panels for council dwellings, and those not connected to gas in the private sector.
53. The disabled facilities grant programme supports homeowners and private tenants to remain in their own home safely and independently through the provision of a wide range of adaptations, typically replacement of baths with level access showers, stair lifts and ramps. Over 75% of the customers are over the age of 67 years old, however support is also provided to families with children with very complex needs to remain in their own home or, where it has been found that the home is not one which can be reasonably and practically be adapted, we have support the resident to move to another home which is more suitable for their needs.
54. In 2021/22 support was provided to 323 families, the highest it has ever been. Going forward in 22/23 the private sector housing assistance policy will be reviewed taking account of the findings of Building Research Establishment's report into housing conditions in the private sector and the health impact assessment. This work has just been commissioned and the report is due in the summer. In addition, last month the Government released its long awaited new DFG guidance. Both will support the council to develop a new policy

Transport, Highways & Environment

55. Capital expenditure on various schemes within Transport, Highways & Environment totalled £21.389m in 2021/22.

Transport

56. A number of transport schemes have been completed in 2021/22 including

- Bus stop improvements (including bus shelters) across the city.
 - Improvements to signage on the approaches to Park & Ride sites, the routes to the Community Stadium and signage for city centre car parks.
 - Upgrades to traffic signals at 11 locations across the city, including localised resurfacing where required.
 - Completion of the second phase of the CCTV Upgrades programme.
 - A trial one-way system on Navigation Road to reduce traffic levels.
 - Measures to improve road safety at Clifton Green primary school and at Hempland Lane/ Hempland Avenue.
 - Improvements to speed management measures at Elvington Lane and Sim Balk Lane.
 - Expansion of existing 20mph limit area in Osbaldwick.
 - Installation of Electric Vehicle charging equipment at nine sites across the city.
 - Completion of Marygate Car Park path and Bootham Crossing schemes to improve cycle facilities on the approaches to the Scarborough Bridge footpath
57. The development of the schemes in the Active Travel Programme was delayed in the earlier part of 2021/22 until new Project Managers were appointed, but the schemes are now being progressed through feasibility and design for implementation in 2022/23. This funding has carried forward to 2022/23
58. The first phase of the York Station Gateway scheme (utility diversion works) started on site in early 2022 with the main highway works planned to start in Autumn 2022. Work on the detailed design for the York Station Gateway continued through 2021/22 following planning approval being granted for the scheme in February 2021. The scheme is expected to be complete in summer 2024.
59. Following public consultation on the proposed Outer Ring Road Dualling scheme, a revised design for the scheme was approved by the Executive in 2021/22, and a planning application for the scheme is now being prepared and will be submitted in summer 2022. Work is also ongoing to acquire land, develop the business case and complete the detailed design for the scheme. The construction stage is expected to start in mid-2023.
60. Construction work on the Monks Cross and Poppleton Bar Hyper Hubs was completed in 2021/22, following some delays at Poppleton Bar due to the use of the site as a Covid-19 testing site. Work to connect both sites to the power network has now been completed, and the sites are expected

to open to the public in early summer. The design for the proposed Hyper Hub at Union Terrace car park was completed in 2021/22 and a planning application has been submitted for the scheme. If approved, construction will be January-June 2023.

61. Work on the Smarter Travel Evolution Programme has progressed well, with both the new strategic traffic model and the real-time traffic model being completed in 2021/22. Work will continue to implement the data platform and Green Light Optimized Speed Advisory (GLOSA) schemes in 2022/23.
62. The design of the permanent Hostile Vehicle Mitigation measures (static and sliding bollards) for the City Centre Access & Security scheme has now been completed and the proposed scheme was approved by the Executive for implementation in 2022/23.
63. The council has continued to provide grant funding to bus operators to fund work to improve emissions from their bus fleets, following the decision to create a city centre Clean Air Zone. The conversion work on the First York bus fleet was completed in 2021/22 and the final work on the Connexions fleet will be completed in 2022/23.
64. Development work on the proposed new rail station at Haxby has continued in 2021/22, and a preferred site at Towthorpe Road was approved by the Executive in December. Public consultation on the scheme was carried out in spring 2022, and work will continue with Network Rail to progress the design work and a revised business case for the scheme.
65. Feasibility and design work for the proposed improvements for cyclists and other sustainable transport modes along Tadcaster Road was carried out in 2021/22 and an outline scheme was agreed by the Executive Member. Some of the proposed improvements between Moor Lane Roundabout and Blossom Street will be implemented with the Tadcaster Road maintenance scheme in 2022/23, with further feasibility and design work to be undertaken on the remaining sections prior to confirming the delivery programme.

Highways

66. In total 72.5km of carriageway was renewed when including patching and resurfacing. The majority of schemes were completed, those that were not have been deferred and are planned for delivery in 2022/23.

67. The majority of footway schemes were completed. Those not delivered include 3 city centre schemes which will be delivered this financial year. They were delayed due to the amount of work already planned and programmed in the city centre
68. In street lighting 371 columns were replaced after structural integrity testing and because of structural failure or deterioration due to corrosion. There has also been a continuation of the work to upgrade old lantern technologies, approximately 150 in total, which have a high energy cost compared to LED. The conversion to LED is approximately a 60% energy saving on each asset per year.
69. Planned drainage schemes on the A1079 and in Osbaldwick were completed within the year. The scheme in Kent Street was delayed due to design issues and in seeking permissions from Yorkshire Water to connect to their sewerage system. Work commenced on the investigation and desilting of the Knavesmire culverts. This work was substantially complete last year with some additional work planned this year.
70. Work progressed on the bar wall capital schemes, particularly on Tower 2, Lendal Arch and on lighting and safety schemes. Work will continue in 2022/23

Property services

71. Capital expenditure on various schemes within Property services totalled £13.979m in 2021/22.
72. The Guildhall project achieved Practical Completion (on the building contract) on 25 April 2022 with the hand over under the agreed lease arrangements to University of York following on 29 April 2022. The office space is already fully let, and will formally open on 16 May, there is a strong forward events programme and bookings for the main hall include a Christmas Market. There are competing interests to secure the restaurant unit and we hope to improve on the rental level modelled in the approved business case.
73. All of the approved project benefits have been delivered, and the future of the complex has been secured through the significant investment in the structure and fabric and accessibility of the buildings complete with new building services, safeguarding them for future generations. The approved scheme has delivered :

- A range of high quality office, meeting room and business spaces now being managed by York Science Park to support and grow the city's economy – generating economic benefits for the city with job creation and a projected GVA uplift of over £100m pa. All these spaces are light and airy, benefiting from stunning city / river views and modern facilities and amenities. All business spaces are hard wired with data points and benefit from Gigabit connectivity through the City's Fibre networks and the spaces are also served by a WiFi network.
- Significant improvements to the historic medieval Guildhall space including; underfloor heating powered by the River Water Source Heat Pump, new services and improved access, a stunning glazed foyer space linking to a café and toilets allowing for events to realise the full potential of this stunning city space, now better suited to a greater range of uses through the significantly improved facilities and amenities, and an increase to its licensed capacity.
- Very significant works to address the structural failures to the north tower, which were necessary to prevent collapse and replacement of roofs, with all work to strict conservation standards. The scope and extent of these works has had to evolve in response to site discoveries and in the early stage of the project these critical works did cause delay and incur additional costs. As the works progressed further repairs at roof level were necessary to mitigate the requirement for any medium term future repair costs.
- Accessibility has been significantly improved with repaved external spaces, complete repaving to Common Hall Yard leads to new accessible entrances. Within the building a modern service core affords lift access to all levels
- The scheme which retained the full WYCA grant of £2.347m also benefited from a £300k YNER grant and has secured future rental income and additional maintenance rent contributions through the University Lease) with the future potential for increased income.
- Ongoing use for Civic and democratic events has been secured through the University Lease at no cost to the council
- A high quality riverside restaurant unit with external Riverside spaces has also been constructed to maximise the value of the development and we are working with our appointed agent to evaluate offers at this time

74. The latest budget for the Guildhall totals £21.9m. This includes the overall budget approved in February 2019 of £20.2m plus £1.5m additional budget approved in November 2020 and further contributions from University of York / York Science Park as part of their contribution to the renovation £0.2m. The latest projection for the overall cost of the scheme is £25.9m which is an overall overspend of £4.0m. This is reported as an overspend of £1.9m to 31st March 2022 as well as forecast residual costs of £2.1m in 2022/23.
75. The project has been incredibly challenging to deliver with all identified key risks manifesting as issues during the project. As a consequence the project programme duration increased from 77 weeks to 141 weeks with the award of extensions of time under the contract for the following reasons : existing sub structures requiring amended underpinning and piling design; high river levels; archaeology; asbestos and drainage; delays by statutory undertakers in providing new service connections. It is important to note that the contract has been delivered despite the significant operating challenges posed by the pandemic. The cost of these delays totalled £2.9m on the construction costs.
76. Additional cost and delay was initially reported in November 2020 and the further delays and additional works costs, specifically including additional and necessary repairs to the structure and fabric of the complex to safeguard its future, have been reported in subsequent quarterly monitors. There have been additional costs related to additional design work, additional essential repairs and extended works totalling £2.8m. With the building works now completed it will be important to agree the outturn financial position in accordance with the contract at the earliest opportunity. The project team have managed the contract proactively and delivered a range of savings totalling over £1m, without compromising the agreed project benefits, to offset the additional costs incurred because of delay and associated additional works. There have also been additional client costs as a result of the additional designs, works and project management / supervision over the extended period. These have increased by £1.0m (28%).
77. The commercial position will be confirmed, with a full breakdown of additional costs when these are agreed under the terms of the contract. At this time the further financial provision is necessary, to cover both the contract costs and the associated professional fees and project team costs associated with the increased duration.

78. It is proposed that the projected additional costs of £4.0m are funded from the capital contingency. The capital contingency totals £5.0m over 2021/22 and 2022/23 so a release of £4.0m will result in a remaining contingency of £1.0m. Should final costs be lower than those currently estimated it is proposed that any reduced costs are returned to the capital contingency

Community Stadium & other projects

79. As previously reported the York Stadium Leisure Complex is fully operational, with the Stadium hosting games and the leisure facilities welcoming guests. The last edition of the outdoor play park and outdoor gym space opened to the public over Easter 2022. A small capital budget for 22/23 remains to conclude project matters, with spend currently in line with forecasts. All capital income expected for the project have now been received

Communities and Culture

80. Expenditure in 2021/22 within the major Library Improvement scheme was planning and preparatory work mainly associated with the new Clifton Library facility, with a small amount on the new Haxby Library. An amount of £74k requires reprofiling into 2022/23.
81. No further work was carried out in 2021/22 within the Energise Roof scheme so the budget requires reprofiling into 2022/23 awaiting further investigation work on the roof which is expected to indicate further work will be required.
82. The work to the roof at Explore Central Library was mainly carried out in 2020/21, with the remaining £34k of work paid for early in 2021/22.
83. The scheme for the Westfield Multi-Use Games Area (£200k) was approved as part of the 2021/22 capital budget process to create a new MUGA with Westfield. No expenditure has been incurred in 2021/22 so the whole budget requires reprofiling into 2022/23. It is expected that this scheme will be progressed in 2022/23 with the new MUGA to be situated on the site of York Acorn Amateur Rugby League Sports and Social Club off Thanet Road. A report to the Decision Session of the Executive Member for Culture, Leisure and Communities on 19th April 2022 provides further details of the proposal

Climate Change Schemes

84. The final expenditure for 21/22 against the climate change schemes was £131k, after the majority of the budget was slipped into 22/23 at monitor 3. Further slippage of £34k is requested at outturn. The key focus of this scheme has been the creation of the York Community Woodland (YCW).
85. The YCW project team has been able to minimise call on the council's Northern Forest capital budget by securing Forestry England as the woodland delivery partner, who will access confirmed DEFRA funding to fully support and 100% fund the capital costs of woodland creation in line with the agreed Woodland Creation Plan (which forms part of the council's lease agreement with FE).
- Tree planting commenced on the woodland site in Q4 2021/22, with a series of community tree planting events involving over 100 local residents, school children and scouts groups etc. The lease agreement legally commits FE to plant a minimum of 50,000 trees on site by 31 March 2023 – in line with Council Plan ambitions. In the longer term the site will accommodate 210,000 new trees, one for every resident in York.
 - The woodland now forms part of the Queens Green Canopy initiative to celebrate the Queen's anniversary year 2022 and is marked by an iconic tree planting design.
 - Alongside the lease will be a Partnership Agreement that outlines how both organisations will work together, including longer term aspirations for enhancing the visitor offer as the woodland matures.
86. As agreed by Executive in March 2021, an allocation of £80k has been made available to reprovide allotments at Rufforth from the YCW budget. This work has been undertaken during 21/22.

Customer and Corporate Services - IT

87. The ICT development plan has a capital expenditure totalling £2,942 in 2021/22. The work of the ICT service supports and enables the council, partners and also the city on many different levels. Examples this year include:

Digital Council

88. The most significant financial investment in year was the awarding of the councils new Voice and Data Managed Services contract. A lot has

changed since our last contract, not least of which was a change in our dependence on Wi-Fi which has now become an essential part of everyday working life and required a significant uplift in availability, throughput and security. A rolling programme of upgrades has commenced with West Office having a full Wifi upgrade completed in March 22.

89. Investment in core underlying infrastructure has continued to ensure that ICT services remain available, secure and supportable. This includes investment in storage, Citrix and ensuring our operating systems and applications were updated appropriately
90. We continued to invest appropriately in security to ensure ICT services responded to the ever changing and complex threat landscape. This included investment in vulnerability management and data loss protection as well as upgrading our Mobile Device Management tool to Microsoft Intune to take advantage of our renewed 3 year investment in the Microsoft M365 licencing suite. We are currently trialling Microsoft's "Always On" secure connection capabilities with a view to rolling this out in 22/23 to replace the current secure but aging Direct Access connectivity that customers currently enjoy. We also renewed our Software Asset Management capability during the year.
91. A number of systems have been replaced, upgraded or continued to be further developed this year, these include :
 - The CRM with the role out of processes relating to waste, bulky, clinical and medical.
 - The introduction of the new housing application which replaces a number of legacy systems across Housing and Building services and provides a workflow based single system to manage work.
 - A new Parking system
 - iTrent HR system
 - A new Highway system that has been procured and will be rolled out during 2022
 - Elections Management Software
 - Insurance claim software replacement
 - Safeguarding training software procurement
 - Section 106 software procurement

Digital Staff

92. The majority of our work under this theme has been our involvement on the Working as One programme where ICT have provided significant support and resource commitment into the establishment and progression of this fast paced and evolving council priority. Our involvement has included:

- Standardising kit aligned to draft worker styles including the specification, sourcing, configuring, delivery and support of the equipment necessary to allow the delivery of secure hybrid working. This included equipment gap analysis based on the standard offer to ensure all staff have the right equipment at the right time to meet the demands of their role.
- The specification, sourcing and kitting out of meeting rooms with appropriate audio visual capabilities to allow for secure hybrid working.
- Engagement in floor plate design and the planning for, sourcing and installation of essential ICT kit to allow for the return to the office of staff post covid – e.g. docking stations for laptops.
- The specification and trial of an appropriate booking solution to support the return to the office.
- Work to allow for appropriate hybrid telephony services to staff
- Our ongoing commitment to the testing and roll out of the M365 applications, in particular this year this included further investment in Teams (including the roll out of channels) which includes laptop upgrades but we have prepared for and will roll out across the council updated versions of the Microsoft 365 suite of applications during 2022/23.

Digital City

93. Under this theme some of the key activities during the year include:

- The upgrade of our Geographical Information System (GIS) which allows analysis and presentation of geographical York data.
- Supporting Housing Management Team to ensure the Lowfields and other new development sites are future proof in terms of their digital connectivity and IoT/smart city building blocks
- Continuing to work with telecommunication providers to explore the opportunities and action the improvement and expansion of the Cities digital connectivity layers including fibre infill areas , the LoRaWan coverage (IoT/Smart city coverage) and small cell 5g as part of making space within the mobile spectrum.

- Working with other partners within the Superfast West Yorkshire & York programme to evaluate the options within the gain share process from previous phases of the BDUK rural programme with a view to further expand access to improved broadband within our rural areas and communities. Our rural fibre broadband projects in both Wheldrake and Elvington are progressing well with engineers due to start the installation of the fibre network w/c 18th April with an expected duration period of approx. 5 weeks.
- We are continuing our work in the 'fifth quarter' of the city centre area which includes Gillygate and Bootham and we currently have circa 70 residents/businesses who have registered their interest in accessing improved broadband. Once we reach the 100 mark, we can then move onto the next steps of the work that is required to secure the external funding for this project.

94. We have been approached by York Housing Association to seek our help and assistance regarding the poor broadband availability within some of their properties by exploring full fibre services to ensure students/tenants can stay connected while learning and during their 'downtime'. Their initial focus area is based around a group of 27 units located close to York University that presently have individual broadband connections that aren't fully fit for purpose with the students relying on their mobile phone hotspot

Funding the 2021/22 Capital Programme

95. The 2021/22 capital programme of £78.220m has been funded from £20.540m external funding and £57.716m of internal funding. The internal funding includes resources such as revenue contributions, Supported Capital Expenditure, capital receipts and reserves.
96. The overall funding position continues to be closely monitored to ensure the overall capital programme remains affordable and is sustainable over the 5 year approved duration.

Update on the 2022/23 – 2026/27 Capital Programme

97. The restated capital programme for 2022/23 to 2026/27 split by portfolio is shown in table 3. The individual scheme level profiles can be seen in Annex 1.

Gross Capital Programme	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£m	£m	£m	£m	£m	£m
Children's services	24.715	6.220	0.920	0.920	0.920	33.695
Adult Social Care	1.166	0.750	0.682	0.705	0.728	4.031
Housing & Community Safety	63.430	46.959	37.006	32.154	13.044	192.593
Transport, Highways & Environment	75.938	61.864	49.811	14.479	13.474	215.566
Property Services	11.277	38.749	0.250	0.250	0.250	48.116
Community Stadium	0.777	-	-	-	-	0.777
FM & Buildings	0.948	-	-	-	-	0.948
ICT	2.722	2.820	2.820	3.170	2.820	14.352
Customer & Corporate Services	1.669	0.200	0.200	0.200	0.200	5.129
Communities & Culture	2.382	4.700	0.726	-	-	7.808
Climate Change	1.134	0.400	0.250	0.250	-	2.034
Revised Programme	186.158	162.662	92.665	52.128	31.436	525.049

Table 3 – Restated Capital Programme 2022/23 to 2026/27

98. Table 4 shows the projected call on Council resources going forward.

	2022/23	2023/24	2024/25	2025/26	2026/27	Total
	£m	£m	£m	£m	£m	£m
Gross Capital Programme	186.158	162.662	92.665	52.128	31.436	525.049
Funded by:						
External Funding	72.214	58.989	37.004	10.025	6.790	185.522
Council Controlled Resources	113.444	103.673	55.661	42.103	24.646	339.527
Total Funding	186.158	162.662	92.665	52.128	31.436	525.049

Table 4 – 2022/23 –2026/27 Capital Programme Financing

99. The Council controlled figure is comprised of a number of resources that the Council has ultimate control over. These include Right to Buy receipts, revenue contributions, supported (government awarded) borrowing, prudential (Council funded) borrowing, reserves (including Venture Fund) and capital receipts.

100. In financing the overall capital programme the Chief Finance Officer will use the optimum mix of funding sources available to achieve the best financial position for the Council. Therefore an option for any new capital

receipts would be to use these to replace assumed borrowing, thereby reducing the Councils' borrowing levels and associated revenue costs.

Consultation

101. Not applicable

Options

102. Not applicable

Council Plan

103. The information contained in this report demonstrates progress in achieving the priorities set out in the Council Plan.

Implications

104. This report has the following implications:

- **Financial** - are contained throughout the main body of the report
- **Human Resources (HR)** – There are no HR implications as a result of this report
- **One Planet Council/ Equalities** – The capital programme seeks to address key equalities issues that affect the Council and the public. Schemes that address equalities include the Disabilities Support Grant, the Schools Access Initiative, the Community Equipment Loans Store (CELS) and the Disabilities Discrimination Act (DDA) Access Improvements. All individual schemes will be subject to Equalities Impact Assessments
- **Legal Implications** - Whilst this report itself does not have any legal implications, the schemes within the capital programme will themselves will be in receipt of legal advice where necessary
- **Crime and Disorder** - There are no crime and disorder implications as a result of this report.
- **Information Technology** – The information technology implications are contained within the main body of the report,
- **Property** - The property implications of this paper are included in the main body of the report which covers the funding of the capital programme from capital receipts.
- **Other** – There are no other implications

Risk Management

105. There are a number of risks inherent in the delivery of a large scale capital programme. To mitigate against these risks the capital programme is regularly monitored as part of the corporate monitoring process, and the project management framework. This is supplemented by internal and external audit reviews of major projects.

Contact Details

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	Report Approved	√	Date
Wards Affected: All			
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Specialist Implications:
Legal – Not Applicable
Property – Not Applicable
Information Technology – Not Applicable

Annexes

Annex A – Capital Programme by year 2021/22 – 2026/27

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Total Capital Programme 2022/23- 2026/27 £000
	£000	£000	£000	£000	£000	£000	£000
CHILDRENS SERVICES							
Basic Need	45	10,752	3,000	0	0	0	13,752
DfE Maintenance	2,167	1,564	700	700	700	700	4,364
Fulford School Expansion 2020 Phase 1 and 2	869	3,434	2,000	0	0	0	5,434
Schools Essential Building Work	889	1,732	0	0	0	0	1,732
Schools Essential Mechanical & Electrical Work	530	2,021	0	0	0	0	2,021
Danesgate Extension 2022	0	1,900	0	0	0	0	1,900
Children in Care Residential Commissioning Plan	6	1,352	0	0	0	0	1,352
NDS Devolved Capital	231	225	220	220	220	220	1,105
Improving School Accessibility	669	314	300	0	0	0	614
Applefields Extension Work 2021 and 2022	205	560	0	0	0	0	560
Expansion and Improvement of Facilities for Pupils with SEND	145	494	0	0	0	0	494
Southbank Expansion	255	56	0	0	0	0	56
Centre of Excellence for Disabled Children (Lincoln Court)	174	68	0	0	0	0	68
Family Drug & Alcohol Assess/Recovery Facility	0	100	0	0	0	0	100
Adaptions to Foster Carer Homes	50	50	0	0	0	0	50
Healthy Pupils Capital Fund	0	93	0	0	0	0	93
Archbishop Holgate's School Expansion	91	0	0	0	0	0	0
Children & Young Peoples services & Building based provision review	0	0	0	0	0	0	0
ADULT SOCIAL CARE							
Telecare Equipment and Infrastructure	270	259	267	275	283	291	1,375
Disabled Support Grant	259	249	250	260	270	280	1,309
Major Items of Disability Equipment	135	155	143	147	152	157	754
OPA-Community Space at Marjorie WaiteCourt	558	0	0	0	0	0	0
OPA-Ashfield Estate Sports Pitches	302	116	0	0	0	0	116
Proof of Concept for robotics & AI within social care	0	110	90	0	0	0	200
OPA-Haxby Hall	0	170	0	0	0	0	170
OPA - the Centre@Burnholme including enabling works	0	73	0	0	0	0	73
OPA-Burnholme Sports Facilities	41	0	0	0	0	0	0
OPA Residual Enabling Work	0	34	0	0	0	0	34
HOUSING & COMMUNITY SAFETY (HRA & GF)							
Local Authority Homes - New Build Project	0	12,400	18,343	20,000	18,829	0	69,572
Major Repairs & Modernisation of Local Authority Homes	12,705	8,693	8,462	8,769	8,720	9,270	43,914
LA Homes - Burnholme	350	10,534	10,687	3,170	0	0	24,391
Lowfield Housing	8,808	5,322	700	0	0	0	6,022
Disabled Facilities Grant (Gfund)	2,119	1,963	2,236	2,375	2,375	2,565	11,514
Duncombe Barracks	151	7,005	3,111	832	0	0	10,948
Home Upgrade Grant (G/fund)	236	5,648	0	0	0	0	5,648
Local Authority Homes - Phase 2	1,038	2,944	1,200	0	0	0	4,144
Local Authority Homes - Project Team	294	680	830	1,000	1,370	389	4,269
Assistance to Older & Disabled People	702	636	620	630	640	650	3,176
LA Homes - Hospital Fields/Ordnance Lane	363	3,158	0	0	0	0	3,158
Shared Ownership Scheme	1,531	1,440	0	0	0	0	1,440
LA Homes Energy Efficiency Programme	4	1,746	250	0	0	0	1,996
Extension to Marjorie Waite Court	1,250	57	0	0	0	0	57
Housing Environmental Improvement Programme	60	473	170	170	170	170	1,153
IT Infrastructure	407	193	0	0	0	0	193
Water Mains Upgrade	0	60	300	60	50	0	470
James House	171	12	0	0	0	0	12
Lincoln Court Independent Living Scheme	0	127	0	0	0	0	127
Tang Hall Library Site Enabling Works (G/fund)	7	110	0	0	0	0	110
Empty Homes (Gfund)	0	50	50	0	0	0	100
Chaloner Road Site Enabling Works	3	91	0	0	0	0	91
Extension to Glen Lodge	0	88	0	0	0	0	88
Local Authority Homes - Phase 1	52	0	0	0	0	0	0
Willow House Housing Development	0	0	0	0	0	0	0
TRANSPORT, HIGHWAYS & ENVIRONMENT							
York Outer Ring Road - Dualling	1,356	5,175	23,330	29,084	3,640	0	61,229
Highway Schemes	5,636	11,573	7,377	7,280	7,280	7,280	40,790
WYTF - Station Frontage	1,992	6,428	11,377	4,310	0	0	22,115
Haxby Station	0	2,100	12,100	2,100	0	0	16,300
Replacement Vehicles & Plant	0	6,292	2,683	2,781	161	3,146	15,063
Local Transport Plan (LTP) *	2,384	5,638	1,570	1,570	1,570	1,570	11,918
ZEBRA	0	8,401	0	0	0	0	8,401
Drainage Investigation & Renewal	587	1,094	700	700	900	900	4,294
Highways - Tadcaster Road	276	4,564	0	0	0	0	4,564
WYTF - Castle Gateway Development	65	2,230	1,347	908	50	0	4,535
Waste Vehicle Replacement	2,950	745	0	0	0	0	745
Replacement of Unsound Lighting Columns	490	772	644	578	578	578	3,150
Flood Alleviation Schemes including Germany Beck	30	3,270	0	0	0	0	3,270
York City Walls Restoration Programme	618	1,050	336	300	300	0	1,986
Fleet Acquisition	182	1,969	0	0	0	0	1,969
Highways & Transport - Ward Committees	209	1,771	0	0	0	0	1,771
Built Environment Fund - Hostile Vehicle Mitigation	140	1,691	0	0	0	0	1,691
Electric charging Infrastructure	145	1,655	0	0	0	0	1,655
Smarter Travel Evolution Programme	565	937	0	0	0	0	937
Flood Scheme Contributions	0	1,500	0	0	0	0	1,500
TCF - Tadcaster Road Improvements	112	1,318	0	0	0	0	1,318
Essential Bridge Maintenance	0	1,100	0	0	0	0	1,100
Hyper Hubs	1,065	0	0	0	0	0	0
Highways Drainage Works	227	247	200	200	0	0	647
Castle Mills Lock	0	600	200	0	0	0	800
Haxby Station	287	400	0	0	0	0	400
Special Bridge Maintenance (Struct maint)	118	397	0	0	0	0	397
Fordlands Road Flood Defences	160	326	0	0	0	0	326
Clean Air Zone	390	73	0	0	0	0	73

National Cycle Network 65 Targeted Repairs	0	378	0	0	0	0	378
EV Charging Asset Replacement	37	337	0	0	0	0	337
Fleet & Workshop Compliance	141	197	0	0	0	0	197
Flood Defences	317	0	0	0	0	0	0
Scarborough Bridge	189	87	0	0	0	0	87
Better Play Areas	145	127	0	0	0	0	127
Litter Bin Replacement Programme	16	225	0	0	0	0	225
Traffic control/ reduction and public realm improvements in Bishophill/ Mic	0	230	0	0	0	0	230
Knavesmire Culverts	146	81	0	0	0	0	81
Better Bus Area Fund	1	217	0	0	0	0	217
Flood Sign Renewal and Rainfall monitoring	0	200	0	0	0	0	200
Access Barrier Review	9	191	0	0	0	0	191
CCTV Asset Renewal	125	32	0	0	0	0	32
River Bank repairs	1	148	0	0	0	0	148
Stonegate Natural Stone Renewal	123	0	0	0	0	0	0
Non Illuminated Structural asset renewal	59	57	0	0	0	0	57
Parks and Open Spaces Developmet	75	0	0	0	0	0	0
Wheeled Bins in Back Lane and Terraced Areas	0	61	0	0	0	0	61
Car Park Improvements	0	38	0	0	0	0	38
Public Realm footpaths	20	0	0	0	0	0	0
Hazel Court conversion of storage area to operational hub	1	16	0	0	0	0	16
Rowntree Park Lodge	0	0	0	0	0	0	0
Pothole spotter trial	0	0	0	0	0	0	0
City Fibre Network	0	0	0	0	0	0	0
PROPERTY SERVICES							
York Central Infrastructure	2,538	1,900	38,476	0	0	0	40,376
Guildhall	10,115	2,160	0	0	0	0	2,160
Castle Gateway (Picadilly Regeneration)	903	5,425	0	0	0	0	5,425
Asset Maintenance + Critical H&S Repairs	301	310	250	250	250	250	1,310
Holgate Park Land – York Central Land and Clearance	0	397	0	0	0	0	397
LCR Revolving Investment Fund	0	300	0	0	0	0	300
29 Castlegate	113	159	0	0	0	0	159
Commercial Property Acquisition incl Swinegate	1	195	0	0	0	0	195
Shambles Modernisation - Power	0	180	0	0	0	0	180
Community Asset Transfer	0	175	0	0	0	0	175
Air Quality Monitoring (Gfund)	5	46	23	0	0	0	69
Built Environment Fund - Shopping Area Improvements	2	15	0	0	0	0	15
Shambles Health & Safety	1	15	0	0	0	0	15
York Central	0	0	0	0	0	0	0
FM & BUILDINGS							
Crematorium Waiting Room	9	233	0	0	0	0	233
Removal of Asbestos	0	237	0	0	0	0	237
West Offices - Major repairs	0	100	0	0	0	0	100
Hazel Court welfare facilities	1	95	0	0	0	0	95
Photovoltaic Energy Programme	0	94	0	0	0	0	94
Fire Safety Regulations - Adaptations	0	77	0	0	0	0	77
Registry office Phase 2 Refurbishment	1	72	0	0	0	0	72
Mansion House Restoration	0	24	0	0	0	0	24
Replacement of 2 Cremators	0	16	0	0	0	0	16
STADIUM & MAJOR PROJECTS							
Community Stadium	1,329	777	0	0	0	0	777
ICT							
IT Development plan	2,942	2,602	2,820	2,820	3,170	2,820	14,232
IT Superconnected Cities	0	120	0	0	0	0	120
CUSTOMER & CORPORATE SERVICES							
Capital Contingency	0	976	0	0	0	0	976
Project Support Fund	0	693	200	200	200	200	1,493
COMMUNITIES & CULTURE							
Libraries as Centres of Learning and Opportunity for all: Acomb & Clifton	263	2,024	3,700	726	0	0	6,450
Future Libraries	0	0	1,000	0	0	0	1,000
Westfield Multi Use Games Area	0	200	0	0	0	0	200
Explore self issue machines	0	100	0	0	0	0	100
Energise Roof	0	58	0	0	0	0	58
Explore Central Library Urgent Roof repairs	34	0	0	0	0	0	0
CLIMATE CHANGE							
Climate Change schemes including Northern Forest	131	1,134	400	250	250	0	2,034
GROSS EXPENDITURE BY DEPARTMENT							
PEOPLE DIRECTORATE							
CHILDRENS SERVICES	6,326	24,715	6,220	920	920	920	33,695
ADULT SOCIAL CARE	1,565	1,166	750	682	705	728	4,031
PLACE DIRECTORATE							
HOUSING & COMMUNITY SAFETY (HRA & GF)	30,251	63,430	46,959	37,006	32,154	13,044	192,593
TRANSPORT, HIGHWAYS & ENVIRONMENT	21,389	75,938	61,864	49,811	14,479	13,474	215,566
PROPERTY SERVICES	13,979	11,277	38,749	250	250	250	50,776
FM & BUILDINGS	11	948	0	0	0	0	948
CHIEF OPERATING OFFICER							
STADIUM & MAJOR PROJECTS	1,329	777	0	0	0	0	777
ICT	2,942	2,722	2,820	2,820	3,170	2,820	14,352
CUSTOMER & CORPORATE SERVICES	0	1,669	200	200	200	200	2,469
COMMUNITIES & CULTURE	297	2,382	4,700	726	0	0	7,808
CLIMATE CHANGE	131	1,134	400	250	250	0	2,034
TOTAL BY DEPARTMENT	78,220	186,158	162,662	92,665	52,128	31,436	525,049
TOTAL GROSS EXPENDITURE							
TOTAL GROSS EXPENDITURE	78,220	186,158	162,662	92,665	52,128	31,436	525,049
TOTAL EXTERNAL FUNDING	20,504	72,714	58,989	37,004	10,025	6,790	185,522
TOTAL INTERNAL FUNDING	57,716	113,444	103,673	55,661	42,103	24,646	339,527



Executive**16 June 2022**

Report of the Chief Finance Officer
Portfolio of the Executive Member for Finance & Performance

**Treasury management annual report and review of prudential indicators
2021/22****Summary**

1. The Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2021/22. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).
2. The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.
3. This report also confirms that the Council has complied with the requirement under the Code to give scrutiny to treasury management reports by Audit & Governance Committee.

Recommendations

4. Executive is asked to:

Note the 2021/22 performance of treasury management activity and prudential indicators outlined in annex A.

Reason: to ensure the continued performance of the treasury management function can be monitored and to comply with statutory requirements.

Background and analysis

The Economy and Interest Rates

5. Over the last two years, the coronavirus outbreak has done huge economic damage to the UK and to economies around the world. After the Bank of England took emergency action in March 2020 to cut Bank Rate to 0.10%, it left Bank Rate unchanged at its subsequent meetings until raising it to 0.25% at its meeting on 16th December 2021, 0.5% at its meeting of 4th February 2022 and then to 0.75% in March 2022. In May 2022 the rate increased again to 1.0%.
6. The UK economy has endured several false dawns through 2021/22, but with most of the economy now opened up and nearly back to business-as-usual, the GDP numbers have been robust (9% y/y Q1 2022) and sufficient for the Monetary Policy Committee to focus on tackling the second-round effects of inflation, now that the CPI measure has already risen to 6.2% and is likely to exceed 8% in April.
7. The squeeze on real household disposable incomes arising from the 54% leap in April utilities prices as well as rises in council tax, water prices and many phone contract prices, are strong headwinds for any economy to deal with. In addition, from 1st April 2022, employees also pay 1.25% more in National Insurance tax. Consequently, inflation will be a bigger drag on real incomes in 2022 than in any year since records began in 1955.
8. Average inflation targeting was the major change in 2020/21 adopted by the Bank of England in terms of implementing its inflation target of 2%. The key addition to the Bank's forward guidance in August 2020 was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably". However, a perfect storm of supply side shortages, labour shortages, commodity price inflation, the impact of Russia's invasion of Ukraine and subsequent Western sanctions all point to inflation being at elevated levels until well into 2023.
9. Investment returns remained close to zero for much of 2021/22. Most local authority lending managed to avoid negative rates and one feature of the year was the growth of inter local authority lending. The expectation for interest rates within the treasury management strategy for 2021/22 was that Bank Rate would remain at 0.1% until it was clear that to the Bank of England that the emergency level of rates introduced at the start of the pandemic were no longer required.
10. The Bank of England and the Government also maintained various monetary and fiscal measures supplying the banking system and the

economy with cheap credit so that banks could help businesses to survive the lockdown. The Government also supplied huge amounts of finance to local authorities to pass on to businesses. This meant that for most of the year there was much more liquidity in financial markets than there was demand to borrow, with the consequent effect that investment earnings rates remained low until towards the end of the year when inflation concerns indicated banks would need to lift interest rates to combat the effects of growing levels of inflation.

Overall treasury position as at 31 March 2022

11. The Council's year end treasury debt and investment position for 2021/22 compared to 2020/21 is summarised in the table below:

Debt	31/03/2022	Average Rate	31/03/2021	Average Rate
	£m	%	£m	%
General Fund debt	159.6	3.21	151.6	3.32
Housing Revenue Account (HRA) debt	146.4	3.21	146.4	3.23
PFI	44.0	n/a	45.2	n/a
Total debt	350.0	3.21	343.2	3.27
Investments				
Councils investment balance	38.8	0.10	8.3	0.17

Table 1 summary of year end treasury position as at 31 March 2022

Borrowing requirement and debt

12. The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR).

	31 March 2022 Actual £m	31 March 2022 Budget £m	31 March 2021 Actual £m
CFR General Fund	275.5	325.7	249.9
CFR HRA	146.4	146.4	146.4
PFI	44.0	44.0	45.2
Total CFR	465.9	516.1	441.5

Table 2 capital financing requirement

Borrowing outturn for 2021/22

13. During 2021-22, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.
14. A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.
15. The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this is kept under review to avoid incurring higher borrowing costs in the future.
16. During 2021/22 the following new loans were taken. The total of new loans was £15m. This borrowing was anticipated and is as a result of the progress made in delivering the capital programme. The associated revenue implications were included in the annual budget setting process.

Lender	Issue Date	Repayment Date	Amount £	Rate	Duration (years)
PWLB	15/03/2022	15/07/2044	5,000,000.00	2.40%	22.34
PWLB	17/03/2022	15/08/2045	5,000,000.00	2.48%	23.41
PWLB	17/03/2022	17/06/2047	5,000,000.00	2.47%	25.25

Table 3 – New loans in 2021/22

17. During 2021/22 the following existing loans matured. The total of maturing loans was £7m

Lender	Issue Date	Repayment Date	Amount £	Rate	Duration (years)
PWLB	11/08/2011	10/08/2021	2,000,000.00	3.81%	10.00
PWLB	23/11/2000	05/11/2021	1,000,000.00	4.75%	20.95
PWLB	03/04/2001	05/11/2021	1,000,000.00	4.75%	20.59
PWLB	15/11/2001	28/02/2022	3,000,000.00	4.50%	20.29

Table 4 – Maturing loans in 2021/22

18. No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

Investment outturn for 2021/22

19. The Council's investment policy is governed by DLUHC guidance, which has been implemented in the annual investment strategy approved by the Council on 25th February 2021. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.). The Council will also consider environmental, social and governance issues when placing investments through the use of the FTSE4Good index. The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.
20. The Council maintained an average investment balance of £45.722m in 2021/22 compared to £15.690m in 2020/21. The surplus funds earned an average rate of return of 0.10% in 2021/22 compared to 0.17% in 2020/21. Cash supporting the Council's reserves, balances and cash flow was used as an interim measure to delay and minimise long term borrowing throughout the year. This strategy was prudent as investment returns were low and minimised counterparty risk.
21. The level of cash balances available is largely dependent on the timing of the Council's cash flow as a result of precept payments, receipt of grants, receipt of developers contributions, borrowing for capital purposes, payments to its suppliers of goods and services and spend progress on the Capital Programme. Cash held compared with this time last year has increased rather than decreased due to the timing of these cash flows and the cash balances are therefore only available on a temporary basis. Cash balances have been helped in 2021/22 by cash transactions between the Council and DLUHC as per paragraph 10 and in relation to business rates as set out in previous reports.
22. The comparable performance indicator for the Councils investment performance is the average London Inter Bank Bid Rate (LIBID) which represents the average interest rate at which major London banks borrow from other banks. The LIBID rates ceased at 31st December 2021 and therefore from 1st January 2022 the Council is using the average Sterling Overnight Index Average (SONIA) as a comparable performance indicator. LIBID is the rate that banks are willing to pay for deposits in the London interbank market while SONIA is based on actual transactions reflecting the average of the interest rates that banks pay to borrow sterling overnight.

23. Table 5 shows the rates for financial year 2021/22 up to 31st December 2021 using LIBID and Table 6 shows the period from 1st January 2022 up to 31st March 2022 using SONIA. The comparators given are based on overnight, 7 day and 3 month benchmarks. The Council has held cash liquid or in short term notice deposits over the year and so as the Bank of England has increased interest rates from 0.10 to 0.75 between December 2021 and March 2022 the Councils average rate of return, while increasing, has remained lower than SONIA due to the liquid nature of the cash holdings.

Benchmark	Benchmark Return	Council Performance
Overnight	-0.08	0.05
7 day	-0.07	0.05
3 month	-0.02	0.05

Table 5 – LIBID (1st Apr. 21 - 31st Dec. 2021) vs. CYC comparison (1st Jan. 22 - 31st Mar. 22)

Benchmark	Benchmark Return	Council Performance
Overnight	0.39	0.26
7 day	0.38	0.26
3 month	0.66	0.26

Table 6 – SONIA (1st Jan. 22 - 31st Mar. 22) vs. CYC comparison (1st Jan. 22 - 31st Mar. 22)

Consultation

24. The report will be reviewed and scrutinised by Audit and Governance Committee on 29th June 2022.

Options

25. Not applicable.

Council Plan

26. Effective treasury management ensures the Council has sufficient liquidity to operate, safeguards investments, maximises return on those

investments and minimises the cost of debt. This allows more resources to be allocated for delivering the Council's priorities as set out in the Council Plan.

Implications

27. This report has the following implications:

- **Financial** are contained throughout the main body of the report.
- **Human Resources (HR)** There are no HR implications.
- **One Planet Council / Equalities** There are no One Planet Council or equalities implications.
- **Legal** Treasury management activities have to conform to the Local Government Act 2003, which specifies that the Council is required to adopt the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice.
- **Crime and Disorder** There are no crime and disorder implications.
- **Information Technology (IT)** There are no IT implications.
- **Property** There are no property implications.
- **Other** There are no other implications.

Risk Management

28. The treasury function is a high-risk area due to the large value transactions that take place. As a result, there are strict procedures set out as part of the treasury management practices statement. The scrutiny of this and other monitoring reports is carried out by Audit and Governance Committee as part of the Council's system of internal control.

Contact Details

Authors:		Chief Officer Responsible for the report:		
Debbie Mitchell Chief Finance Officer		Debbie Mitchell Chief Finance Officer		
Tony Clark Accounting Technician		Report Approved	✓	Date 1/6/22
Wards Affected: List wards or tick box to indicate all				All ✓
For further information please contact the author of the report				

Background Papers:

None

Annexes:

Annex A: Prudential Indicators 2021/22

List of Abbreviations Used in this Report

CIPFA - Chartered Institute of Public Finance & Accountancy

CYC – City of York Council

MRP - Minimum Revenue Provision

CFR - Capital Financing Requirement

MPC - Monetary Policy Committee

PWLB - Public Works Loan Board

MHCLG – Ministry of Housing, Communities and Local Government

DLUHC – Department for Levelling Up, Housing and Communities

LIBID – London Interbank Bid Rate

SONIA – Sterling Overnight Index Average

Prudential Indicators 2021/22 Outturn

	Prudential Indicator		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
1	Capital expenditure To allow the authority to plan for capital financing as a result of the capital programme and enable the monitoring of capital budgets.	GF	£50.3m	£130.5m	£118.0m	£58.0m	£22.3m	£21.0m
		HRA	£27.9m	£55.7m	£44.7m	£34.6m	£29.8m	£10.5m
		Other LT	£0.0m	£0.0m	£0.0m	£2.7m	£0.5m	£0.5m
		<u>Total</u>	<u>£78.2m</u>	<u>£186.2m</u>	<u>£162.7m</u>	<u>£95.3m</u>	<u>£52.6m</u>	<u>£32.0m</u>
2	CFR Indicates the Council's underlying need to borrow money for capital purposes. The majority of the capital programme is funded through government support, government grant or the use of capital receipts. The use of borrowing increases the CFR.	GF	£275.5m	£333.9m	£388.8m	£400.9m	£404.3m	£409.1m
		HRA	£146.4m	£146.4m	£146.4m	£149.8m	£153.4m	£153.4m
		Other LT	£44.0m	£42.8m	£41.7m	£43.3m	£42.1m	£41.0m
		<u>Total</u>	<u>£465.9m</u>	<u>£523.1m</u>	<u>£576.9m</u>	<u>£594.0m</u>	<u>£599.8m</u>	<u>£603.5m</u>
3	Ratio of financing costs to net revenue stream An estimate of the cost of borrowing in relation to the net cost of Council services to be met from government grant and council taxpayers. In the case of the HRA the net revenue stream is the income from rents. <i>Note that in future years some of the forecast debt will be directly funded by business rates income and a number of other self financing schemes, where income is generated to meet the cost of investment in the scheme. Therefore the actual figure will be lower than shown here.</i>	GF	7.47%	9.60%	11.95%	13.60%	14.34%	15.07%
		HRA	13.89%	13.31%	12.81%	12.52%	12.34%	12.16%
		<u>Total</u>	<u>8.72%</u>	<u>10.32%</u>	<u>12.12%</u>	<u>13.38%</u>	<u>13.93%</u>	<u>14.46%</u>
4	External debt To ensure that borrowing levels are prudent over the medium term the Council's external borrowing, net of investments, must only be for a capital	Gross Debt	£350.0m	£412.8m	£473.7m	£499.3m	£514.1m	£527.9m
		Invest	£38.8m	£10.0m	£10.0m	£10.0m	£10.0m	£10.0m
		<u>Net Debt</u>	<u>£311.2m</u>	<u>£402.8m</u>	<u>£463.7m</u>	<u>£489.3m</u>	<u>£504.1m</u>	<u>£517.9m</u>

	Prudential Indicator		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	purpose and so not exceed the CFR.							
5 a	<p>Authorised limit for external debt</p> <p>The authorised limit is a level set above the operational boundary in acceptance that the operational boundary may well be breached because of cash flows. It represents an absolute maximum level of debt that could be sustained for only a short period of time. The council sets an operational boundary for its total external debt, gross of investments, separately identifying borrowing from other long-term liabilities.</p>	Borrowing / Other long term liabilities	<p>£526.1m</p> <p>£30.0m</p> <hr/> <p>£556.1m</p> <p>(£556.1m set at 2021/22 Strategy)</p>	<p>£525.0m</p> <p>£30.0m</p> <hr/> <p>£555.0m</p> <p>(£555.0m set at 2022/23 Strategy)</p>	<p>£586.9</p> <p>£30.0m</p> <hr/> <p>£616.9m</p> <p>(Based on current CFR projection)</p>	<p>£604.0m</p> <p>£30.0m</p> <hr/> <p>£634.0m</p> <p>(Based on current CFR projection)</p>	<p>£609.8m</p> <p>£30.0m</p> <hr/> <p>£639.8m</p> <p>(Based on current CFR projection)</p>	<p>£613.5m</p> <p>£30.0m</p> <hr/> <p>£643.5m</p> <p>(Based on current CFR projection)</p>
5 b	<p>Operational boundary for external debt</p> <p>The operational boundary is a measure of the most likely, prudent, level of debt. It takes account of risk management and analysis to arrive at the maximum level of debt projected as part of this prudent assessment. It is a means by which the authority manages its external debt to ensure that it remains within the self-imposed authority limit. It is a direct link between the Council's plans for capital expenditure; our estimates of the capital financing requirement; and estimated operational cash flow for the year.</p>	Borrowing / Short Term Liquidity Requirement	<p>£465.9m</p> <p>£60.2m</p> <hr/> <p>£526.1m</p> <p>(£526.1m set at 2021/22 Strategy)</p>	<p>£523.1m</p> <p>£1.9m</p> <hr/> <p>£525.0m</p> <p>(£525.0m set at 2022/23 Strategy)</p>	<p>£576.9m</p> <p>£10.0m</p> <hr/> <p>£586.9m</p> <p>(Based on current CFR projection)</p>	<p>£594.0m</p> <p>£10.0m</p> <hr/> <p>£604.0m</p> <p>(Based on current CFR projection)</p>	<p>£599.8m</p> <p>£10.0m</p> <hr/> <p>£609.8m</p> <p>(Based on current CFR projection)</p>	<p>£603.5m</p> <p>£10.0m</p> <hr/> <p>£613.5m</p> <p>(Based on current CFR projection)</p>

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