

**Notice of a public meeting of  
Executive**

**To:** Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Lisle, Rawlings, Runciman and Waller

**Date:** Thursday 13 July 2017

**Time:** 5.30 pm

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

**AGENDA**

**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 17 July 2017**.

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

**1. Declarations of Interest**

At this point, Members are asked to declare:

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

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

## 2. Exclusion of Press and Public

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

- Annexes 1 and 2 to Agenda Item 9 (Award of Contract for Security Services)
- Annexes 1a, 1b, 2 and 3 to Agenda Item 10 (Establishing an Investment Budget for a Strategic Commercial Acquisition)

on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

## 3. Minutes

The minutes of the last Executive meeting held on 29 June 2017 will be considered at the Executive meeting on 27 July 2017.

## 4. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Wednesday 12 July 2017**. Members of the public can speak on agenda items or matters within the remit of the committee.

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

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

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

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

*The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at [http://www.york.gov.uk/download/downloads/id/11406/protocol\\_f\\_or\\_webcasting\\_filming\\_and\\_recording\\_of\\_council\\_meetings\\_20160809.pdf](http://www.york.gov.uk/download/downloads/id/11406/protocol_f_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf)*

- 5. Forward Plan** (Pages 1 - 6)  
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.

- 6. Report on Work of the Financial Inclusion Steering Group 2016/17 and 2017/18 Update** (Pages 7 - 16)

The Assistant Director of Customer & Digital Services to present a report which outlines the work of the Financial Inclusion Steering Group (FISG) in 2016/17 and 2017/17 to date.

- 7. York Central Update and Partnership Agreement** (Pages 17 - 34)  
The Assistant Director for Regeneration and Asset Management to present a report which outlines the progress to date and sets out the council's commitment to developing a formal partnership agreement and the programme of work to take the scheme through to the submission of Planning Applications.

- 8. Proposed York Outer Ring Road Improvements – Approach to Delivery** (Pages 35 - 62)  
The Director of Economy and Place and the Head of Transport to present a report which sets out the proposed approach to the project and seeks approval of the delivery methodology for the development and construction of the seven targeted improvements to junctions on the north York Outer Ring Road over the next 5 years.

- 9. Award of Contract for Security Services** (Pages 63 - 78)  
The Head of Property Design and Facilities Management to present a report which provides details of the result of the evaluation of the tenders received for the provision of the Provision of Security Services and CCTV Operatives and Equipment (Corporate Security Services). Members are asked to approve the award of a contract for the provision of the service to the winning suppliers, subject to minor amendments as the result of clarification of terms.
- 10. Establishing an Investment Budget for a Strategic Commercial Property Acquisition** (Pages 79 - 128)  
The Assistant Director of Regeneration and Asset Management to present a report regarding an opportunity for the council to acquire the freehold interest in a portfolio of properties in the city centre that will ensure the ongoing maintenance of the buildings, support the economic vibrancy of the city centre and generate significant additional income to contribute to the increased budget income target set for the council's commercial portfolio.
- 11. City of York Local Plan** (Pages 129 - 164)  
The Head of Strategic Planning to present a report which (i) provides an update on the work undertaken on the MOD sites highlighted in previous reports; (ii) seeks the views of Members on the methodology and studies carried out to inform the housing and employment that the City is tasked with accommodating; (iii) seeks the views of Members on the most appropriate way of accommodating this future growth; (iv) asks for approval of non-housing and employment site specific policies; and (v) requests approval for officers to undertake the necessary work to produce a draft plan based on the recommendations of the Executive for the purposes of consultation along with associated technical papers.

Please note that Annexes 1 – 11 are available online.

- 12. Urgent Business**  
Any other business which the Chair considers urgent under the Local Government Act 1972.



Executive Support Officer:

Name: Carol Tague

Contact details:

- Telephone – (01904) 552094
- E-mail – carol.tague@york.gov.uk

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

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

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جا سکتی ہیں۔ (Urdu)

 **(01904) 551550**

This page is intentionally left blank

**Forward Plan: Executive Meeting: 13 July 2017**

**Table 1: Items Scheduled on the Forward Plan for the Executive Meeting on 27 July 2017**

Title and Description	Author	Portfolio Holder
<p><b>Community Stadium Project Report</b></p> <p>To present an update on the Community Stadium Project and seek Member approval to move forward to financial close.</p>	Mark Wilson	Executive Member for Culture, Leisure & Tourism

**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 31 August 2017**

Title and Description	Author	Portfolio Holder
<p><b>Future Management of Allotments</b></p> <p>Purpose of Report: Report on the future management of allotments by way of a Charitable Incorporated Organisation, which will take on the letting and management of 1,250 allotment plots spread over 18 sites.</p> <p>Executive will be asked to approve the letting of 18 allotment sites to the Trustees of the Charitable Incorporated Organisation.</p>	Tim Bradley / Dave Meigh	Executive Member for Culture, Leisure & Tourism
<p><b>Enforcement Policy</b></p> <p>Purpose of Report: To update Members on enforcement activity over 2015-16 and seek approval of an updated policy.</p> <p>Members will be asked to approve the new policy.</p>	Matthew Boxall	Executive Member for Culture, Leisure & Tourism

**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 31 August 2017 (continued)**

Title and Description	Author	Portfolio Holder
<p><b>Scarborough Bridge – Footbridge Replacement and Upgrade</b></p> <p>Purpose of Report: The report will outline the proposals to replace and upgrade the existing footbridge spanning the river Ouse adjacent to ‘Scarborough (Railway) Bridge’. The new bridge will be substantially wider to enable shared pedestrian and cycle use and feature ramped access from all sides, providing a continuous traffic-free and step-free route from York Station to the northern embankment of the river, in addition to the city centre itself. Network Rail will be further commissioned to lead on the design and full construction of this asset, to be delivered during 2018.</p> <p>Members will be asked to (i) Approve in principle the replacement and upgrade of the Scarborough Bridge footbridge; (ii) Subject to relevant planning consent being granted, give permission to proceed to construction of the upgraded bridge and associated ramps / structures; and (iii) Grant the Assistant Director for Transport, Highways &amp; Environment delegated powers to make any future required amendments to the scheme as a result of emerging detailed design etc.</p>	Richard Holland	Executive Member for Transport and Planning
<p><b>Short Break Service for Adults with a Learning Disability based at Flaxman Aven</b></p> <p>Purpose of Report: To seek agreement to re-commission the Short Breaks Service for adults with a learning disability based at Flaxman Avenue.</p> <p>Members will be asked to agree to undertake a tender exercise to procure a provider to deliver the Short Breaks Service for adults with a learning disability based at Flaxman Avenue.</p>	Gary Brittain	Executive Member for Adult Social Care and Health

**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 31 August 2017 (continued)**

Title and Description	Author	Portfolio Holder
<p><b>Commissioning a Day Base for Adults with a Learning Disability at Burnholme Community Centre</b></p> <p>Purpose of Report: To propose the development of a day base for adults with a learning disability to be situated at Burnholme Community Centre as sighted in previous papers relating to the site.</p> <p>Members are asked to agree to go to tender to procure a provider to deliver support for adults with a learning disability from a Day Base to be located at Burnholme Community Centre.</p>	Gary Brittain	Executive Member for Adult Social Care & Health
<p><b>Investment in new Extra Care Accommodation for older people at Marjorie Waite Court following the closure of Burton Stone Lane Community Centre</b></p> <p>Purpose of the report: Executive will receive information on the outcome of public consultation concerning the future of Burton Stone Lane Community Centre and will be asked to confirm its closure and approve investment into the provision of new Extra Care accommodation for older people and new community facilities in its place.</p> <p>Executive will be asked to agree to invest in new Extra Care accommodation for older people and new community facilities as an extension to Marjorie Waite Court following the closure of Burton Stone Lane Community Centre.</p>	Roy Wallington	Executive Member for Adult Social Care and Health

**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 31 August 2017 (continued)**

Title and Description	Author	Portfolio Holder
<p><b>A Further Phase of the Older Persons' Accommodation Programme Deciding the Future of Woolnough House Older Persons' Home</b></p> <p>Purpose of Report: To provide Members with the results of the consultation undertaken with the residents, relatives and staff of Woolnough House residential care home to explore the option to close the home with current residents moving to alternative accommodation, and for Members to make a decision about whether to close Woolnough House. The context for this decision is that the Older Persons' Accommodation Programme aims to meet people's changing needs for accommodation with care, and in-particular the needs of those with dementia and the demographic challenges faced by the city, through delivering additional Extra Care accommodation and new, good quality, residential and nursing care accommodation.</p> <p>Members are asked to make a decision about whether to close Woolnough House residential care home and, if a decision is made to close it, require that residents' moves to their new homes are carefully planned and managed in line with the Moving Homes Safely protocol. The report will also seek sanction to consult on the option to close a further two homes.</p>	Roy Wallington	Executive Member for Adult Social Care and Health
<p><b>Investment in new Extra Care Accommodation for older people at Marjorie Waite Court following the closure of Burton Stone Lane Community Centre</b></p> <p>Purpose of the report: Executive will receive information on the outcome of public consultation concerning the future of Burton Stone Lane Community Centre and will be asked to confirm its closure and approve investment into the provision of new Extra Care accommodation for older people and new community facilities in its place.</p> <p>Executive will be asked to agree to invest in new Extra Care accommodation for older people and new community facilities as an extension to Marjorie Waite Court following the closure of Burton Stone Lane Community Centre.</p>	Roy Wallington	Executive Member for Adult Social Care and Health

**Table 4: Items Slipped on the Forward Plan**

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p><b>Future Management of Allotments</b></p> <p>Purpose of Report: Report on the future management of allotments by way of a Charitable Incorporated Organisation, which will take on the letting and management of 1,250 allotment plots spread over 18 sites.</p> <p>Executive will be asked to approve the letting of 18 allotment sites to the Trustees of the Charitable Incorporated Organisation.</p>	<p>Tim Bradley / Dave Meigh</p>	<p>Executive Member for Culture, Leisure &amp; Tourism</p>	<p>29/06/17 13/07/17</p>	<p>31/08/17</p>	<p>To allow more time for the proposed Charitable Incorporated Organisation to become legally constituted.</p>
<p><b>Events Strategy</b></p> <p>Purpose of Report: The report proposes an approach to developing key events in the city.</p> <p>Executive will be asked to approve the strategy and use of appropriate business rates pool funding to support it.</p>	<p>Charlie Croft</p>	<p>Executive Member for Culture, Leisure &amp; Tourism</p>	<p>18/05/17</p>	<p>28/09/17</p>	<p>The decision date has been deferred from 18 May to 28 September 2017 to allow further time to develop the strategy in light of the current scrutiny review of the Council's role in culture.</p>

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p><b>Community Stadium Project Report</b></p> <p>To present an update on the Community Stadium Project and seek Member approval to move forward to financial close.</p>	<p>Mark Wilson</p>	<p>Executive Member for Culture, Leisure &amp; Tourism</p>	<p>13/07/17</p>	<p>27/07/17</p>	<p>To ensure appropriate time is available for on going officer due diligence to be concluded before presenting an update to the Executive on the new building contractor costs received through GLL's builder re-procurement exercise, this item has been moved to an additional Executive meeting that will take place on 27 July 2017.</p>





---

**Executive****13<sup>th</sup> July 2017**

Report of the Deputy Chief Executive & Director of Customer & Corporate Services

Joint Report of Executive Member for Finance & Performance and Executive Member for Adult Social Care & Health

**Report on Work of the Financial Inclusion Steering Group for 2016/17 and 2017/18 Update****Summary**

1. This report covers the work in 2016/17 and 2017/18 to date of the Financial Inclusion Steering Group (FISG). Its purpose is to inform Members of the progress made in delivering financial inclusion activity across the city. It also provides information about the Council Tax Support (CTS) Scheme, the delivery of the York Financial Assistance Scheme (YFAS) and an update on Discretionary Housing Payments (DHP).

**Recommendations**

2. Executive Members are asked to:
  - Note the work of the Financial Inclusion Steering Group in 2016/17 and 2017/18 to date.

Reason: to ensure Members are aware of Financial Inclusion activity and how related financial support is administered through CTS and YFAS schemes to inform planning for future financial pressures relating to these schemes and to ensure that support continues to be effectively provided.

**Background**

3. The Financial Inclusion Steering Group (FISG) was set up in January 2013 following former Cabinet approval. Membership includes council directorate representatives, Citizens Advice York (CAY), Advice York (AY) and South Yorkshire Credit Union (SYCU) as well as the Executive Member for Adult Social Care and Health.

4. The group's purpose is:

**'To ensure that local people have the knowledge of and access to appropriate services, allowing them to make more informed choices to achieve and maintain financial stability'.**

5. The aim of the group is to secure the following outcomes:

- Ensure that residents have the knowledge to manage their finances effectively
- Better coordination of advice services across the city
- Advice givers and those 'sign posting' better understand the welfare benefits system
- Explore opportunities to reduce general living expenses.

6. FISG has responsibility for the strategic oversight of the council's DHP, YFAS and CTS schemes.

7. It is also responsible for overseeing the delivery of financial inclusion work including the allocation of funds to projects delivered by partners that meet the group's objectives. FISG has an agreed base budget of £100k for 2017/18 and 2018/19. In February 2017 Council agreed a further £100k per year to be allocated to projects with an additional £25k per year to fund specific debt advice related support work.

8. To target resources effectively to those who most need support, bids are invited from partners for projects that promote financial inclusion. These are subject to panel selection at which bidders make a presentation about their proposals. Rigorous selection is made against a range of criteria. Successful schemes are subject to the council's Financial Regulations and a Service Level Agreement. Grants are paid by instalment over the life of the project with regular reporting on progress built in to ensure delivery.

## Funded projects 2016/17

9. In 2016/17, two bids were awarded funding:

*Table 1: FISG project grants awarded in 2016/17*

Provider	Project Title	Description	Duration	Period	Grant
The Blueberry Academy	My Choice	To work with people with learning difficulties to raise their financial confidence and skill levels to increase their financial independence. Provide them with knowledge to access future support.	12 months	1/8/16-31/7/17	£24,852
CYC (York Learning)	Making More of Your Money	Support unemployed/low waged residents who use York Foodbank to make the most of their finances through accessing advice, guidance, support and training that improves their circumstances and promotes independence.	12 months	1/6/16-31/5/17	£21,036

**Total      £45,888**

10. Monitoring of the projects funded in 2016/17 is ongoing. Outcomes so far include the following:

- **The Blueberry Academy, My Choice**

11. Two 10 week training courses are now underway as part of the My Choice project, with one to one support also offered to those learners that require it. Further, work has been done to integrate financial awareness into Education Health and Care Plan (EHCP) meetings which is bringing rewards e.g. personal bank cards given to some learners, learners being more involved in budget planning.

- **CYC (York Learning), Making More of Your Money**

12. Since the project started in June 2016, 160 clients have accessed information, advice and guidance through the service with 69 clients accessing in depth support. Of those, 13 have completed Functional Skills, 18 have completed a budgeting exercise, 8 have completed a savings exercise, 14 joined digital training classes and 14 have attended an online job search workshop. Staff have also received welfare benefits training.

## Funded projects 2017/18

13. The FISG Annual Report 2015/16 highlighted that more could be done to promote its work more widely. As a result, some additional publicity took place in advance of the 2017/18 bidding process to promote interest in the available funding. This was to ensure agencies in the city knew how and when to apply for funding, as well as what kind of projects were suitable.

This included rebranding the available money as the '*Improving Finances, Improving Lives*' fund and holding a launch event to encourage a wider range of organisations to apply. This took place on 3/4/17 and was attended by 14 representatives of advice organisations in the city.

14. Following this, ten bids were submitted and nine further grants were made:

*Table 2: FISG project grants awarded in 2017/18*

<b>Provider</b>	<b>Project Title</b>	<b>Description</b>	<b>Duration</b>	<b>Period</b>	<b>Grant</b>
Citizens Advice York	Specialist Debt Support Advice	Provide a specialist debt caseworker to support clients to manage debts and budgets and build confidence in money management for future. Service 18.5 hours p/w plus 9 hours admin p/w. Appointments at W/O, community venues and via phone.	24 months*	1/07/17 - 30/06/19	£49,875
Experience Counts	Experience Counts: 50 plus project	Deliver workshops in Tang Hall for residents aged 50+ and unemployed /at risk of redundancy/ returning to work, to help with employment prospects e.g. work on self esteem, CVs, mock interviews	7 months	01/09/17 - 14/03/18	£5,647
Citizens Advice York	GP Surgeries Advice Project	Continue and develop previous project to provide an advice service within GP surgeries for 30 hours per week. 2 full day sessions at Priory Medical Group plus sessions at 2 new practices.	12 months	1/07/17 – 30/06/18	£33,361
The Blueberry Academy	My Choice Plus	To enhance 'My Choice' project outlined above through investment in mobile technology to support staff and trainees to access information, make assessments/ calculations, fill out applications etc.	12 months	1/07/17 – 30/06/18	£6,000
Citizens Advice York	Information and Budgeting Cafes	Run 'information and budgeting cafes' in Tang Hall and Acomb to increase people's financial capability with a focus on prospective CYC tenants.	12 months	1/07/17 – 30/06/18	£19,089
York Foodbank	Making More of Your Money	Building on previous FISG project, deliver IAG to food bank users to help tackle barriers to financial inclusion.	12 months	01/08/17 - 31/07/18	£8,340
Peasholme Charity	My Money, My Life... a pathway approach to financial capability	Develop Peasholme's financial capability service, including through online information/ advice, drop in support at community venues, benefits advice, crisis interventions and signposting.	17 months	1/5/17 - 30/9/18	£17,663

Provider	Project Title	Description	Duration	Period	Grant
Changing Lives	Financial Inclusion Champion	Fund a Financial Inclusion Officer for Changing Lives customers to help clients address financial difficulties and support them to develop skills to avoid future crisis. Both 1:1 appointments and drop ins.	12 months	01/08/17 - 01/08/18	£25,000
Welfare Benefits Unit	Universal Credit Focus	To offer support to advisers dealing with queries from clients regarding Universal Credit.	12 months	01/06/17 - 31/05/18	£16,070
<b>Total</b>					<b>£ 181,045</b>

\*For debt advice support funding, bids were encouraged for 2 years to provide continuity.

15. The decision was taken on 12/5/17 by the Director of Customer and Corporate Services following approval by the Executive Member for Adult Social Care and Health. The projects will be regularly monitored through a Service Level Agreement and regular update reports.

### Other activities

16. FISG partners continue to work together to take a coordinated approach to supporting York residents affected by Welfare Reform (for example the lower benefit cap implemented from November 2016). This has included working with colleagues across CYC and throughout the city (e.g. with housing associations) to ensure a coordinated city wide approach is adopted.
17. The South Yorkshire Credit Union (SYCU) has been actively involved in FISG for several years. There are two SYCU branches in York – Acomb and West Offices – with work ongoing to provide affordable financial services and goods to York residents. In addition, a payroll deduction scheme for CYC staff who are SYCU members has been implemented and the Tenancy Support Scheme has just been launched for CYC tenants. This is a scheme run by SYCU, and used by other social landlords, which enables tenants' arrears to be paid off through a loan from SYCU. This is a way to help tenants protect their tenancy and manage their debts more effectively. So far, whilst still in the early days of both schemes, both have had low take up, and work is ongoing between CYC and SYCU to look at how these schemes can be promoted more effectively.

### Council Tax Support (CTS)

18. Following consultation a decision was taken by Executive on 15th December 2015, to increase the maximum amount of CTS available by 7.5% to 77.5% effective from 1<sup>st</sup> April 2016. In 2016/17 the total value of bills raised for working age residents on Council Tax Support was £2,389k, with the collection rate at 79.65%, making the value of uncollected council

tax £487k. For context, in 2015/16 the collection rate was 74.94% and the value not collected was £643k. Although it is not possible to infer that the improved collection rate is a direct result of the increase in the maximum amount of CTS available, it is positive that the value of the collection rate has increased which suggests that more people are able to afford to pay their council tax.

19. Additionally, the 'council tax discretionary reduction scheme' (managed and funded under the YFAS umbrella) can provide financial help to any council tax payer who find themselves in difficulty with paying their council tax, subject to scheme criteria. Reductions are made on hardship grounds with each application considered on its own individual merits and based on their net council tax liability after any discounts, exemptions, reductions for disabilities or CTS have been applied. In 2016/17 £23,957 was awarded under this scheme compared to £26,745 in 2015/16.

### **Discretionary Housing Payments (DHP)**

20. Tenants on Housing Benefit (HB) or receiving the housing element of Universal Credit (UC) can claim DHP from the council if the amount they get is less than their rent and they are struggling to pay their landlord the difference. It is largely intended to be a short term award. The council receives a direct grant from the Department for Work and Pensions (DWP) to fund DHP payments and this can be increased from local resources up to a maximum of 2.5 times the DWP grant. In 2016/17 the council made 512 awards totaling £180,842 which was within the DWP grant of £205,155. This was an increased spend on 2015/16 where a total of £160,896 was awarded to 537 residents.
21. The DWP DHP grant for 2017/18 is £256,596 and expenditure by the end of May 2017 was £57,061 (20% of the total available budget). It should be noted that DHP spend does not follow a linear profile as spend tends to be higher at the start of the year.
22. With an unpredictable impact on demand for DHPs following the planned roll-out of 'full service' Universal Credit in July 2017 there will be close monitoring of expenditure in this area.

### **York Financial Assistance Scheme (YFAS)**

23. YFAS was established in April 2013, following the transfer of responsibility and funding from central government. The former national scheme, delivered by the DWP, was part of the Social Fund. Funding was allocated to local authorities to replace the Crisis Loans and Community Care Grants elements. YFAS is locally administered and can assist residents to stay or move into the community or with emergencies.

24. The government ended the existing funding arrangements for these local schemes from April 2015. However, the council committed additional funding to support YFAS following the withdrawal of this direct grant.
25. From April 2013 to April 2015 assistance was provided through non-repayable grants with residents receiving pre-loaded cash cards that could be used to pay for goods in shops or to withdraw cash at cash-point machines.
26. A review in 2014 resulted in a revised scheme from April 2015 which largely removed the 'cash element'. It now provides essential household goods (delivery and fitting) such as beds, cookers, and fridges, directly through the Community Furniture Store as well as supermarket food vouchers, fuel top-ups for emergencies and pre-paid cards in exceptional circumstances. Food bank vouchers are issued through other supporting agencies.
27. There have been no changes to the scheme since 2015 and feedback from stakeholders has been positive. A recent internal audit of the scheme completed in February 2017 gave an opinion of 'Substantial Assurance' as an overall assessment of controls present within its processes.
28. A summary of expenditure in 2016/17 is shown below:

*Table 3: Household types helped*

Category	Number
Single people, no children	663
Households with children	528
Couples, no children	29
Over pension age	40
<b>Total</b>	<b>1260</b>

*Table 4: Types of spend*

Category	Spend
Goods (fridges/cookers)	£170,256
Supermarket vouchers	£23,190
Help with energy bills	£5,802
Other	£3,885
<b>Total</b>	<b>£203,133</b>

*Table 5: Category of spend*

Category	Spend
Community	£171,944
Emergency	£31,188
<b>Total</b>	<b>£203,133</b>

29. By way of comparison, total spend in 2015/16 was £200,028 which shows a marginal increase. Following a review of budgets and the availability of underspends from previous years, the budget for 2017/18 is £209,590 and requires close monitoring going forward but will be considered alongside the success/impact of the FISG approved projects mentioned earlier in this report.

## Consultation

30. Not applicable.

## Analysis

31. There is no further analysis other than the information in this report.

## Council Plan

32. Outcomes achieved through the Financial Inclusion Steering Group support the commitment to achieve 'a prosperous city for all' through promoting financial inclusion by supporting the Living Wage, supporting voluntary organisations and developing financial inclusion work with measurable outcomes.

## Implications

33.

- a. **Financial.** Future funding of FISG projects and YFAS will be covered within the Budget process later in 2017/18, although as noted in paragraph 7 above some funding has already been committed for 2017/18 and 2018/19.
- b. **Human Resources (HR).** The ability to administer the YFAS scheme will depend on future budget available.
- c. **Equalities.** None.
- d. **Legal.** None.
- e. **Crime and Disorder.** None
- f. **Information Technology (IT).** None if no current change to service provision.
- g. **Property.** None.
- h. **Other.** None.

## Risk Management

34. The key risks are in relation to YFAS are:

- Managing the costs of the service (both service delivery and administration) within a fixed budget for 2017/18.
- Managing the budget to ensure that customers get the same service irrespective of when they apply in the financial year.
- Minimising opportunities for abuse, whilst ensuring that customers who need help can access scheme easily and quickly
- Any failure to provide an appropriate service will have a negative impact on the wellbeing of vulnerable people and the reputation of the council.



**Contact Details****Author:**

John Madden / Alice Rowland *Strategy & Policy Officers, Health, Housing & Adult Social Care*  
Tel No. 01904 551132

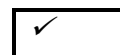
Pauline Stuchfield Assistant Director  
Customer & Digital Services  
Tel No. 01904 551706

**Chief Officer Responsible for the report:**

Ian Floyd  
Deputy Chief Executive and  
Director Customer and  
Corporate Services

**Report Approved****Date 14/6/17****Specialist Implications Officer(s)** *List information for all***All**

Financial: Ian Floyd  
Director of Customer & Business Support Services

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

**Report of Cabinet Member for Finance, Performance & Customer Services 26/1/17** - Report on work of the Financial Inclusion Steering Group 2015/16 and 2016/17 update

**List of Abbreviations**

AY Advice York  
CAY Citizen's Advice York  
CFS Community Furniture Store  
CTS Council Tax Support  
CYC City of York Council  
DHP Discretionary Housing Payment  
DWP Department for Works and Pensions  
FISG Financial Inclusion Steering Group  
SYCU South Yorkshire Credit Union  
YFAS York Financial Assistance Scheme  
HB Housing Benefit  
UC Universal Credit  
m £million  
k £thousand

This page is intentionally left blank



---

**Executive****13 July 2017****Report of the Director of Economy and Place****Portfolio of the Executive Member for Finance and Performance and  
Executive Member for Economic Development & Community Engagement****York Central – Update - Partnership Agreement****Summary**

1. York Central is a 72 hectare (ha) area of land adjacent to the railway station and is one of the largest brownfield sites in northern England. It provides a huge opportunity for regeneration providing new homes and Grade A commercial office space. The site is identified in the Local Plan for residential development of up to 1,500 dwellings and 100,000 sqm of commercial floor space including B1 Office.
2. The scheme is being promoted by the York Central Partnership (YCP) which is made up of the City of York Council (CYC), Network Rail (NR) the Homes and Communities Agency (HCA) and the National Railway Museum (NRM). The YCP are developing a comprehensive master plan for the regeneration of York Central.
3. The project is at a crucial stage as the master planning and viability assessment approach completion and YCP prepare both for consultation leading on to planning and for the formalisation of the YCP and the agreement of a financial model.
4. This report outlines the considerable progress to date and sets out the council's commitment to developing a formal partnership agreement and the programme of work to take the scheme through to the submission of Planning Applications. This includes public consultation and outlines two consultations to be undertaken by the YCP over the summer and autumn that will seek views on the access options and then on the comprehensive master plan. The report also outlines the required finance to deliver the next phase of the project.

## Recommendations

### 5. Executive is asked :

- i. To note the plan for the York Central Partnership to undertake public consultation on access options and the master plan which will lead to the submission of outline and detailed planning applications
- ii. Agree to receive a further report in October setting out the York Central Partnership proposed master plan including a recommended access option and presenting the formal YCP partnership agreement for Executive to consider.
- iii. To recommend to Council that a budget of £37.4m be approved for the York Central Transport improvements funded from the West Yorkshire Plus Transport Fund grant.

Reason: - To ensure the delivery of York Central and to ensure that a range of access options have been considered.

## Background

6. The delivery of York Central is essential to the growth of York and the regional economy and will contribute significantly to meeting housing demand in the city. Though the site has been earmarked for regeneration for many years previous attempts to deliver the scheme have not come to fruition and we are now poised to bring together the landholdings and the investment to deliver the once in a lifetime opportunity to shape the missing third of our city centre.
7. The site however has significant infrastructure challenges. It is entirely circumscribed by rail lines, with the rail station at the bottom of the teardrop of land, the East Coast Main Line (ECML) forming a barrier to the north and east, and the Freight Avoiding Lines (FAL) to the south and west. Current access roads onto the site already run through minor residential streets in the Salisbury Terrace area, or under the Marble Arch Rail Bridge and have limited capacity and low bridges, limiting access for high vehicles. They are not suitable to serve a comprehensive re-development of York Central. It is therefore necessary for a new route to be constructed.
8. There have been a number of developments which have finally enabled the scheme to be brought forward :-
  - i. The establishment of the York Central Partnership bringing together all the public sector land owners
  - ii. Assembling the land for redevelopment and clearing it of operational rail use

- iii. Establishment of Housing Zone Status which has brought investment from the Homes and Communities Agency to support the delivery of housing on the site.
  - iv. Establishment of the Enterprise Zone which brings with it the potential to retain the additional business rates generated from the site to invest in delivering economic growth on the site
  - v. Significant enabling funding and from a range of government agencies including the West Yorkshire Transport Fund, York and North Yorkshire Local Economic Partnership (LEP) Leeds City region LEP, the One Public Estate Programme and the HCA
9. The YCP have developed a series of master planning and commercial principles that it is using to shape both the spatial plan for the site and the commercial arrangements for delivery. At the heart of the partnership are the joint objectives to meet housing need and deliver economic growth and through the creation of a quality place that will complement the rest of the city and be integrated with adjoining communities.

### **Update on Project Progress**

10. Since the last report to Executive in December 2016 the project has developed significant momentum and gained a high profile within the region and nationally. There has also been a significant amount of work on the following work streams.

### **11. Land Assembly**

- The Fermetol Trading estate on Leeman Rd has been purchased by the council
- The Unipart site to the rear of the station has been purchased by the HCA for future land assembly
- HCA have purchased surplus land from NRM & NR
- Network Rail have achieved Office of the Rail Regulator (ORR) permissions to take part of the site out of operational rail use
- Rail Clearance has commenced
- Work has commenced to seek further permissions from the ORR
- Work has commenced to deliver Vacant Possession on sites for early phase development
- Discussions have commenced with the Millennium Green trust regarding potential access options

## 12. Master planning

- Advisors Arup /Allies and Morrison/Gustafson Porter are developing master plan options for consultation which are currently being informed by financial and commercial inputs from KPMG/Savills
- Environmental Impact Assessment scoping submitted to planning authority
- Access options study being undertaken
- District Heating Study being undertaken
- Planning Strategy confirmed that will lead to public consultation and then on to the submission of the planning applications
- Commissioning of complementary plans for the future development of the station

## 13. Commercial Delivery Strategy

- Viability assessment work is being undertaken to inform and iterate the master plan
- External Funding (grants and loans) of £44.7m has been provisionally secured from West Yorkshire Transport Fund, York and North Yorkshire Local Economic Partnership (LEP) Leeds City region LEP, the One Public Estate Programme and the HCA to support the delivery of the project.
- Appointment of Communications consultants
- Preparation for soft market testing and development partner procurement
- Early work on inward investment

### **Partnership Agreement**

14. The YCP is currently an informal partnership. All work undertaken to date has been undertaken at risk by all partners, which has been funded through CYC, largely from external grants. Before the scheme progresses into the planning system the partnership needs to be formalised through a binding Partnership Agreement (PA). The PA will outline the mechanisms by which the partners (NR, CYC and HCA) put land and funding into the scheme and set out the mechanisms for using land sales, grant funding, and EZ funded borrowing to repay the upfront infrastructure and development costs of the scheme. NRM having sold their developable land assets to the HCA will not be a party to the partnership agreement but will still sit on the Project Board to reflect their

ongoing interests as existing occupants and landowners and as an important cultural anchor to the scheme.

15. Work is still ongoing to negotiate and finalise these mechanisms and the costs.
16. There is high level commitment in all partner organisations to bringing the York Central scheme forward and Executive is asked to publicly reiterate their commitment to the YCP and their intent to formally agree a partnership to deliver and promote the scheme. A detailed report will be brought back to the Exec in October/November to confirm the final elements of the scheme and to seek permission to sign a formal Partnership Agreement and commit funding.

### **Consultation**

17. In 2014, a jointly funded Network Rail /CYC commission was undertaken to assess initial technical and commercial viability for the York Central development, including a draft spatial plan. In January and February 2016 partners undertook an informal consultation on the high level concepts and principles - York Central - Seeking your Views to Guide Redevelopment.
18. The early consultation results showed that there is clear overall support for the redevelopment, vision and objectives for York Central with 79% of respondents supporting the redevelopment of the site. Respondents noted the importance of realising the scheme quickly and targeting brownfield land for development.
19. The issue of the route of the access road was clearly one of the major contentious issues from the consultation and in December 2016 Executive agreed to consult on access options as part of the emerging master plan consultation.
20. As part of the planning strategy for the delivery of York Central there will be comprehensive pre application consultation on the York Central Master plan. The results of this will be fed into the planning application. In order to bring this master plan work to fruition it is necessary to identify a preferred access option

### **Access Options**

21. All routes need to cross the Freight Avoiding Line (FAL) or the East Coast Main Line (ECML) and there are differing levels of engineering complexity and therefore costs, and timings depending on how long the bridge/viaduct needs to be, where it lands and when/if the land becomes available.
22. YCP commissioned a new access options study to ensure that the evidence base upon which a future decision will be made is comprehensive and reflects

up to date costs, land availability and analysis to allow a like-for-like assessment. The study is still in draft but it has drawn up outline designs for all options to understand constructability. The options are outlined in Annex 1.

23. These options are being evaluated using the following criteria :-

- Constructability
- Indicative cost, timescale.
- Environmental Impacts
- Baseline, surveys, impacts and mitigation.
- Noise, air quality, transport, townscape, heritage, ecology, flood risk, community and place making.
- Indicative Benefit Cost Ratio.

24. In order to be considered deliverable all options must be capable of delivery by 2021 in order to bring in WYTF and EZ funding. Without this the whole scheme could not be delivered. This therefore rules out Options B, C and D which all come off Holgate Rd and land on York Yard South which will not become free from operational rail use until 2023 at the earliest.

25. Option B – This route would come off Poppleton Rd to the north west of Holgate Park, rising up over the open grassland and would cross the FAL landing on York Yard South at height in the middle of the site. This land will not become free from operational rail use until 2023 at the earliest.

26. Option C – This route would come off Poppleton Rd at the existing road junction for Holgate Park where the road would then turn and climb over the FAL, landing on York Yard South at height in the middle of the site. This land will not become free from operational rail use until 2023 at the earliest. In addition the route would clash with the fan of railway lines that are to be installed on the 5 acre site to enable further development of Holgate Engineering Works which in turn will enable operational rail uses to be cleared from the York Central site.

27. Option D - This route would come off Poppleton Rd at the northern end of the Holgate Engineering Works site where the road would need to cross the FAL and land on the end of York Yard South at height in the middle of the site. This land will not become free from operational rail use until 2023 at the earliest. In addition the route would clash with the fan of railway lines that are to be installed on the 5 acre site to enable further development of Holgate Engineering Works which in turn will enable operational rail uses to be cleared from the York Central site.



28. The remaining Options are judged to be technically deliverable within the required timescale for the scheme. Draft road layouts for these options are set out in more detail in Annex 2; however these diagrams do not represent a finalised design and are only indicative at this stage.
29. **Option A** - This route would come off Water End and enter the site at the western tip of the teardrop. There are 2 potential alignments for this road :-
30. **A1 - Water End**. In order to build this access on land currently in the ownership and control of YCP this option has to cross the East Coast Mainline twice at a height of 22m. A new slip road requires a second bridge to be constructed adjacent to the existing bridge on Water End and then also requires a second bridge over the ECML to get onto the site.
31. **A2 – Water End**. In order to avoid the engineering complexity of A1 an alternative variant of the option has been modelled to simplify the route onto the site by moving the junction away from the existing Water End Bridge. This takes the route across an area of open space called Millennium Green which is leased to the Millennium Green Trust (MGT) to maintain as an area of open space. With this alignment the road only has to cross the ECML once, at a lower level.
32. **Option E – Chancery Rise** - This route accesses the site from Holgate Rd, adjoining the Holgate Engineering Works near the Fox pub, rising up an embankment to a bridge crossing the FAL which would start on the site of the current Holgate Community Garden and land on York Central at the south end of the site, at height where an embankment would drop the road back down to ground level.
33. In order to assess the deliverable options it is necessary to assess community impact and YCP need to directly seek the views of residents and stakeholders. The proposed consultation will seek detailed views on Options A and E. The YCP are still undertaking viability assessment work which will inform a comprehensive consultation plan to ensure a focussed engagement with a wide range of stakeholders and residents. This consultation will inform the assessment of access options and will enable YCP to come back to Executive with proposals as part of their master plan which will feed into the planning application process.
34. The Community Forum has been meeting since autumn 2016 and has looked at the principles guiding the early stages of master planning. They are now engaged with more detailed sessions on access and the developing master plan.

35. The proposed timetable for consultation is set out below

Access Options Consultation	August/Sept 2017
Decision on preferred access option	October 2017
Master plan Consultation	Nov 2017
Submission of Planning Application	March 2018
Determination of planning application	July 2018

### Funding the next phase of work

36. The next stage of work to take the master plan and access options through to planning applications (including consultation and detailed infrastructure design) the YCP will have to commit to significant costs in the region of £2.2m. Part of this work will involve the design of the access bridge and road. Funding for the early design work for a bridge has already been agreed by WYTF and an exception report has been taken to the WYTF to agree the proposed approach to selecting and designing the access road.
37. The original estimated cost for the scheme funded through WYTF is £37.4m. Release of funds from the WY+TF will be processed through satisfying the Activities 5-8 of the Project Assurance process. WYCA have committed to fund £2.1m initial development costs and this is incorporated within a funding agreement between WYCA and CYC. It is proposed that this funding is used as the CYC contribution to the next phase of design and planning costs.
38. It is necessary to gain approval from Full Council for the creation of the WYTF York Central budget within the capital programme. Any changes to the budget as further approvals are taken through WYCA will be reported through the council's regular capital monitoring framework.
39. CYC will claim funds back from WYCA quarterly in arrears. The current profile of expenditure is projected to be as follows

2017/18	2018/19	2019/20	2020/21	2021/22	Total
£1.2m	£11.9m	£10.8m	£7.3m	£6.2m	£37.4m

40. The scheme submission to West Yorkshire Combined Authority includes contributions of c.£12m from other parties to the overall transport works. These are budgeted as part of the CYC York Central budget as well as contributions to the overall scheme from Homes & Communities Agency.

## Council Plan

41.

- i. The project will assist in the creation of a Prosperous City for All, and be a Council that listens to residents particularly by ensuring that :
- ii. Everyone who lives in the city can enjoy its unique heritage and range of activities.
- iii. Residents can access affordable homes while the greenbelt and unique character of the city is protected.
- iv. Visitors, businesses and residents are impressed with the quality of our city.
- v. Local businesses can thrive.
- vi. Efficient and affordable transport links enable residents and businesses to access key services and opportunities.
- vii. Environmental Sustainability underpins everything we do.
- viii. We are entrepreneurial, by making the most of commercial activities.
- ix. Engage with our communities, listening to their views and taking them into account.

## Implications

42.

**Financial** – These are covered in paragraphs 37 to 40 of the report

**Human Resources (HR)** – none

**Equalities** – The better Decision Making Tool will be completed as part of the next report to Executive setting out the master plan. Exploration of community impacts will be an integral part of the consultation over the summer.

**Legal** – The Council's powers under the Highways Act 1980 and Localism Act 2011 may be used to undertake the actions proposed in this report. As identified in the related report elsewhere on this agenda legal agreements will be required relating to the terms upon which funding is taken.

**Information Technology (IT)** - There are no IT implications.

**Crime and Disorder** - The detail design of any future scheme will require detail consideration of crime and disorder implications and there will be structured input from the Police Architectural Liaison Officer

**Property** – All property implications are covered in the report.

## Risk Management

43. The project is complex and high risk and until the scheme receives planning consent all investment is at risk. The EZ requires up front borrowing which will be repaid by future retained business rates and there is an inherent risk that the income is not generated or is slower to accrue. The partnership agreement therefore needs to identify how partners share this risk and ensure that the development of the scheme continues to focus on the delivery of business space. The project has multiple partners and funders and stakeholder management is essential to continue momentum and gain commitment to the scheme.
44. The primary risk is the potential breakdown of the delivery partnership between the partners with a consequent failure to unlock the site. This has been addressed by the establishment of a working group and escalation procedures thus ensuring senior level collaboration across all the public sectors partners. It is expected that these will be embedded within the terms of a proposed partnership agreement.
45. Failure to obtain the necessary regulatory approvals to dispose of land on the site for development or to clear operational railway uses from the site is another significant risk – this would prevent the development of the site in whole or part. Mitigation plans to date include the acquisition and extinguishment of long-term rail industry leases on the site by Network Rail and development of a strategy that identifies relocation sites for the rail uses. In addition, a rail land use strategy for York is being taken forward and it is believed this meets operator needs and Network Rail's planned capacity improvement schemes. This issue is being mitigated by Network Rail prior to any infrastructure investment with a clear commitment under the proposed partnership agreement to remove rail uses from the site within a phasing plan to enable site development.
46. An obvious risk is of failure to secure planning permission – this is being mitigated by early involvement with CYC as local planning authority in the ongoing development plans and engagement of stakeholders and local communities at both concept stage and as detailed plans emerge.
47. There is a risk that the scheme may not attract development market interest or new occupiers. This risk has been mitigated by the proposed approach to infrastructure delivery, and further evidence gathering from our appointed advisors. In addition, the development of a delivery and marketing strategy and the award of EZ status will incentivise early business occupation.
48. There is a risk that CYC may not secure equity investment towards some of the costs of the enabling infrastructure. However, this will be mitigated by the EZ status and access to borrowing this brings. It will also be mitigated by

early sign off of funding from HCA and a comprehensive gateway process for release of West Yorkshire Transport Funds (WYTF).

49. A full risk register has been developed by the project and will be regularly reviewed by the project board as the project progresses.

### Contact Details

**Author:**

Tracey Carter - Assistant Director  
for Regeneration and Asset  
Management *Tel No. 553419*

**Chief Officer Responsible for the  
report:**

Neil Ferris – Director of Economy and  
Place



4 July 2017

**Specialist Implications Officer(s)**

*List information for all*  
*Financial* – Patrick Looker  
Finance Manager  
Tel No. 551633

Legal – Andy Docherty  
Assistant Director Legal and Governance  
Tel No. 551004

**Wards Affected:** Holgate, Micklegate

All

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

**Background Papers:**

*Seeking Your Views to Guide Development: Consultation Report (Arup June 2016)*

[https://www.york.gov.uk/downloads/file/11126/york\\_central\\_seeking\\_your\\_views\\_to\\_guide\\_new\\_development\\_consultation\\_report](https://www.york.gov.uk/downloads/file/11126/york_central_seeking_your_views_to_guide_new_development_consultation_report)

[Archive of previous study material](#)

**Annexes**

Annex 1 – Map of potential access routes

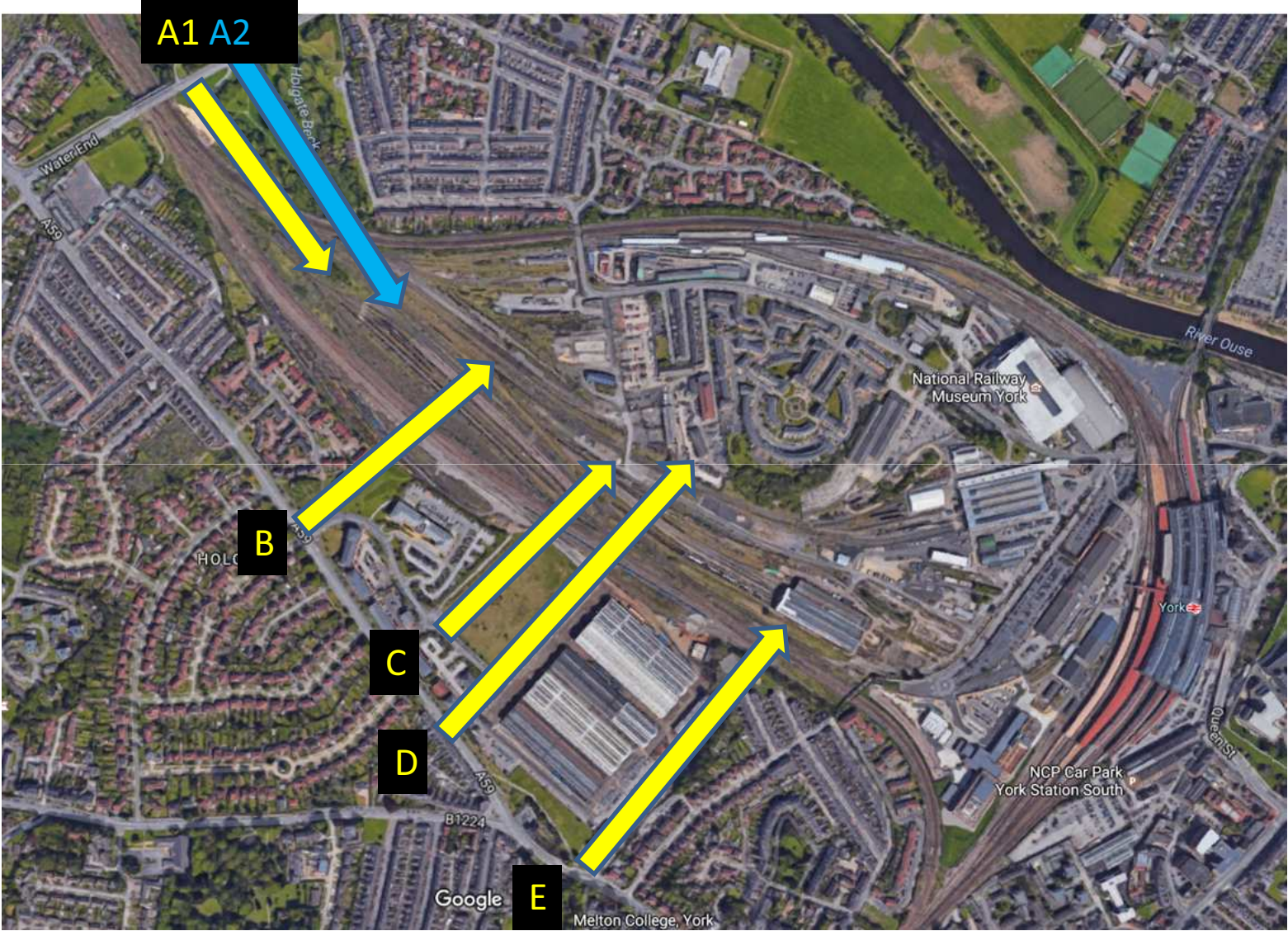
Annex 2 – Details of options A1 A2 and E

## **List of Abbreviations**

CYC - City of York Council  
ECML - East Coast Main Line  
EIA - Environmental Impact Assessment  
EZ – Enterprise Zone  
FAL - Freight Avoiding Lines  
HCA - Homes and Communities Agency  
LCR - Leeds City Region  
LEP - Local Economic Partnership  
MDU - Maintenance Delivery Unit  
MGT - Millennium Green Trust  
NRM - National Railway Museum  
ORR - Office of the Rail Regulator  
WYTF – West Yorkshire Transport Fund  
YC - York Central  
YCP - York Central Partnership



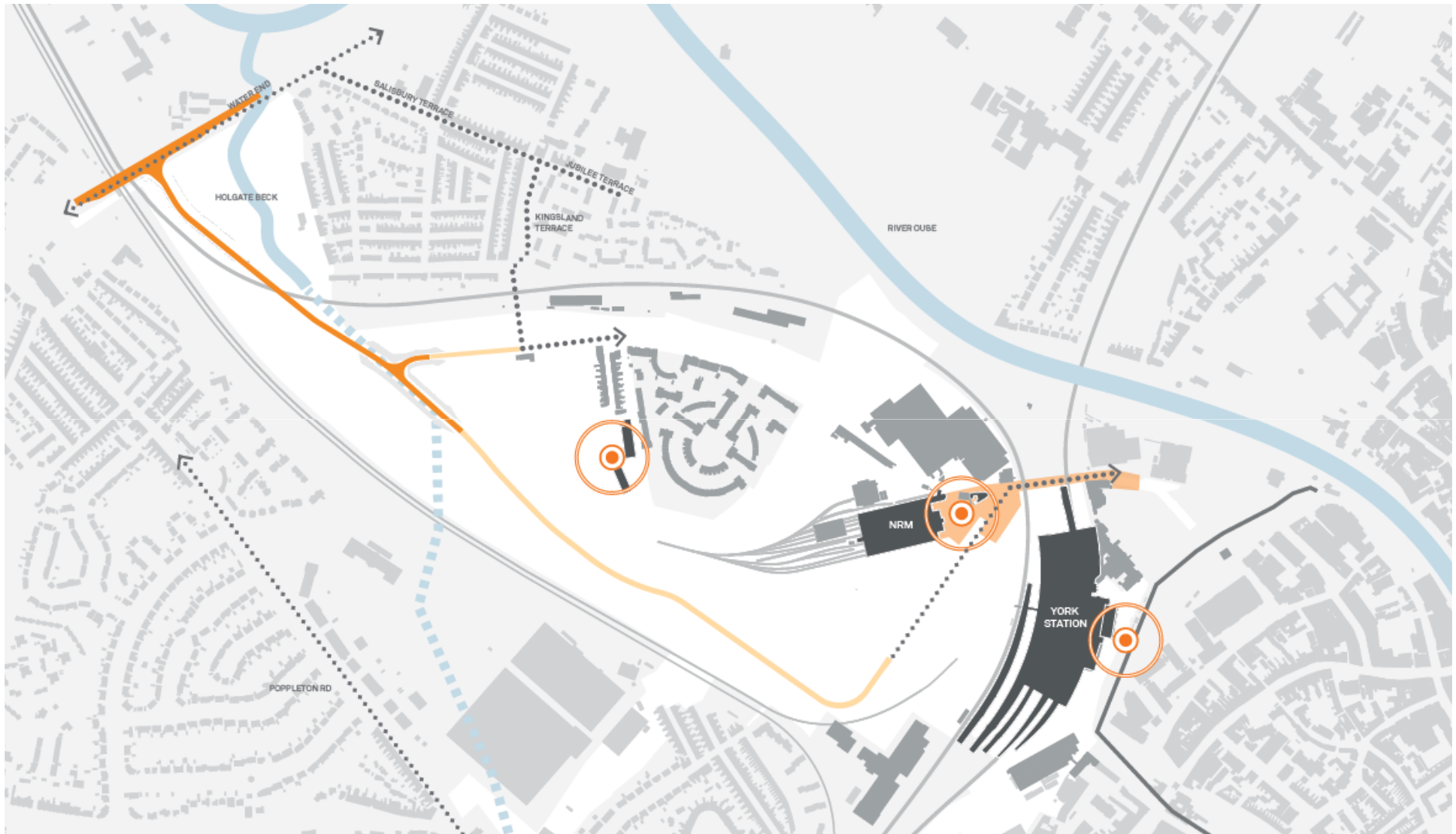
Annex 1 - Access Options Considered



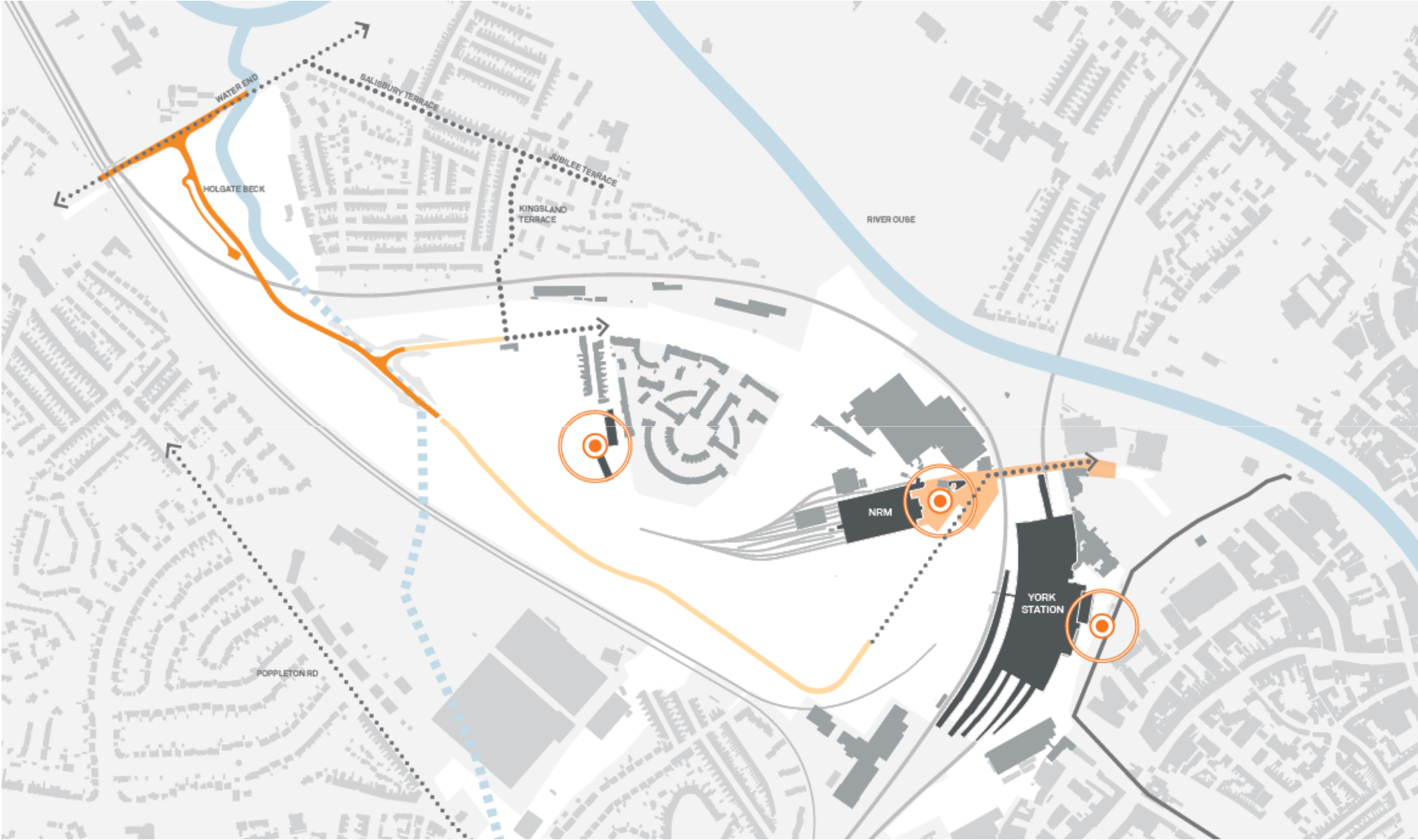
This page is intentionally left blank



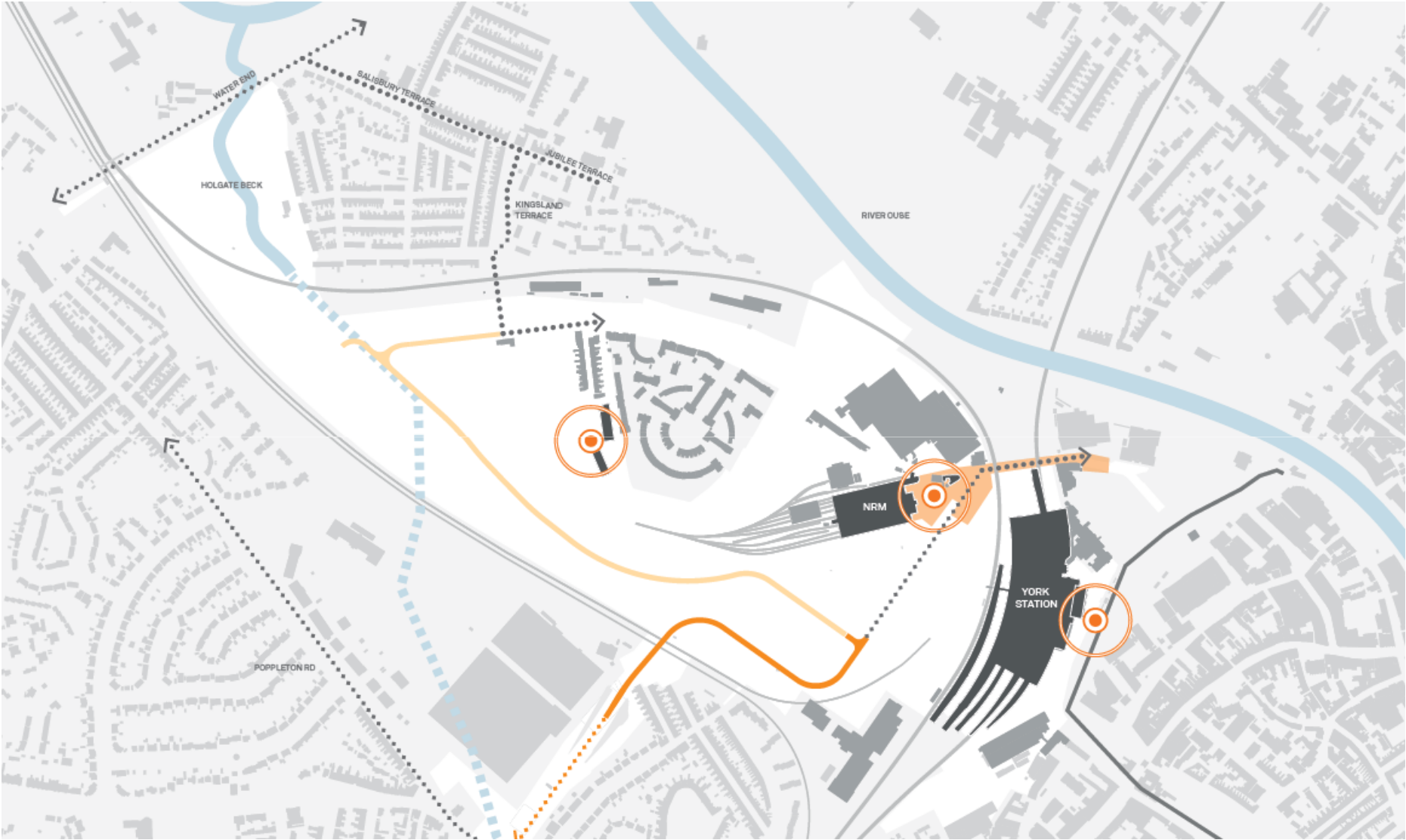
## Annex 2 - Access Option A1



# Annex 2 - Access Option A2



# Annex 2 - Access Option E



This page is intentionally left blank



---

**Executive****13 July 2017**

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

**PROPOSED YORK OUTER RING ROAD IMPROVEMENTS –  
APPROACH TO DELIVERY****Summary**

1. The decision by City of York Council to join the West Yorkshire Plus Transport Fund was confirmed in December 2016. Funds will be drawn for the proposed York Outer Ring Road (YORR) Improvements.
2. This report sets out the proposed approach to the project and seeks approval of the delivery methodology for the development and construction of the seven targeted improvements to junctions on the north York Outer Ring Road over the next 5 years. Consideration is given to the principles about how the key issues and risks will be managed and the most effective way to make decisions over the coming months to develop the proposals. This report recommends that future decisions on the programme of improvements are taken by the Executive Member for Transport and Planning, for example over matters concerning the purchase of land, consultation and phasing of works.

**Recommendations**

3. The Executive is recommended to propose to Full Council that a budget of £34.2m be approved for the YORR improvements funded from the West Yorkshire Plus Transport Fund grant.

Reason: To confirm the detailed allocation within the budget for the delivery of the Outer Ring Road Upgrade scheme in accordance with the previous Council Decision taken in December 2016.

4. The Executive are recommended to accept the proposed approach and methodology for future development activity on the YORR Improvement programme, and to approve the following scheme of delegation to enable effective management of the project:
  - a. To approve the acquisition of land by agreement as required for the upgrade schemes, and to delegate approval of acquisition of land interests by agreement of up to £200,000 for any one interest to the Executive Member for Transport and Planning.
  - b. To delegate to the Assistant Director of Transport, Highways and Environment the negotiation of the terms of purchase for individual land interests by private agreement. By definition, this delegation will also include negotiation of easements and temporary rights where freehold ownership is not required e.g. for drainage purposes, or temporary occupation for the construction works. This delegation will also include obtaining the release/extinguishment of, or variation of, any third party rights over affected land (for example a third party might have a right of way over land which needs to be acquired).
  - c. To authorise the preparation of a draft Compulsory Purchase Order (CPO) in parallel to the purchase of land by private agreement in order to reduce the risk of the programme being prolonged if negotiations with some landowners become protracted. (Any decision to authorise the actual making of that CPO would be referred back to the Executive for determination in a subsequent further report).
  - d. To delegate operational and detailed decision making to the Executive Member for Transport and Planning as the programme of design and delivery develops over the next 5 years. These decisions will include:
    - i. Approval of proposed consultation with residents, businesses and stakeholders.
    - ii. Approval of the final layout of each junction upgrade.
    - iii. Approval of phasing of the scheme.
    - iv. Approval of land acquisitions up to £200k (in any one interest as above)
    - v. Acceptance of tenders for construction.

- e. To receive further update reports on progress through the Council's monitoring regime. Further specific reports will be brought back to the Executive when decisions are needed on major changes to the scope of the project or if there are significant financial implications to be considered.

*Reason:* The proposals being made to Executive will ensure that the planning, preparation and construction of the York Outer Ring Road Improvements can be undertaken in the most efficient manner to meet the ambitions of the City Council and the West Yorkshire Combined Authority.

## **Background**

4. The City of York Local Transport Plan 2011-2031 proposes improvements to the A1237 north York Outer Ring Road (YORR). This strategic link has been the subject of a comprehensive and long term strategy to review and develop junction improvements at identified roundabouts along the route to improve and reduce journey times on this heavily congested route.
5. The YORR Improvement project proposes upgrades to 7 of the existing Outer Ring Road roundabouts between the Wetherby Road and Monks Cross junctions. According to the modelling already undertaken, the expectation is that these upgrades will provide an overall 18-20% improvement in journey times at peak periods. (source: WY+TF Gateway 1 Review Report, Table 2.6).
6. The identified improvements will be delivered through the newly created West Yorkshire Plus Transport Fund (WY+TF). The West Yorkshire Combined Authority (WYCA) co-ordinate the WF+TF and are responsible for the approval and allocation of funds to identified projects.
7. City of York Council (the City Council) have previously commissioned and undertaken a significant amount of development work in 2014-15. This has enabled the identification of junction improvement proposals with a good Benefit Cost Ratio (overall BCR 8) with preferred options identified.
8. The project has secured Gateway 1 (Outline Business Case) approval from WYCA. The City Council are now working to progress the project through the approval Gateways required by WYCA to secure further stage funding allocation from the WY+TF.

9. WYCA have recently refined their Project Assurance process to meet UK Government recommendations. This process comprises 3 Stages broken down into 8 activities, see Annex B. The YORR project is currently in Stage 4 Full Business Case (FBC). It is proposed to be able to submit the FBC in late 2017, enabling approval to proceed to invitation to tenders in spring 2018 for the first junction upgrade.
10. To assist the City Council in design development phases, Pell Frischmann have been appointed as lead engineer.
11. Membership of the WY+TF was approved by the Full Council on 15<sup>th</sup> December 2016 enabling the delivery work to progress to the next stage – land acquisition, detailed design and public consultation.
12. The council has signed the Partnership Agreement following finalisation of the detailed terms and in the case if the YORR scheme agreed an initial level of funding that can be spent within a grant agreement.

### **Consultation**

13. It is proposed to consult with local residents, businesses and stakeholders on each of the junction upgrades in a timely manner related to the construction programme. This will generally take the form of a leaflet drop and press release to publicise a local exhibition. The exhibition will comprise graphical material to show the proposals and staff will be on hand to explain what is proposed and invite comments. It will also show where measures have been taken to reduce the impact on the local community and accommodate their needs. Residents will also be given access to a website and email address to make comments. Ward members will be kept in touch about these events and invited to attend.
14. Note that two of the proposed upgrade locations at Haxby Road and Strensall Road will require planning permission and will also follow the statutory consultation process which will enable members of the public to formally comment.



## Options

### Design Principles

15. The aim is to upgrade junctions to a similar standard as the enhanced A19 and A59 roundabouts: i.e. A1237 approaches widened to 3 lanes, A1237 exits widened to 2 lanes, minor arm approaches widened to suit traffic flows, provision of walking and cycling improvements. The upgrades will also be constructed to allow for dualling of the carriageways in years to come. Note that there is no funding of the magnitude required available at this time for dualling. However money for development work is being sought from WYCA to consider this as a future transformational scheme to be delivered after 2025.
16. A full monitoring and evaluation report on the A59/A1237 junction improvement (completed summer 2014) is in preparation and due later this year. Preliminary results, from the monitoring of before and after journey times and traffic volumes, indicates that the scheme has reduced average peak hour journey times on the A1237 by 2-3 minutes (15-20%) either side of the A59/A1237 roundabout. The benefit observed was significantly greater immediately after completion of the scheme but traffic levels have subsequently significantly increased in the area and are now typically running at 30-40% higher than pre-scheme. Some of this additional traffic will have transferred from other routes (reassignment) and some is likely to be new traffic generated by developments in the area. The reassigned traffic will be helping to reduce congestion and delays experienced elsewhere in the city, although measuring the 'knock-on' effects is more difficult because the effect dilutes as you move away from the localised area of the scheme.

### Current Activity

17. Planning and design work on the YORR Improvement is now progressing following the City Council's membership of the WY+TF was confirmed in December 2016. Consultants Pell Frischmann have been working with Officers to continue to develop the designs and to develop a programme and proposals for the stages ahead.
18. One of the key issues at this early stage is to determine the optimum programme to deliver the design and construction of the improvements in the most efficient manner. Environmental

considerations, planning issues and the best possible engineering design (including traffic demand) will inform this exercise.

19. However one of the principal risks at this early stage will be to assess and develop a land acquisition strategy which will enable the City Council to acquire land in a timely and efficient manner. The Project Team have taken advice on this matter and propose to acquire land by private agreement where possible and this will simplify and reduce the overall timescales required. It is proposed to arrange for a Compulsory Purchase Order to be prepared in parallel to the land negotiations in order to minimise (so far as possible) delays to the programme related to the acquisition of necessary land interests, see Land Acquisition below.
20. As such the Project Team hope to be in a position by late summer 2017 to make some informed decisions on the sequencing of the early stages of the improvement programme. An indicative programme is included at Annex C to provide members with an insight into the possible sequencing, one of the objectives of which will be to minimise disruption to the general public. Note at this stage the sequence shown is indicative however the overall programme duration is currently that which is being planned against.

### **Running the Project and Governance**

21. The YORR Improvement will be managed on a day to day basis by a dedicated City of York Council Senior Project Manager (SPM). The SPM will oversee the design, procurement and construction stages of the project reporting through their line manager to the Assistant Director of Transport, Highways and Environment.
22. In overall terms, the project team will be responsible to WYCA in order to release and manage funding for the scheme, and to the City Council's Executive Member for Transport and Planning for decision making and operational matters.
23. The project team are required to follow WYCA's Programme Management and financial processes in order to drawdown funding. At high level these comprise the following three stages:
  - Stage 1: Pipeline Eligibility
  - Stage 2: Pipeline Development - Outline and Final Business Case
  - Stage 3: Programme Committed – Delivery

A diagram showing more detail of the requirements and activities in this three stage process can be found at Annex B.

24. As the project will extend over multiple administrations a cross party working group has previously being established identified as the Lead Members Board, see Annex D. Councillors D'Agorne, Dew, Looker and Orrell have been appointed to this Board. This board will be kept informed of progress and consulted on at key points throughout the delivery programme.
25. Routine monitoring of the programme will be overseen by the Assistant Director Transport, Highways & Environment. Officers will meet bi-monthly to monitor the progress of the project and include representation from WYCA. The remit of the Officer Group will include financial and risk monitoring, see Annex D.
26. At strategic level, monthly highlight reports will be submitted through the CYC Verto system and copied to WYCA. This is the common framework which has been developed and adopted for projects across the City Council to ensure that the right controls and approvals are in place. YORR progress will therefore also be reported to a variety of Member bodies alongside the Council's other major projects.

### **Estimated Costs**

27. A cost estimate for the project was prepared in 2014 for the purposes of submitting the WYCA Gateway 1 Report. The estimated cost was £34m. Clearly this will be reviewed and updated throughout each stage of the project.

### **Land Acquisition**

28. In April 2017, the City Council appointed District Valuer Services (DVS) as a part of the Project Team to undertake on the Council's behalf the acquisition of land and buildings by agreement and by Compulsory Purchase if that becomes necessary. This commission will include all services to value the required land and act as the City Council's representative in negotiations with local landowners. This work is underway.
29. Preliminary design work has demonstrated that land will be required at all junction sites for the purposes of construction and delivery of the improvements. As stated in paragraph 3.a above, the Executive

are asked to delegate approval of the purchase of land to the Executive Member for Transport and Planning up to a maximum of £200k in any one land interest.

30. As stated above, it is proposed to prepare a draft CPO in parallel to negotiations for acquisition of necessary land interests. Any decision to authorise the actual making of that CPO would be referred back to Executive for determination in a further report. If negotiations for acquisition of all required land interests are successful then it will not be necessary to ask Executive to authorise the actual making of a CPO. However if negotiations for private agreements become protracted and / or do not represent best value, the advance preparation of a draft CPO will enable the Project Team to expedite the submission of the CPO to the Secretary of State, subject to authorisation from the Executive.
31. The Executive are therefore asked to approve the preparation of a draft CPO in parallel to negotiations for acquisition of land by private agreement.
32. The Executive are asked to delegate to the Assistant Director of Transport, Highways and Environment the following responsibilities:
  - a. The terms of negotiation for the purchase of land
  - b. The acquisition of easements & temporary rights over land, as the Council will not necessarily need to acquire freehold ownership but just rights over it such as rights of drainage or rights of temporary occupation in connection with construction works etc.
  - c. Obtaining the release/extinguishment of, or variation of, any third part rights over affected land (for example a third party might have a right of way over, or other rights over, land which the City Council may need to acquire).

## **Council Plan**

33. The YORR Improvement proposals are embedded in the Council's Plan 2015-19. The implementation of this programme of highway improvements will be an integral part of the key priorities to "provide a prosperous city for all"; to ensure it delivers the services people want and work in partnership with local communities. Improvements to transport infrastructure are key drivers for improved productivity, this in turn leads to economic growth and the increase in wealth.

34. Residents will be consulted about the junction upgrades to ensure that consideration of the potential impact of decisions in relation to health, communities and equalities has been made.

35. Improved journey times will support the following aims from the Plan:

A city where:

- Local businesses can thrive
- Residents have the opportunity to get good quality and well paid jobs
- Efficient and affordable transport links enable residents and businesses to access key services and opportunities
- Environmental Sustainability underpins everything we do

## Implications

### Financial Implications

36. The estimated cost for the scheme is currently £34.2m. Release of funds from the WY+TF will be processed through satisfying the Activities 5-8 of the Project Assurance process and meetings of WYCA. WYCA have committed to fund £2.45m for development of the project and this is incorporated within a funding agreement between WYCA and CYC.

37. It is necessary to gain approval from Full Council for the creation of this budget within the capital programme. Any changes to the budget as further approvals are taken through WYCA will be reported through the council's regular capital monitoring framework.

38. The current profile of spend is assumed to be

2017/18	2018/19	2019/20	2020/21	2021/22	Total
£1.1m	£9.2m	£11.4m	£8.1m	£4.4m	£34.2m

39. CYC will claim funds back from WYCA quarterly in arrears.

### Human Resources (HR) Implications

40. Two Senior Transport Project Managers have accepted offers of employment for the Senior Project Manager positions in order to manage the day to day running of this and other transport fund projects. These posts are funded through the WYCA transport fund.

## **One Planet Council / Equalities**

41. 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 project:

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

## **Legal**

42. Section 120 of the Local Government Act 1972 gives the Council a general power to acquire interests in land by agreement. Various provisions of the Highways Act 1980 give the Council power to acquire interests in land (whether by agreement or compulsorily) for highway purposes, including for carrying out improvements to highways but any compulsory purchase order made by the Council is subject to obtaining, and cannot be implemented without, confirmation/approval from the Secretary of State for Transport. Any CPO submitted to the Secretary of State for confirmation must clearly identify all the land interests affected by it and must also be accompanied by a detailed Statement of Reasons setting out the reasons why the Council considers a CPO is necessary and reasonable/proportionate, including why it is a justifiable interference with the private property rights of the owners of the affected land interests..

## **Crime and Disorder**

43. There are no Crime and Disorder implications.

## **Information Technology (IT)**

44. There are no Information Technology implications.

## **Property**

45. Property Services are involved in this project acting as land managers for the City Council. New pieces of land will be acquired

for the junction upgrades, the title of which will rest with the City Council. Property Services will also advise and assist the Project Team in supervising the work to be undertaken by DVS (Land Surveyors).

## **Other**

46. There are no other known implications.

## **Risk Management**

47. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to financial loss, damage to the Council's image and reputation and failure to meet stakeholders' expectations. However measured in terms of impact and likelihood, the net score for all risks has been assessed at 14 or less. At this point the risks will be monitored and managed. A risk allowance has been estimated and is included within the current cost plan for the project. There are three main risks currently affecting this project:

- a. Risks associated with land acquisition. As described above, there is a high risk that some landowners will be unwilling to sell land to the City of York Council by private agreement, or in a timely manner. This presents a programme risk potentially prolonging the time to complete the overall project, and in turn risks the release of funding from WYCA. In order to mitigate this risk, preparation of a CPO in parallel to land negotiation is proposed as described above.
- b. Risk associated with withdrawal of funding for the programme. All projects in the WY+TF Programme are under review by UK Government in order to ensure efficient delivery. There is a risk that funding could be withdrawn by the Government if targets for delivery are not met by the WYCA as a whole. The risk level is low at the current time, but it is incumbent on City of York Council to take all necessary measures to play its part and ensure delivery is met. The delivery period extends until the end of financial year 2021-22. The council has also gained mitigation whereby its levy will be reduced if the full capital allocations are not provided.
- c. Risks associated with Planning Approval. Two junction upgrades will require Planning Approval because they present

a bigger environmental impact on their surroundings. These are at Haxby Road and Strensall Road. There is a risk that preparation, submission and procuring Planning Approval may delay the programme e.g. ecology surveys can only be done at certain times in the year. The risk is estimated to be low at this stage as the overall timescale for the project is adequate and provides sufficient allowance for preparation to avoid this.



**Contact Details**

**Author:**

Gary Frost  
Major Transport Projects  
Manager  
Transport Services  
Tel No. 01904 551084

**Chief Officer Responsible for the  
report:**

**Neil Ferris**  
**Corporate Director for Economy &  
Place**

**Report  
Approved**



**Date** 3/7/2017

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

Financial Implications  
Patrick Looker  
Finance Manager  
Tel No.551633

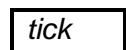
HR Implications  
Mark Bennett  
Head of HR and OD  
Tel No. 554518

Legal Implications  
Gerard Allen  
Senior Solicitor  
Tel No. 552004

Property Implications  
Philip Callow  
Head of Assett & Property Management  
Tel No. 553360

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

Haxby & Wigginton  
Huntington & New Earswick  
Rural West York  
Rawcliffe & Clifton Without  
Strensall



*tick*

**Background Papers:**

No background papers are attached.

**Annexes**

Annex A – Location of Proposed A1237 Junction Upgrades.

Annex B – WYCA Project Assurance Process.

Annex C – Speculative High Level Programme.

Annex D – YORR Organogram.

Annex E – One Planet York Better Decision Making Tool

**List of Abbreviations Used in this Report**

CPO – Compulsory Purchase Order

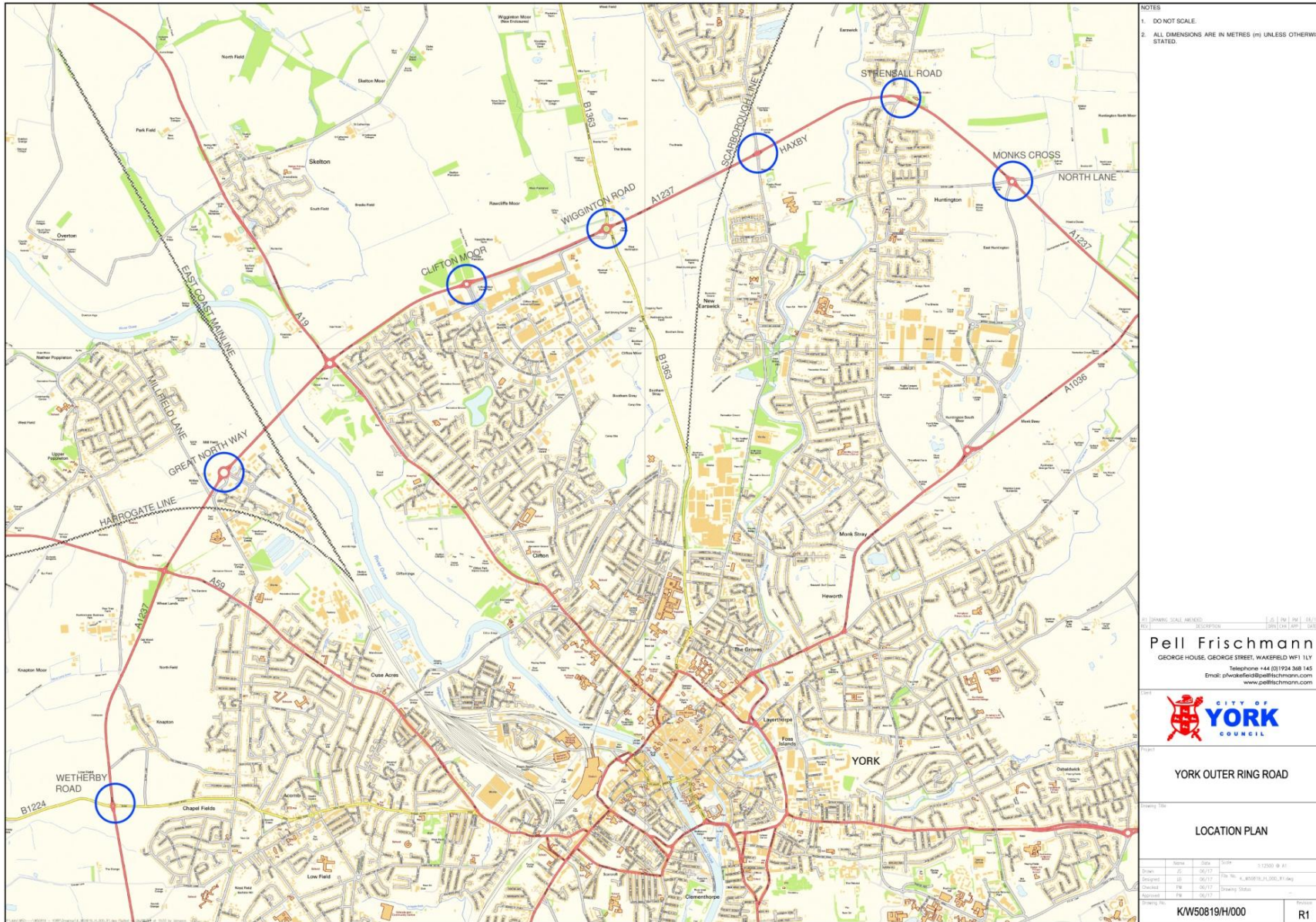
SPM – Senior Project Manager

WYCA – West Yorkshire Combined Authority

WY+TF – West Yorkshire Plus Transport Fund

YORR – York Outer Ring Road

# Annex A – Location of Proposed A1237 Junction Upgrades



- NOTES
1. DO NOT SCALE.
  2. ALL DIMENSIONS ARE IN METRES (m) UNLESS OTHERWISE STATED.


  
 GEORGE HOUSE, GEORGE STREET, WAKEFIELD WF1 1LY
   
 Telephone: +44 (0)1924 266 143
   
 Email: [plw@pellfrischmann.com](mailto:plw@pellfrischmann.com)
  
[www.pellfrischmann.com](http://www.pellfrischmann.com)



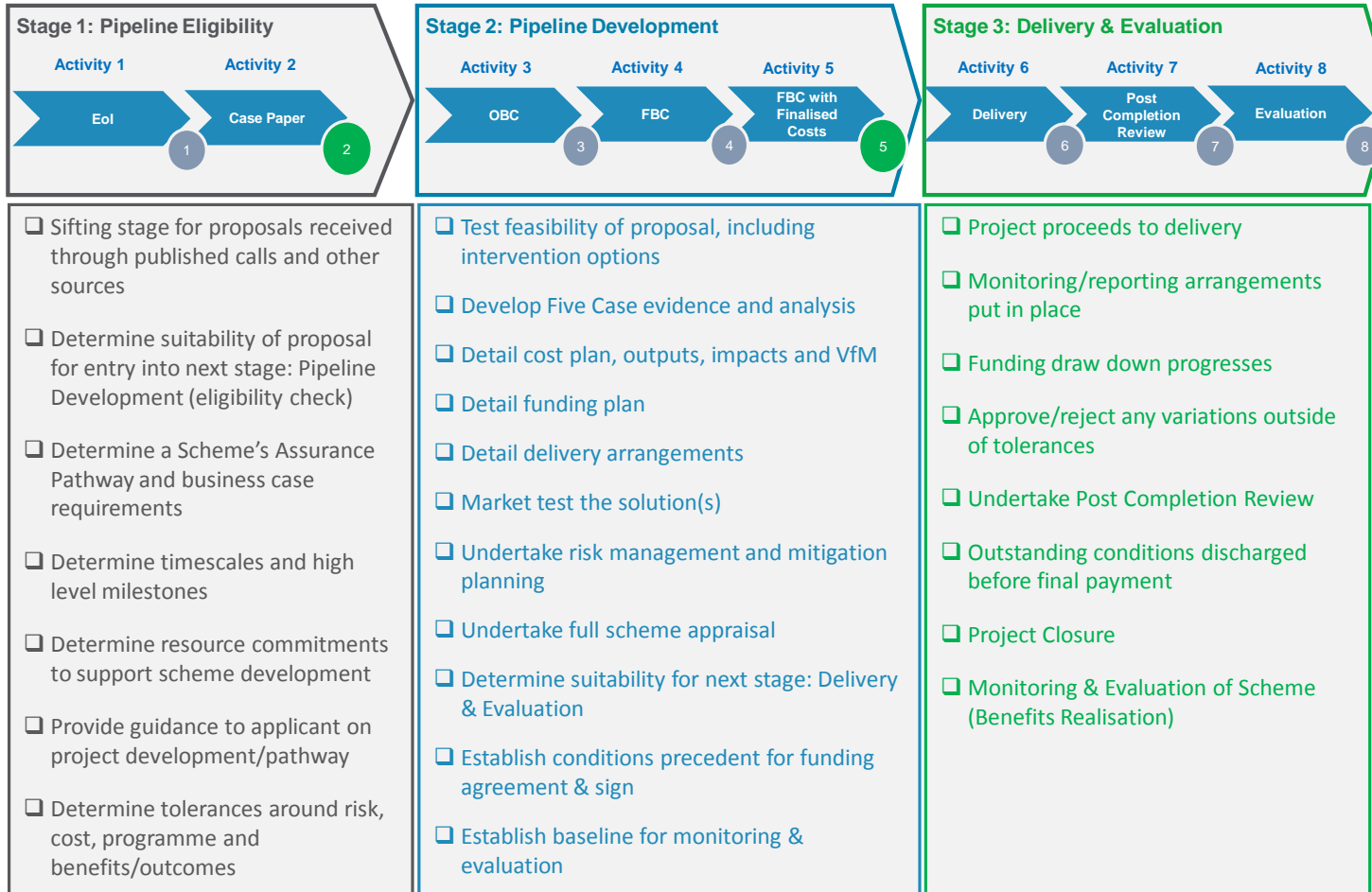
**YORK OUTER RING ROAD**

**LOCATION PLAN**

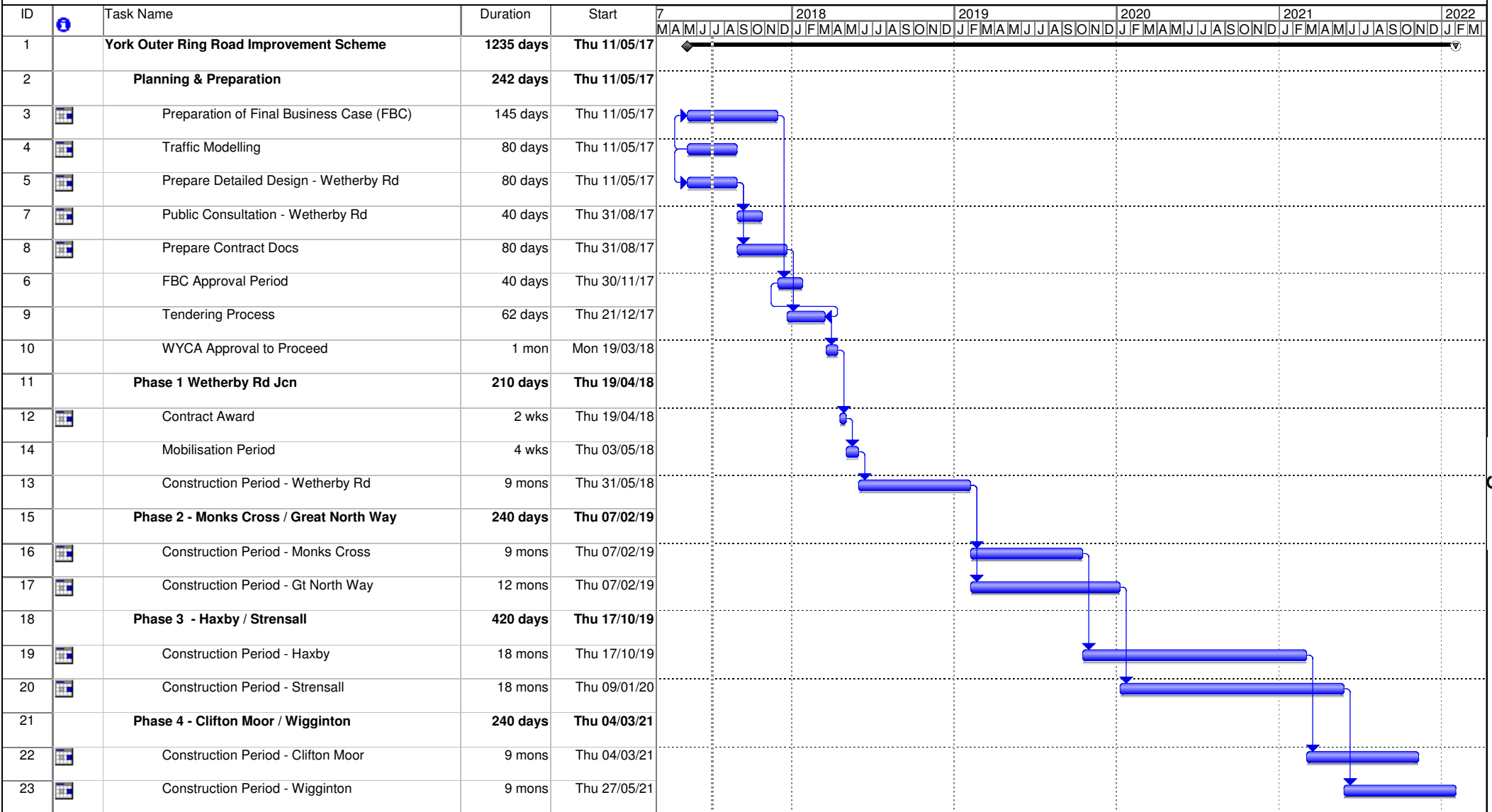
Author	DR	Date	01/12/17	Scale	1:12500 W x N
Drawn	DR	Date	01/12/17	Proj. No.	KW50819/H/000_R1/way
Checked	FR	Date	06/12/17	Drawing Status	
Approved	FR	Date	06/12/17		
Drawing No.	KW50819/H/000			Revision	R1

This page is intentionally left blank

# ASSURANCE PROCESS



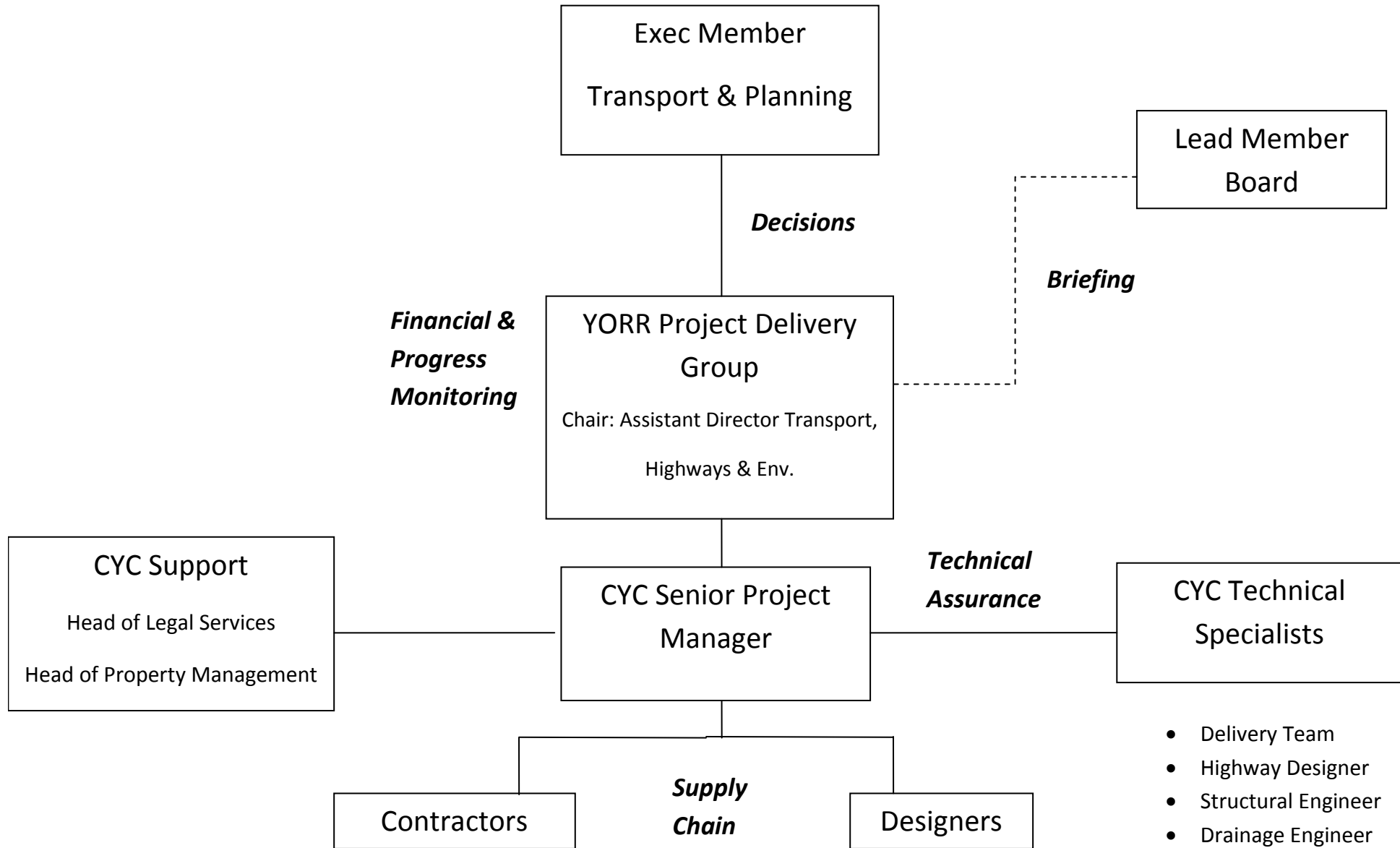
This page is intentionally left blank



This page is intentionally left blank



## Annex D – CYC Organogram



This page is intentionally left blank

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

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

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

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

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

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

Please complete all fields (and expand if necessary).

**Introduction**

<b>Service submitting the proposal:</b>	Transport
<b>Name of person completing the assessment:</b>	Gary Frost
<b>Job title:</b>	Major Projects Manager
<b>Directorate:</b>	Economy and Place
<b>Date Completed:</b>	02/06/2017
<b>Date Approved: form to be checked by service manager</b>	

**Part 1**

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

<b>1.1</b>	<b>Name of the service, project, programme, policy or strategy being assessed?</b> Proposed York Outer Ring Road Improvements
------------	--

<b>1.2</b>	<b>What are the main aims of the proposal?</b> The main aim of the proposal is to upgrade existing junctions on the A1237 north York Outer Ring Road (YORR) to provide increased capacity for vehicular traffic.
------------	---

<b>1.3</b>	<b>What are the key outcomes?</b> 1. To improve journey time reliability in order to increase economic productivity for the City of York. 2. To reduce traffic congestion in order to improve air quality. 3. To provide road layouts designed to the latest standards to ensure a high standard of safety in order to contribute to reducing road accidents.
------------	--

**Section 2: Evidence**

<b>2.1</b>	<b>What data / evidence is available to understand the likely impacts of the proposal?</b> (e.g. hate crime figures, obesity levels, recycling statistics) 1. This programme of improvements is endorsed in the York Local Transport Plan 2011-2031. 2. Traffic modelling has been developed to identify the extent of current congestion and deal with it in accordance with the standards. 3. Preliminary results for the A59/1237 Junction Improvement Evaluation Report (due late 2017).
------------	---

<b>2.2</b>	<b>What public / stakeholder consultation has been used to support this proposal?</b> None recently, this is a long term strategy provided for in the policy document City of York Local Transport Plan 2011-2031. See Strategic Theme 2 'Provide Strategic Links' (a- improve journey time reliability; b- undertake strategic improvements).
------------	---

<b>2.3</b>	<b>Are there any other initiatives that may produce a combined impact with this proposal?</b> (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?) Not aware of any.
------------	--

## 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	These proposals will improve journey time reliability and reduce congestion on the YORR. These conditions will be attractive in order to do business in York and to locate in York, especially on allocated commercial sites around the YORR. Many studies have been carried out which propose that modern transport infrastructure is essential for a dynamic and entrepreneurial economy. This is endorsed in the HM Government document 'Programme for Government', 2010 and the DfT Business Plan 2011-2015 'Engine for Economic Growth'; HM Government Green Paper 2017 'Building Our Industrial Strategy'.
3.2 Provide additional employment or training opportunities in the city?	Positive	These proposals will improve journey time reliability and reduce congestion on the YORR. These conditions will be attractive in order to do business in York and to locate in York, especially on allocated commercial sites around the YORR. The net outcome of this is that more SMEs will locate in York and employ more people. Many studies have been carried out which propose that modern transport infrastructure is essential for a dynamic and entrepreneurial economy. This is endorsed in the HM Government document 'Programme for Government', 2010 and the DfT Business Plan 2011-2015 'Engine for Economic Growth'; HM Government
3.3 Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?	Unsure	It will help them get around the City more easily in general. More employment opportunities will be opened up which may be available to disadvantaged groups, but there are no specific gains for this group.

## Health &amp; 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	These improvements are likely to improve health and wellbeing because it will contribute to enabling people to get to their destinations more quickly, reducing frustration and allowing more quality time with family or friends. Improvements for all road users at the targeted junction upgrades may provide motivation for people to walk or cycle to their destinations rather than drive. These upgrades will link where possible with established or proposed cycle/pedestrian networks.
3.5 Help reduce health inequalities?	Positive	The time taken to travel to health services at York Hospital will be reduced when accessed from the YORR.
3.6 Encourage residents to be more responsible for their own health?	Unsure	This programme of junction upgrades may encourage residents to improve mobility and fitness by encouraging more use of cycling and walking.
3.7 Reduce crime or fear of crime?	Mixed	The junction upgrades will provide open well lit road junctions which are usually free from crime. However, this proposal includes the provision of subways at some junctions to improve pedestrian/cycle links from severed communities. Subways will have to be designed with consideration to the possibility that some crimes could be carried out there.
3.8 Help to give children and young people a good start in life?	Neutral	N/A

## Culture &amp; Community

Does your proposal?	Impact	What are the impacts and how do you know?
3.9 Help improve community cohesion?	Positive	Provision of better transport links for communities severed from the city by the construction of the YORR in the 1980's.
3.10 Improve access to services for residents, especially those most in need?	Neutral	N/A
3.11 Improve the cultural offerings of York?	Positive	Reducing congestion on the highway network and improving journey time reliability will enable citizens to get about more easily in order to attend cultural offerings.
3.12 Encourage residents to be more socially responsible?	Neutral	N/A

**Zero Carbon and Sustainable Water**

Does your proposal?		Impact	What are the impacts and how do you know?
3.13	Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?	Unsure	The YORR Improvement programme has overarching objectives to increase productivity. By it's nature this will mean more energy is used by increased volumes of vehicular traffic and the establishment of new businesses.
3.14	Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?	Unsure	See 3.13 above.
3.15	Provide opportunities to generate energy from renewable/low carbon technologies?	Neutral	No

**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?	Positive	The design and specification for the YORR proposals will include provision for minimising waste and applying WRAP principles.

**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?	Positive	The YORR improvements will address severance issues which have existed since the A1237 was constructed in the 1980's. Better provision will be made for cyclists and pedestrians who live outside the YORR, thus encouraging them to use these modes.
3.18	Help improve the quality of the air we breathe?	Positive	Less queuing traffic and vehicles moving more quickly through the junctions will reduce concentrations of exhaust pollutants.

**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?	Positive	Some of the materials used in road construction are non renewable e.g. Concrete. However it will be possible to consider renewable resources during the design process.

**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	N/A

**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?	Mixed	Some of the junction upgrades will be close to habitats and affect existing trees. The project team will undertake landscape and visual appraisal and ecology surveys as a minimum at each site. Thie outcome of these pieces of work will form the basis about decisions for mitigating and improving environmental conditions at the junction sites.
3.22	Improve the quality of the built environment?	Positive	The YORR improvement will use the latest highway design standards to provide the improvements at junctions. Overall standards for safety should be better than existing. Other aspects such as LED lighting will be provided to reduce light pollution and improve energy efficiency. Use of bunding and landscaping will be provided to screen new highway construction and also to reduce noise impacts on nearby houses.
3.23	Preserve the character and setting of the historic city of York?	Neutral	N/A
3.24	Enable residents to enjoy public spaces?	Unsure	The YORR improvements are aimed at improving journey time reliability, so this does not really apply. However, in a roundabout way, there will be encouragement for greater walking and cycling, and there may be opportunities for some public art or landscape design.

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



'Better Decision Making' Tool  
 Informing our approach to sustainability, resilience and fairness

**Part 1**

**Section 4: Impact on Equalities and Human Rights**

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

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

**Equalities**

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

	Impact	What are the impacts and how do you know?	Relevant quality of life indicators
4.1	Age		
4.2	Disability		
4.3	Gender		
4.4	Gender Reassignment		
4.5	Marriage and civil partnership		
4.6	Pregnancy and maternity		
4.7	Race		
4.8	Religion or belief		
4.9	Sexual orientation		
4.10	Carer		
4.11	Lowest income groups		
4.12	Veterans, Armed forces community		

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

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



'Better Decision Making' Tool  
 Informing our approach to sustainability, resilience and fairness

**Part 1**

**Section 5: Developing Understanding**

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

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

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

5.1 The main aim of the proposal is to upgrade existing junctions to provide increased capacity for vehicular traffic. Funding is in place because a rigorous assessment has been made to demonstrate value for money in terms of commercial growth. City of York Council want to provide the conditions for this growth which the improvements will enable. Secondary benefits also apply which help individuals in their everyday lives. On balance the overall impact will be good.

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

5.2 **Changes that could be made:**  
 More effort into researching renewable materials.  
 Careful consideration for more or better quality landscape treatment  
 Careful consideration about treatment for subways in terms of possible places which attract crime.

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

5.3  
 N/A

**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 Consultation is planned with local communities to understand their concerns and ideas about making the improvements work for them.

**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)

Action	Person(s)	Due date
Researching renewable materials.	Snr Project Manager	Mar-18
Consideration for more or better quality landscape treatment	Major Projects Manager	Mar-18
Consideration about treatment for subways in terms of possible places which attract crime	Snr Project Manager	Mar-18

**Additional space to comment on the impacts**

6.3 Note that March 2018 is the anticipated programme date for the design to be completed on the first of seven junction improvements.



'Better Decision Making' Tool  
Informing our approach to sustainability, resilience and fairness

**Part 2**

**Section 1: Improvements**

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

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

1.1	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?

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

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

1.4	<p>Taking into consideration everything you know about the proposal <u>in its revised form</u>, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</p> <p>Your response to this question must be input under the One Planet Council implications section of the Executive report. Please feel free to supplement this with any additional information gathered in the tool.</p>

1.5	Any further comments?





---

**Executive****13 July 2017**

Report of the Deputy Chief Executive and Corporate Director Customer & Corporate Services

Portfolio of the Executive Leader (incorporating Finance & Performance)

**AWARD OF CONTRACT FOR SECURITY SERVICES****Summary**

1. This report provides details of the result of the evaluation of the tenders received for the provision of the Provision of Security Services and CCTV Operatives and Equipment (Corporate Security Services). Members are asked to approve the award of a contract for the provision of the service to the winning suppliers, subject to minor amendments as the result of clarification of terms.

**Recommendations**

2. The Executive is recommended to:
  - a. To agree to delegate authority to the Corporate Director of Customer & Corporate Services to enter in to contracts with the proposed supplier for the Provision of Security Services and CCTV Operatives and Equipment (Corporate Security Services);

Reason: To enable the Council to achieve Best Value by maximising the available budget; transfer risks and responsibilities for CCTV security to the appointed supplier so it resides with an experienced, accredited and skilled supplier; and ensure consistency of service provision across the Council.

## **Background**

3. The Executive previously approved a strategy on June 25<sup>th</sup> 2015 for a single procurement exercise that would provide the following security services:

Lot 1: Manned guards, key holding service, the maintenance of fire and intruder alarms, supply of security consumables, locks, padlocks and locking systems

Lot 2: CCTV services: operation of public space surveillance camera network and the supporting functions that relating to public safety, the maintenance of all CCTV equipment (public space and individual building networks) and continuation of providing support to both the Transport Section and Parking Services, provision of new systems

4. The contract duration confirmed within the tender documents was for an initial six years with the option to extend the contract for up to a further four years. The maximum contract duration would therefore be up to 10 years. Such durations will enable the successful appointed supplier(s) to provide Value for Money throughout the contract period, be responsive to our changing security requirements and consider innovations in the security market by working in partnership with the council and our partners.

## **Procurement Process**

5. The route to the market was through the “Restricted procedure” which is a two stage procurement procedure including a Selection Questionnaire (SQ) stage and then followed by an Invitation to Tender (ITT) stage for those bidder’s shortlisted and invited to tender for the two Lots included in the tender documentation and in accordance with the procedure as defined under the Public Contracts Regulations 2015. Bidders had the opportunity to respond to one or both available Lots.
6. The project team hosted a Supplier Engagement Event for this procurement at the Mansion House, St Helens Square on Wednesday 24<sup>th</sup> June 2015 to inform interested suppliers about this procurement, facilitate discussions between the attendee’s to establish contacts and to enable the attending suppliers to have site visits of the Mansion House building and also West Offices

which would be included in the list of buildings/sites to be covered by this contract. A total of five suppliers attended the event which included a presentation on the scope of the procurement and invited the attendees to introduce themselves and their organisation to everyone and was concluded with the site visits. Throughout the procurement process a list of interested suppliers who enquired about this procurement was maintained so that key contacts were kept informed of progress and included onto the specific Yortender record when the procurement was published in December 2016.

7. The tender documentation was published on Yortender on the 8<sup>th</sup> December 2016 with an OJEU Contract Notice – Restricted Procedure also published. The evaluation panel assessed eleven suppliers who submitted a Selection Questionnaire (SQ) by the deadline of 12<sup>th</sup> January 2017 to determine the suppliers' suitability and capability of delivering the services for the Lots they were bidding for.
8. Following the evaluation of the SQ's received for this tender opportunity a short list of suppliers was invited to submit a formal tender for the respective Lots they were shortlisted onto by the deadline of 12noon on Monday 20<sup>th</sup> March 2017.

### **Tender Evaluation**

9. The evaluation process was designed to compare the price and quality of the tenders using a most economically advantageous tender (MEAT) approach with a 60:40 quality/cost split.

### **Quality Element**

10. The quality element questions were scored by two evaluation panel's of three officers on a 0-5 basis. The questions focused on the supplier's technical ability to deliver the scope of works detailed within the Invitation to Tender.

### **Cost Element**

11. The cost element was scored as per the breakdown at Table 1 (below), with the best bid (the cheapest costs) receiving full marks and then other bids receiving a percentage score relative to the best bid.

Table 1

<p>Lot 1: 25% for Manned Guards 9% for Key holding, Fire and Intruder Alarms 1% for consumables 5% compliance for Living Wage Allowance</p> <p>Lot 2: 20% for Control Room Services 10% for Maintenance of the Public Surveillance System 5% for Maintenance of Building CCTV Systems 5% compliance for Living Wage Allowance</p>
---

### **Results of Evaluation**

12. Following confirmation that all bids received were compliant and valid, Officers undertook a full and comprehensive evaluation. The winning suppliers scored highest over all evaluation categories.
13. Annex 1 and Annex 2 provide a summary of the overall evaluation scores for each Lot.

### **Consultation**

14. The procurement has been undertaken under the close supervision of the Commercial Procurement Team to ensure that the correct process has been followed at all stages. The OJEU Notice was published on 13<sup>th</sup> December 2016 inviting suppliers to respond to tender documents. The tender closed in at 12 noon on Monday 20<sup>th</sup> March 2017.
15. In preparation for the issuance for this procurement process, the Procurement, Legal, Financial, Property and Transport teams within the Council all worked closely together to ensure that the proposals are aligned to corporate policy and priorities.

## **Options**

### **Key Features of the Winning Supplier's Proposals**

16. The winning supplier's proposals:
  - Achieve best value by maximising available budget and aggregation of spend
  - Transfer risks and responsibilities to an experienced, accredited and skilled supplier
  - Provide a consistency of service provision across the council
  - Allow the council to comply with statutory procurement regulations

### **Next Steps**

17. The successful and unsuccessful bidders are to be notified of the outcome of the procurement process; and in accordance with OJEU procedure the council will enter a formal ten day standstill period.
18. On completion of the standstill period project officers will finalise the transitional arrangements and migrate existing contracts to the new supplier and finalise the TUPE transfer of the CCTV operatives.
19. The new contract is targeted to commence on November 1<sup>st</sup> 2017.

### **Council Plan**

20. The actions set out in the report contribute to the following corporate priorities as set out in the Council Plan 2015-19:

Build strong communities by:

The award of a corporate security services contract that incorporates the CCTV requirements of the council will assist the Council to tackle crime, antisocial behaviour, increase community safety and enhance our commitment to have effective arrangements in place to safeguard our communities against terrorism through a consistency in the quality of security services provided and achieving Best Value for the Council's budget.

Creation of jobs and grow the economy by:

The inclusion of Lots in the re-procurement exercise would enable SME's to potentially bid for individual or all Lots available and contribute to the growth of the economy.

21. The Council's Plan 2015-19 also includes the core capability for the improvement of our procurement activity to create savings and focus the Council's spend on the delivery of our priorities. The inclusion of the CCTV control room operative's requirements as part of this re-procurement would further enhance the opportunity for the Council to obtain financial savings and efficiencies by its inclusion within this re-procurement.

## **Implications**

### **Financial Implications**

22. The proposed prices of the Corporate Security Services contracts are indicative of the buildings and suggested hours required, these will vary as the Council's buildings portfolio changes over the period of the contract. Based on the buildings at the time of the tender specification the combined price for these contracts would be £854k per annum. For Lot 1, no budgetary savings will be delivered from awarding the new contract, however previous cost pressures will be resolved.
23. The proposed total price for CCTV services of £341k is lower than the current cost. However, there will remain a budget pressure of £117k primarily from previously agreed savings relating to identifying external income to support the service. Officers are still actively seeking opportunities to deliver this.

### **Human Resources (HR)**

24. The award of the contract for Lot 2 - CCTV services operation of public space surveillance camera network and the supporting functions that relating to public safety, the maintenance of all CCTV equipment will include HR requirements regarding four current CCTV Control Room operatives who are CYC employees. Under the legal requirements of TUPE (Transfer of Undertakings Protection of Employment) Regulations 2006 the four CYC employees would have the right to transfer to the successful bidder for Lot 2 as a requirement of the award of this contract.

25. There are also a number of external suppliers who currently provide various security services on behalf of the council which would end as the new contracts commence and so there would be transitional arrangements when changing from existing suppliers to the new supplier(s) that might include transfer of resources or employees prior to the contracts commencing.
26. There will be ongoing consultation with the four CCTV Operators currently employed by the council and their Trade Union representatives regarding TUPE transferring to a new provider. This will be both on a collective and an individual basis and will include dialogue around time scales and likely date of transfer. These employees would ultimately TUPE transfer to the new provider. The TUPE transfer will be implemented in accordance with current legislation and in line with the Council's Supporting Transformation (Managing Change) policies and guidelines. It is anticipated that the new provider will have discussions with the North Yorkshire Pensions regarding application for Admitted Body Status in order to ensure that the employees can retain their existing pension arrangements.
27. There are no implications for Lot 1.

**Equalities**

28. There are no implications

**Legal**

29. Legal advice has been provided identifying the procurement, contractual and competition issues which have been addressed in the contract documents.

**Crime and Disorder**

30. There are no implications

**Information Technology (IT)**

31. There are no IT implications.

**Property**

32. There are no property implications

**Other**

33. None

## Risk Management

34. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to non-compliance with legislation, damage to the Council's image and reputation and failure to meet stakeholders' expectations. However measured in terms of impact and likelihood, the score for all risks has been assessed at less than 16. This means that at this point the risks need only to be monitored as they do not provide a real threat to the achievement of the objectives of this report.

### Contact Details

**Author:**

Ian Asher  
Head of Property Design &  
Facilities Management  
Tel No. 01904 55379

**Chief Officer Responsible for the report:**

Andrew Docherty  
Assistant Director Governance

**Report  
Approved**



**Date** July 3<sup>rd</sup> 2017

Neil Ferris  
Corporate Director of Economy and  
Place

**Report  
Approved**



**Date** July 4<sup>th</sup> 2017

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

Mark Woolford  
Commercial Procurement Category Manager  
Tel No. 552237

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

**All**



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

### Background Papers:

Procurement of Council Security Services to Executive 25<sup>th</sup> June 2015



**Annexes**

Annex 1 – Lot 1 Financial Information – Exempt

Annex 2 – Lot 2 Financial Information – Exempt

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



---

**Executive**

**13 July 2017**

**Report of the Director of Economy and Place**

**Portfolio of the Executive Member for Finance and Performance**

**Establishing an Investment Budget for a Strategic Commercial Property Acquisition**

1. An opportunity has arisen for the council to acquire the freehold interest in a portfolio of properties in the city centre that will ensure the ongoing maintenance of the buildings, support the economic vibrancy of the city centre and generate significant additional income to contribute to the increased budget income target set for the council's commercial portfolio.

**Recommendations**

2. Executive is asked :
  - (i) To recommend to full council
    - the establishment of a capital budget of £15m, to be financed initially from borrowing, to fund the acquisition of freehold interest in a portfolio of city centre commercial property assets.
    - to agree that any future capital receipts not currently assumed in the Capital strategy, be allocated to fund the purchase, thereby reducing in time the associated borrowing related to the investment. This will be updated in capital monitor reports in the future.
  - (ii) To bring back to Executive a due diligence report prior to completion of the acquisition

**Reason:** - To ensure the ongoing economic vibrancy of the city centre and increase the income from the council's commercial property portfolio in order to achieve budget targets

## **Background**

3. The council has for many years operated a significant commercial portfolio often purchased in order to conserve either the buildings or promote the regeneration and economic vibrancy of the area. The assets also generate a revenue income stream to support the council's revenue budget. In the last two years, additional income targets have been agreed as part of the annual budget. Significant work has already been undertaken to deliver additional income including the disposal of underperforming assets and the acquisition of property in Hospital Fields Road.
4. The budget report for 2017/18 set out an approach to a 4 year budget and identified the need to consider further property investment opportunities in order to continue this good progress over future years. Given that interest rates are low, property acquisitions perform well when compared to other forms of investment and are capable of delivering higher yields.
5. The council has always focussed its commercial estate in York in order to promote and support economic vibrancy and ensure the preservation of historic buildings. These acquisitions also serve a broader role in meeting social economic and environmental objectives such as regeneration and ensuring the sustainability and vibrancy of the city centre.
6. An opportunity has arisen to make a strategic acquisition of a mixed commercial portfolio in York city centre. The portfolio is on the open market and hence the details are commercially sensitive. Details of the properties are attached as confidential Annex 1, together with a pre-acquisition report at confidential Annex 2, prepared by national and York based commercial agents, which provides a commercial view of the opportunity.
7. The marketing exercise is live now and will close later in July. In order to make an offer for these properties the council will need to agree an overall capital budget for the acquisition. If that offer is then accepted by the vendor then a more detailed due diligence report will be brought back to Executive before the acquisition is completed.
8. The item has been added to the forward plan as an urgent item because a decision is needed by Executive and full Council in July 2017. This does not allow for the item to appear on the forward plan for the usual 28 days. The next full Council meeting is in October which would be too late.

## **Funding**

9. Given the commercial sensitivity of an open marketing exercise, it is proposed that an overall capital budget of £15m is set aside to fund the



acquisition. The detailed due diligence report will set out the actual sale value if the council is successful in securing the assets.

10. The funding will be provided by borrowing from the Public Works Loan Board (PWLB) and will be repaid from rental income.
11. The outline business case in confidential Annex 3 sets out scenarios for a range of eventual purchase prices showing the different returns. Prudent assumptions have been made to make provision for potential voids, the staff costs of operating an enlarged commercial estate and a prediction of the potential increase in income over the next 5 years to indicate how the revenue stream will increase whilst repayment of the capital will stay steady and eventually fall away. The business case is based upon borrowing over 50 years and minimum revenue provision being based on the asset's perceived life.
12. It is proposed that ultimately the financing for the purchase will be paid for from future capital receipts. There are a number of potential significant receipts in coming years, and as these come through it is intended that these will be utilised to reduced the borrowing requirement on the assets within this report. Ultimately that should result in there being no actual debt associated with the investment, incurring no associated borrowing costs. This will be set out in further detail in the next report.
13. In addition to rent each lease has the ability for a service charge to be levied which will ensure the ongoing quality of the assets and pay for the repairs and maintenance liabilities of the property. Given current low interest rates, even with making full provision for repayment of the costs of purchase the rental income will provide an additional source of annual revenue, net of borrowing costs. In addition the value of the asset is likely to increase over time.
14. The investment therefore represents a good opportunity to increase the commercial portfolio rental stream and support city centre economic prosperity

## **The Council Plan**

15. The acquisition will support the following priorities;
  - I. The creation of a Prosperous City for All,
  - II. Be a Council that listens to residents particularly by ensuring that :
  - III. Everyone who lives in the city can enjoy its unique heritage and range of activities.
  - IV. Visitors, businesses and residents are impressed with the quality of our city.

- V. Local businesses can thrive.
- VI. We are entrepreneurial, by making the most of commercial activities.

## Implications

**Financial** – These are covered in the report and in confidential annex 3.

**Human Resources (HR)** – If the acquisition goes ahead additional resource will be needed to manage the expanded commercial portfolio. This will be funded from additional income.

**Equalities** – n/a

**Legal** – Under part 1 chapter 1 of the Local Government Act 2003, a local authority may borrow for any purpose relevant to its functions or for “the prudent management of its financial affairs. The detailed due diligence exercise will consider the detailed legal implications of the acquisition.

**Information Technology (IT)** - There are no IT implications.

**Crime and Disorder** – none

**Property** – All property implications are covered in the report. A more detailed report will set out the results of the due diligence exercise.

## Risk Management

- 16. As with all property acquisitions there is a risk that the value of the property may decrease over time. Full provision is made in the business case to pay off the capital cost over the life of the asset.
- 17. There is also a risk that there may be a level of tenancy voids. The business case makes provision for that risk.

## Contact Details

Author:

Tracey Carter - Assistant Director for  
Regeneration and Asset Management Tel  
No. 553419

Nick Collins  
Commercial Property Manager  
Tel No 552167

**Chief Officer Responsible  
for the report:**

Neil Ferris – Director of  
Economy and Place

✓ 5 July 2017

**Specialist Implications Officer(s)**

*Financial –Debbie Mitchell*  
Head of Corporate Finance  
Tel No. 554161

Legal – Andy Docherty  
Assistant Director Legal and Governance  
Tel No. 551004

**Wards Affected:** Guildhall

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

**Background Papers:**

**Annexes**

Confidential Annex 1a –Property Details  
Confidential Annex 1b – Property Details  
Confidential Annex 2 - Buyers Pre Acquisition Report  
Confidential Annex 3 – Outline Business Case

**List of Abbreviations**

None

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



---

**Executive****13 July 2017**

Report of the Assistant Director of Planning and Public Protection

Portfolio of the Leader and Deputy Leader

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

1. This report has been written to:
  - provide an update to Members on the work undertaken on the MOD sites highlighted in previous reports to LPWG and Executive;
  - seek the views of Members on the methodology and studies carried out to inform the housing and employment that the City is tasked with accommodating;
  - seek the views of Members on the most appropriate way of accommodating this future growth;
  - to ask for Members approval of non-housing and employment site specific policies; and
  - to request the approval of Members for officers to undertake the necessary work to produce a draft plan based on the recommendations of the Executive for the purposes of consultation along with associated technical papers.

**Recommendations**

2. Members are asked to:
  - (i) Consider the GL Hearn Report (Annex 1) and the analysis provided at paragraphs 82 - 92 and confirm whether the conclusions in respect of the Objectively Assessed Housing Need (OAHN) are agreed as the evidence base upon which the Local Plan should be progressed.

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

- (ii) Consider the employment land requirement included arising from the draft ELR Addendum (Annex 2) and confirm whether this is agreed as the evidence base upon which the Local Plan should be progressed.

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

- (iii) Consider the technical analysis on sites including the MOD (Annexes, 3, 4 & 5) and confirm whether this is agreed as the evidence base upon which the Local Plan should be progressed.

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

- (iv) Consider the revised policy approach to Gypsy and Traveller provision highlighted within this report and Annex 9 and confirm whether this is agreed.

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

- (v) Following decisions on the matters referred to in (i) to (iv) above authority be delegated to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve all housing and employment growth related policies (including site specific planning principles) and the non-site related policy modifications at schedule (Annex 7) in accordance with the approved evidence base.

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

- (vi) Delegate to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader the approval of any changes to the non-site related policy modifications schedule (Annex 7) following the completion of viability work;

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

- (vii) Following approval of the evidence base and policy in relation to housing and employment, authority be given to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to produce a composite draft Local Plan for the purposes of consultation.

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

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

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

- (ix) Delegate authority to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve a consultation strategy and associated material for the purposes of a city wide consultation starting in September 2017 and to undertake consultation on a composite plan in accordance with that agreed strategy.

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

- (xiii) Delegate authority to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve a revised Local Development Scheme as per the timetable highlighted in paragraphs 98 to 101 of this report.

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

### **Background**

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

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

4. The absence of an adopted Local Plan, given the expectations embodied in the National Planning Policy Framework (NPPF) puts the Council in a much weakened position when development proposals come forward for undeveloped areas of the city. In the absence of a Local Plan, development proposals fall to be considered on a case by case basis assessed against the national policies. This gives rise to a high risk of ad- hoc provision of housing developments through appeal rather than

through the City's own strategic planning, and an increased risk of challenge to the Council's interpretation of national policy in the Courts. For example, York presently relies on the saved policies in the Regional Spatial Strategy which shows the general extent of the Green Belt – the City must assess individual proposals without the benefit of further Local Policy to inform which areas are more suitable than others for development within that general extent. In development management decision making, when weighing factors in the planning balance, the City is also disadvantaged when seeking to justify protecting land within the general extent of Green Belt, as a national policy compliant 5 year housing supply cannot be demonstrated.

5. Although in a recent decision by the Secretary of State he refused a housing proposal in the general extent of the York Green Belt, Members are advised that relying on planning by appeal will risk not being able to deliver the administration's objective of protecting the green belt and the character of York in the longer term, as it fails to provide a clear planned future strategy.
6. The last significant stage of Local Plan production occurred in 2016 with the Preferred Sites Consultation. This consultation began on 18<sup>th</sup> July 2017 and ended on 12<sup>th</sup> September 2016. Circa 2,300 individual responses were received from members of the public, developers and statutory consultees. Consultation responses were published online (redacted in line with Data Protection Act) as part of the report to Executive on 7<sup>th</sup> December 2016 and the Consultation Statement is attached as annex 6 to the Executive Report.
7. Also, as Members are aware following reports to the Executive in December and January , after the Preferred Sites Consultation concluded the Ministry of Defence (MOD) announced as part of its Defence Estate Strategy on 7<sup>th</sup> November 2016 the release of three sites in York:
  - Imphal Barracks, Fulford Road;
  - Queen Elizabeth Barracks, Strensall; and
  - Towthorpe Lines, Strensall.

The reports indicated that technical work needed to be carried out to assess if the sites represented 'reasonable alternatives' and if they did they would need to be considered as part of the Local Plan process.

8. In addition since the Local Plan Publication Draft, was reported to Members in autumn 2014, there have been a number of national and local policy updates. This includes updates to the National Planning



Practice Guidance, a new Council Plan and the approval of the One Planet Council Framework to embed One Planet principles into decision-making processes across the Council. The evidence base that underpins the emerging Local Plan has also progressed.

9. On 7 February 2017, the Department for Communities and Local Government (DCLG) published a Housing White Paper. As part of which, DCLG also consulted on changes to planning policy and legislation in relation to planning for housing, sustainable development and the environment. The consultation ran from 7 February and closed on 2 May 2017. The outcomes of the consultation will involve amendments to the National Planning Policy Framework (NPPF) and regulations. The White Paper could lead to a number of implications for the emerging Local Plans, including potentially, a prescriptive methodology for the calculation of housing number. The full extent of any implications and the associated timescale is presently unclear.
10. In response to the context described above Officers have undertaken further work relating to the following interrelated areas:
  - The MOD sites and related supply implications;
  - Housing Need;
  - Employment Need
  - Housing and Employment Land Supply and related consultation responses; and
  - Non housing and employment land related policies.

This work is presented in summary below. It will be presented to the Local Plan Working Group (LPWG) on 10<sup>th</sup> July 2017.

### **MOD Sites**

11. The sites have been tested against the Local Plan Site Selection Methodology which is based on the emerging Plan's spatial strategy. The full methodology is set out in the Preferred Sites Document (2016). In summary, this is based on a four stage approach as follows:
  - Criteria 1: Protecting environmental assets (including Historic Character and Setting, Nature Conservation assets and functional floodplain);
  - Criteria 2: Protecting existing openspace;
  - Criteria 3: Avoiding areas of high flood risk (Greenfield sites in flood zone 3a);
  - Criteria 4a: Sustainable access to facilities and services; and

- Criteria 4b: Sustainable access to transport.

12. Imphal Barracks and Queen Elizabeth Barracks sites both pass criteria 1 to 4 as residential sites. The Towthorpe Line site fails criteria 4 for residential sites but does pass the criteria assessment for consideration for employment use. Following the assessment against Site Selection Criteria 1 to 4 the sites were also considered by the technical officer group. This group includes specialist officers covering areas such as ecology, archaeology, transport and landscape. The outcomes of this work are as follows (see Annex 3: Table 1):

#### Queen Elizabeth Barracks, Strensall

13. Officers consider that the site should be included as a residential site in the Plan. The site could provide up to 623 dwellings and could deliver from 2022/23 onwards at an annual rate of circa 70 dwellings per annum. Given the site's location adjacent to Strensall Common SSSI/SAC there will be a requirement to undertake a Habitat Regulation Assessment (HRA) prior to its inclusion in the final Plan. Further work will also be required to develop a site-specific policy for the site which will include a set of planning principles to inform the subsequent masterplanning of the site. This will cover issues such as archaeology and heritage, transport and access, design, provision of community facilities, ecological mitigation measures and landscaping.

#### Imphal Barracks

14. Officers consider that the site should be included as a residential site in the Plan. The site could potentially provide up to 769 dwellings but would not be included until later in the plan period. This reflects the timeframe for release of the site by the MOD (2031) and also the potential for significant resulting transport impacts along the A19 corridor. Further work will also be required to develop a site specific policy for the site which will include a set of planning principles to inform the subsequent masterplanning of the site. This will cover issues such as archaeology and heritage, transport access, design, provision of community facilities, ecological mitigation measures and landscaping.

#### Towthorpe Lines

15. Officers consider that the site should be included for potential employment use in the Plan. It does not pass the site selection methodology to be considered as a housing site in the plan, failing on access to services and transport. It should be noted that the MOD would

like this site to be considered as a housing site with the potential for circa 80 dwellings.

16. Technical officers felt that given the distance to facilities, access to the site and adjacency with Strensall Common SSSI/SAC it could potentially be used as a commercial site, more consistent with its current function as a depot for the MOD, subject to appropriate ecological and landscape mitigation. In addition, it was considered that any road linkage improvements required to make the site work in residential terms to connect to Queen Elizabeth Barracks may have a potential impact on Strensall Common and its management.
17. Given the site's location adjacent to Strensall Common SSSI/SAC there will also be a requirement to undertake a Habitat Regulation Assessment (HRA) prior to its inclusion in the final Plan. Further work will also be required to develop a site specific policy for the site which will include a set of planning principles to inform the subsequent masterplanning of the site. This will cover issues such as archaeology and heritage, transport and access, design, provision of community facilities, ecological mitigation measures and landscaping.
18. The inclusion of the MOD sites, as highlighted in the paragraphs above, would allow an increase of 1,392 dwellings during the proposed Green Belt timeframe (20 years from adoption). It should be noted, however, that the Queen Elizabeth Barracks site will not be released until 2021 and Imphal Barracks until 2031. Annual delivery rates are anticipated as follows:
  - Queen Elizabeth Barracks, Strensall – 623 dwellings from 2022/23 onwards at annual delivery rate of 35 p.a for first year and 70 p.a. thereafter; and
  - Imphal Barracks – 600 dwellings from 2032/33 to 2037/38 at 120 dwellings per annum. A further 169 dwellings would be delivered in 2038/39 and 2039/40.

### **Housing Need**

19. A key objective of the National Planning Policy Framework (NPPF) is to '*boost significantly the supply of housing*'. It requires that Local Planning Authorities identify the objectively assessed need for market and affordable housing in their areas, and that Local Plans translate those needs into land provision targets. Like all parts of a development plan such housing targets should be informed by robust and proportionate evidence.

20. Paragraph 17 of NPPF sets out a set of core land-use planning principles which should underpin both plan-making and decision-taking. This includes the following:

*“Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities”.*

21. The NPPF is clear that Local Plans should provide land to meet their objectively assessed need in full, in so far as their area has the sustainable capacity to do so, stating that:

*“Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted”.*

22. The Preferred Sites Consultation (2016) included a housing figure of 841 per annum based on the SHMA (2016). This figure took account of recent migration trends (Mid Year Population Estimates 2013 and 2014, ONS<sup>1</sup>) and improvements to household formation rates for younger households (25-34 yr age group).

23. On the 25<sup>th</sup> May 2016 Office of National Statistics (ONS) published a new set of (2014-based) sub national population projections (SNPP). These projections were published too late in the SHMA process to be incorporated into the main document however GL Hearn produced an addendum to the main SHMA report which briefly reviewed key aspects of the projections and highlighted what level of housing need is implied by the new information. They recommended that the Council did not need to move away from the previous advice (841 dwelling per annum).

24. Following the approval of the Preferred Sites document for consultation at Executive on 29<sup>th</sup> June 2016, DCLG published updated household projections – the 2014 based sub-national household projections in July 2016. As reported to Members of LPWG and Executive in December 2016, GL Hearn were asked to update the SHMA to take account of

---

<sup>1</sup> Office for National Statistics

these new figures, and to assess the representations received through the PSC consultation relating to OAN.

25. The GL Hearn Report (Annex 1) has updated the demographic starting point for York based on the July 2016 household projections (CLG). This increases the demographic starting point from 783 (which was the demographic starting point for the 841 housing need figure as per the 2016 SHMA) to 867 per annum. Guidance (NPPG) indicates that the official projections should be seen as a baseline only.
26. Table 1 below indicates the basis of GL Hearn's work.

Table 1: Projected growth based on 2014 SNHP

<b>Year</b>	<b>Households</b>
2012	84,271
2032	101,389
2037	104,867

Source: Derived from ONS and CLG data.

27. The table shows that the predicted change 2012 to 2032 is +17,118 households which equates to 856 households per annum. GL Hearn used a vacancy rate of 1.3% to convert households to the dwelling requirement leading to the figure of 867 dwellings pa. The conversion rate is based on Council Tax data for York. The previous 2016 SHMA used a vacancy rate of 3.8% taken from 2011 Census. This, therefore, represents a reduction. Using the same conversion rate and looking longer term the change 2012 to 2037 is +20,596 households which is 824 households per annum. Converted to dwellings it is 835 per annum.
28. Paragraph 47 of the NPPF indicates that to boost significantly the supply of housing, local planning authorities should:
- *'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;*
  - *identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;'*

29. On this basis the figure of 867 is relevant baseline for the 15 year period of the plan period subject to any appropriate adjustments. There is nothing specific in guidance to advise how you look in the post plan period at OAN as most authorities are not setting a greenbelt boundary. In order to create a robust position for examination it would seem most appropriate to continue with the 15 year needs estimate for the full Green Belt time period.
30. The GL Hearn report recommends that based on their assessment of market signals evidence and some recent Inspectors decisions that York should include a 10% market signals adjustment to the 867 figure. This would increase the housing figure to 953 per annum. The market adjustment is based on an assessment of both market signals and affordable housing need. GL Hearn has considered a single adjustment to address both of these issues as they are intrinsically linked.
31. The GL Hearn Report does not review affordable housing need but it is concluded that this is unlikely to have changed significantly from the 2016 SHMA which identified a net affordable housing need of 573 dwellings. It should be noted that large parts of this need is either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).
32. In terms of market signals the SHMA reports that by Q2 2016 median house prices in York had reached £225,000 a notable increase on the Q4 2014 position of £195,000. The SHMA also notes that the median private rental data shows a median rental price of £700 pcm for York which compares to the average in England of £650 pcm and in the Yorkshire and Humber region of £500 pcm. GL Hearn also looked at the relationship between lower quartile house prices and lower quartile earnings. As of 2015 the lower quartile house prices in York are 8.9 times higher than lower quartile earnings.
33. On balance, GL Hearn concludes that the market signals in York are quite strong and there is a notable affordable housing need. Combined these would merit some response within the OAN. Any adjustment should however be considered as addressing both elements. National Guidance (PPG) sets out that the scale of such an adjustment should be "*a level that is reasonable*". SHMAs around the country have generally applied adjustments to improve affordability of up to 20%. There have been exceptions to this, such as in Cambridge (where a 30% adjustment has been recommended). There are also some examples across the country where a 0% market signal uplift has been accepted at Examination. This includes Mendip, Stratford-upon Avon, Crawley and

Cornwall. It should be noted, however, that each examination involved the consideration of the individual circumstances of these authorities.

34. On balance, the judgement of GL Hearn is that a 10% adjustment is justified in York on the basis of the previously established affordable housing need and the updated market signals evidence.
35. Considering the SHMA recommendation in the context of past delivery; from the effective start date of the plan the 1<sup>st</sup> April 2012 up until the latest monitoring date of 31<sup>st</sup> March 2017 there has been 3,432 net housing completions. This equates to an annual average of 686 dwellings. For context the 10 year average 2007 to 2017 is 575 dwellings per annum.

### **Employment Need**

36. The National Planning Policy Framework (NPPF) provides a clear position on the need to build a strong competitive economy. In respect of Local Plans it states, at paragraph 21 the Plan should: -
  - set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth; and
  - set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period.
37. The Employment Land Review (ELR) July 2016 published as part of the Preferred Sites Consultation used econometric projections by Oxford Economics (OE) dated May 2015 as the forecast for employment land demand over the Local Plan period. These forecasts provided the starting point for determining the amount and type of employment land required to be identified in the Plan. The projections by Oxford Economics presented a baseline scenario for York forecasting a job growth of 10,500 jobs over the period 2014-2031. Two further scenarios were considered by OE; scenario 1 – higher migration and faster UK recovery, which identified an additional 4,900 jobs above the baseline over the same period and scenario 2 – re-profiled sector growth which identified 500 additional jobs above the baseline. Scenario 2 was endorsed as it reflected the economic policy priorities of the Council to drive up the skills of the workforce and encourage growth in businesses which use higher skilled staff.
38. To sensitivity test the original 2015 OE projections, the latest Experian economic forecasts used within the Regional Econometric Model (REM)

have been used for comparison. While both econometric models use national forecasts applied through a set of assumptions as to the breakdown, the assumptions differ slightly. Neither models are more accurate than the other but use different modelling assumptions about what could happen with the economy over the next 15 to 20 years.

39. In terms of the Local Plan it is important to ensure there is sufficient flexibility within the land supply for a range of scenarios rather than an exact single figure which one can precisely plan to with complete certainty. In summary the Experian model broadly supports the original growth projections included in the OE 2015 model.
40. The case for further flexibility is enhanced by recent changes to permitted development enabling offices to be converted to housing without having to apply for planning permission. For York, based on completions only, there has been some 19,750sqm of office space lost to residential conversion over the last three monitoring years between 2014/15 and 2016/17. Records show that unimplemented Office to residential conversions (ORC) consents at 31<sup>st</sup> March 2017 include for the potential loss of a further 27,300sqm of office floorspace if implemented.
41. The employment based forecasts arising from the model are then used to calculate floorspace and site requirements against the planning use classes. In addition they are also adjusted in the following ways:
  - The timeframe has been changed to reflect the revised plan period 2012 – 2032/33 2037/38;
  - Account has been taken of development between 2012 – 2017; and
  - A 5% vacancy factor and an additional 2 year land supply to allow for time for developments to be complete.

The outcomes of this work are set out in Table 2.



**Table 2: Scenario 2 Employment Land Requirements 2017-2038 (including 5% vacancy), Factoring in Change of Supply 2012-2017 and including 2 Years Extra Supply**

Use Class	Scenario 2 2017-33		Scenario 2 2033-38		Scenario 2 Total 2017-2038	
	Floorspace (m2)	Land (Ha)	Floorspace (m2)	Land (Ha)	Floorspace (m2)	Land (Ha)
B1a	94,771.32	11.7	12,310	2.1	107,081	13.8
B1b	7,883.40	2.1	1,644	0.4	9,527	2.5
B1c	8480.6	1.5	1,435	0.4	9,916	1.9
B2	0.00	0.0	0	0	0	0.0
B8	69,034.70	12.9	15,705	3.2	84,740	16.1
<b>B uses sub-total</b>	<b>180,170</b>	<b>28.2</b>	<b>31,094</b>	<b>6</b>	<b>211,264</b>	<b>34.3</b>
D2	15,577	2.7	4,398	1.1	19,975	4
<b>Total</b>	<b>195,747</b>	<b>30.9</b>	<b>35,492</b>	<b>7.1</b>	<b>231,239</b>	<b>38</b>

### Housing Land Supply

42. The plan period runs from 2012 to 2033, in addition as York is setting detailed Green belt Boundaries for the first time it is also important to consider the period beyond the end date of the plan to 2038 to provide an enduring Green Belt; a requirement of the NPPF. The plan uses a start date of 2012 as it's required to fit with the start date for Government projections. This means that any under delivery between 2012 and 2017 against levels of housing completions has to be met during the plan period. This is known as the 'shortfall' or 'under-supply'.
43. When considering the supply of houses it is important to consider completions to date and unimplemented positions. The current position is summarised in table 3 below.

**Table 3 Committed Supply and Windfalls**

<b>Plan period 1st April 2012 to 31st March 2033 / 2038</b>	
Net Completions 1st April 2012 to 31st March 2017	3432
Unimplemented Permissions @ 1st April 2017	3758
Windfalls (from Year 4) @ 169 pa	2197 / 3042
<b>Contribution to Supply</b>	<b>10,232</b>

44. Table 3 includes an allowance for windfalls. Windfalls sites, as defined in the NPPF (March 2012) are:

*'Sites which have not been specifically identified as available in the Local Plan process – they normally comprise previously developed sites that have unexpectedly become available.'*

The inclusion of these unidentified sites represents an element of risk and are typically not allocated for development or highlighted within the Strategic Housing Land Availability Assessment.

45. During the consultation on Preferred Sites responses were received from the public, developers and landowners all of which need to be considered before progressing the Local Plan to its next stage of development.
46. Following the consideration of all consultation responses officers have identified a number of sites where Members may wish to consider accepting a change to the previous Preferred Sites (2016) position. Annex 3 to the Executive report summarise the outcomes of this work and includes:
  - Sites where no or minor changes are suggested (Table 4 below);
  - Sites with a more significant change which Members may wish to consider (including boundary changes and deletions) (Table 5);
  - New sites which conform with the Council's approach to sites selection, which Members may wish to consider (Table 5); and
  - Sites where proposed boundary changes not considered appropriate.

Table 4: Housing sites with minor or no suggested changes from PSC (2016)

<b>Allocation Reference</b>	<b>Site Name</b>
ST1	British Sugar/Manor School
ST2	Civil Service Sports Ground, Boroughbridge Rd
ST4	Land adjacent to Hull Road
ST5	York Central
ST8	Land North of Monks Cross
ST9	Land North of Haxby
ST16	Terry's Extension Sites 1 (Terry's Car Park) & 2 (Land to the rear of Terry's Factory)
ST31	Land at Tadcaster Rd, Copmanthorpe
ST32	Hungate
ST33	Station Yard, Wheldrake
H1	Heworth Green Gas Works
H3	Burnholme School
H5	Lowfield School
H6	Land R/O The Square, Tadcaster Road
H7	Bootham Crescent
H8	Askham Bar Park and Ride
H10	The Barbican
H20	Oakhaven EPH
H21	Woolnough House
H22	Heworth Lighthouse
H29	Land at Moor Lane, Copmanthorpe
H31	Eastfield Lane, Dunnington
H39	North of Church Lane, Elvington
H43	Manor Farm Yard, Copmanthorpe
H51	Morrell House
H52	Willow House EPH
H53	Land at Knapton Village
H55	Land at Layerthorpe
H56	Land at Hull Road

Table 5: Sites including significant change which Members may wish to consider

<b>Allocation Reference</b>	<b>Site Name</b>
Sites 934/935/936	Queen Elizabeth Barracks, Strensall
Sites 624/937/939	Imphal Barracks
ST7	Land East of Metcalfe Lane
ST14	Land West of Wigginton Road
ST15	Land West of Elvington Lane
ST17	Nestle South
Former SF15	Land North of Escrick
Site H2b	Land at Cherry Lane
Site H12	Land R/O Stockton Lane/Greenfield Park Drive
Site H23	Grove House
Site H25	Heworth Green North
Site H28	Land to north of North Lane, Wheldrake
Site H37	Land at Greystones, Haxby
Site H38	Land to rear of Rufforth Primary School
Site H46	Land North of Willow Bank and East of Haxby Road
Site H54	Whiteland Field, Haxby
Site H57	Poppleton Garden Centre
Former SF10	Land North of Riverside Gardens, Elvington
New Site	Land at Victoria Farm, Rufforth
New Site	Land at Maythorpe, Rufforth
New Site	Former Clifton Without Primary School

47. The sites in table 4 above include sites with no or suggested minor changes to the Preferred Sites Consultation (2016) position. This includes the York Central site whose overall quantum for residential is 1500 dwellings with 1250 dwellings in the plan period. As Members are aware however, the York Central site is subject to detailed ongoing technical work and masterplanning which may increase the overall residential capacity of the site. This will be confirmed as the Local Plan progresses towards Publication stage and will be reflected in future iterations of the Plan.
48. The sites in table 5 above include more significant changes which Members may wish to consider. These include the MOD sites previously highlighted in this report and deletion of three sites; Heworth Green North, which following revisions falls below the site allocation threshold, Poppleton Garden Centre which is now identified potentially for employment uses and Whiteland Field Haxby. It also includes Nestle South which has been amended to reflect the revised planning application and associated work. The inclusion of Grove House and Clifton Without reflect decisions made by the Council's Executive. Other sites included follow the consideration by Officers of submitted technical work.

49. If Members accept the recommendation of the GL Hearn Report then the additional sites and boundary revisions highlighted in Annex 3 would need to be incorporated within the Local Plan (including the MOD sites). If, however, Members do not agree the GL Hearn Report and the sites included in Annexes 3, 4 and 5. They will need to particularise concerns and consider whether they wish further work to be commissioned.

### **Employment**

50. The Preferred Sites Document (2016) included a portfolio of employment sites (both strategic<sup>2</sup> and non-strategic) that would provide for the employment need requirements identified in the ELR (2016). The work undertaken by Officers does not suggest that the overall need figure needs to be revisited and this does not, therefore, lead to a need for additional land. However, a number of strategic high-level responses were received as part of this consultation in relation to the proposed employment sites and overall levels of employment growth. These are summarised below.
51. Flexibility requirements were discussed in the original ELR (2016). A number of comments were received through the consultation stating that further work was needed on assessing flexibility requirements. Make it York stated that it is important in confirming the employment allocations that the Council has ensured not only a sufficient overall quantum but that there is sufficient range and flexibility to deliver land requirements throughout the whole plan period. Following what Make it York call 'significant losses' of office accommodation under permitted development (PD) rights, it has been suggested that there is a severe shortage of high quality Grade A office stock within the city centre and old stock being removed from the market that is not currently being replaced.
52. The York and North Yorkshire Chamber of Commerce suggested that on the basis of sites identified in the Preferred Sites Consultation (2016) it is unlikely that the future supply will offer a sufficient range of choices of location for potential occupiers and that there will be a risk that York would lose out on investment for potential occupiers. The Chamber considers that further land should be identified to broaden the portfolio of sites available to cater for York's diverse high value added business. Make it York also suggested that allocating land flexibly amongst the use classes would help to mitigate risk of undersupply and is strongly welcomed.

---

<sup>2</sup> Strategic sites are sites 5ha and above.

53. Make it York state that it will be very important to monitor and respond to the change of supply over the whole plan period. Allowing flexibility to adapt and change use classes within site allocations will be critically important in ensuring the risk of undersupply is mitigated.
54. The York Central Partnership noted that the ELR (2016) allows for 'churn' through the provision of an additional 2 years worth of employment land. However, the fact that the Preferred Sites Document (2016) proposed to meet all B1a office need through a single allocation at York Central, may be perceived to undermine the objectives of building in churn. Whilst development will be phased at York Central allowing multiple developers, outlets and phased schemes, the partnership suggest that it may be appropriate for the Local Plan to allow small scale B1a uses to be accommodated on additional sites in the city.
55. In addition we received a significant number of representations and technical evidence to support sites not included in the Preferred Sites Consultation and the submission of new sites not considered previously through the emerging Local Plan.
56. Following the Preferred Sites Consultation officers have completed a thorough appraisal of all the evidence submitted from developers and landowners as well as considering responses from the public and other groups. This has led officers to identify a number of sites where Members may wish to consider accepting a change to the Preferred Site position. These are detailed in Annex 4 to the Executive report which includes:
  - Sites where no or minor changes are suggested (Table 6);
  - Sites with a more significant change which Members may wish to consider (including boundary changes and deletions) (Table 7);
  - New sites which conform with the Council's approach to sites selection, which Members may wish to consider (Table 7); and
  - Sites where proposed boundary changes not considered appropriate.

Employment Land SupplyTable 6: Employment sites with minor or no suggested changes from PSC (2016)

<b>Allocation Ref</b>	<b>Site Name</b>
E2	Land North of Monks Cross Drive, Huntington
E8	Wheldrake Industrial Estate
E9	Elvington Industrial Estate
E10	Chessingham Park, Dunnington
E11	Annamine Nurseries, Jockey Lane, Huntington
E12	York Business Park

Table 7: Sites including significant change which Members may wish to consider

<b>Allocation Reference</b>	<b>Site Name</b>
925	Towthorpe Lines, Strensall
ST5	York Central
ST6	Land North of Grimston Bar
ST19	Northminster Business Park
New Site	Land to the north of Northminster Business Park
ST26	Land at Elvington Airfield Business Park
ST27	University of York Expansion
New Site	Land to the north of Elvington Industrial Estate
Site 246	Whitehall Grange, Autohorn, Wigginton Road

57. The sites in table 7 above include significant changes which Members may wish to consider. These include the Towthorpe Lines MOD site previously discussed in paragraphs 15 to 17 of this report and the addition of Whitehall Grange following the recent planning consent granted by the Council. It is also proposed that the Grimston Bar (ST6) site be deleted.
58. It also includes the potential expansion of Land at Elvington Airfield Business Park (ST26), the existing Elvington Industrial Estate and the previous University allocation (ST27). The Northminster Site (ST19) was previously included but another site in close proximity has also been put forward. It is important to consider this in light of the transport comments included in paragraph 73. All changes are following the consideration by Officers of submitted technical work.
59. In addition, Table 7 includes the York Central site which was previously identified within the plan, for office development at 80,000 sqm; it is now 61,000 sqm. As already highlighted the York Central site is subject to detailed ongoing technical work and masterplanning which may increase the overall quantum. This will be confirmed as the Local Plan progresses towards Publication stage and will be reflected in future iteration of the Plan. In addition it should be noted that the York Central site is also

identified for a range of other commercial uses (outside the B use classes) including retail and leisure.

60. It should be noted that these additions, over and above minor changes, are in response to the consultation responses seeking further flexibility within the overall supply. In addition to the consideration of increasing the supply of sites, where appropriate, Officers are looking to increase flexibility in the use of sites. Previously office uses (B1a) would be directed to City Centre location with other sites identified for industrial and storage uses. It is proposed that out of centre sites are now also proposed to be identified for office use.

### **Non Site Related Policies**

61. Since the Local Plan Publication Draft was taken to Members in autumn 2014 there have been a number of national and local policy updates. The evidence base that underpins the emerging Local Plan has also progressed. It has therefore been important to take these national and local updates into account when developing the local plan policies. On this basis Officers have undertaken further work to refine the local plan policies. The changes are wide ranging and provided in Annex 7 for the consideration by Members. They include the key changes highlighted below.

#### Local Plan Vision

62. The Local Plan Vision has been revisited to fully reflect the Council Plan 2015-19 which has been published since the Local Plan publication draft. The York Economic Strategy 2016 – 2020 and One Planet York principles have also been taken into account. These updates haven't altered the vision itself but some wording revisions have been made to the outcomes to reflect the new local strategies.

#### Gypsy and Travellers

63. The publication of the government's revised version of Planning Policy for Traveller Sites (PPTS) in August 2015, included a change to the definition of Travellers for planning purposes. The key change to this national policy was the removal of the term *persons...who have ceased to travel permanently*, meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a Gypsy and Traveller Accommodation Assessment (GTAA). Those households who do not meet the updated planning definition will form a subset of the wider housing need.



64. In light of this change in national planning policy, the Council commissioned consultants ORS to undertake an update of the 2014 GTAA. The full GTAA is attached as Annex 8 to this report. Necessary revisions to the policy approach to gypsy and travellers in the local plan have been made to reflect the updated evidence base.
65. The proposed policy approach to address the needs of Gypsies, Travellers and Showpeople is split into different parts. The first part states that the existing sites will be safeguarded unless it can be demonstrated that they are no longer needed or that alternative provision is to be provided elsewhere. The second part sets out the approach for those households who have been identified in the GTAA Update as meeting the definition. The draft local plan policy states that the Council will identify additional site provision within the existing Local Authority sites. The third part addresses the needs of those households who do not meet the planning definition. The proposed approach is to meet the need either as a part of strategic site provision or through commuted sum payments arising from such development. The full draft policy is attached as Annex 9 for Member's consideration.

#### Sustainable Construction and Design and Renewable Energy

66. The climate change section of the plan included policies demonstrating how the Council will tackle the challenges of climate change. These policies are now out of date, following a number of changes to Government legislation and guidance. Local strategic priorities have also altered during this period. The Carbon Trust, an independent partner helping organisations to contribute and benefit from carbon reduction who have extensive experience of developing Local Plan policies, were commissioned to update this section of the Local Plan in conjunction with officers. The revised section more strongly ties the policies to the social and economic benefits of low carbon developments which consider sustainable design and construction principles.

#### Public Health

67. The community facilities section of the plan has been revised to have a greater focus on health and wellbeing, and has been renamed accordingly. Building happy, healthy and resilient communities is a priority set out in the Council Plan (2015-19). It was, therefore, deemed beneficial to more closely align existing policy prescriptions with the specific health challenges identified in York's Joint Health and Wellbeing Strategy. The new section covers the protection and enhancement of sports, healthcare, childcare, and community facilities. An additional

policy related to healthy placemaking has been added which encourages designing environments that encourage health-promoting behaviours. It also reflects work undertaken with the Tees, Esk and Wear Valleys NHS Trust to review mental health provision in York including the provision of a new site.

### Culture

68. Following responses received through the preferred sites consultation and a number of key stakeholders in York expressing a need to strengthen culture in the Local Plan, a new cultural provision policy has been developed and other additions made to appropriate sections of the plan. Policy formation has included consulting with a steering group and looking at best practice from other local authorities. A workshop with key stakeholders, organised by partners, was also held on 11 February 2017. The aim is to support development proposals where they are designed to sustain, enhance and add value to the special qualities and significance of York's culture.

### **Sustainability Appraisal and Strategic Environmental Assessment**

69. When producing Local Plans, authorities are required to consider, at each stage of production, the impacts their proposals are likely to have on sustainable development. The emerging Local Plan is subject to ongoing Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment (SA/SEA) as required through NPPF. SA/SEA is a means of ensuring that the likely social, economic and environmental effects of the Local Plan are identified, described and appraised to identify how they support the Council's sustainable development objectives.
70. In order to support discussion, a SA/SEA has been undertaken of the overall spatial strategy (drawing on the SA which accompanied the 2014 Publication Draft Local Plan) and housing and employment growth recommendations along with a high level appraisal on the proposed spatial distribution of the strategic sites. Please see Annex 10 for the full SA/SEA Technical Note.
71. Following the decision on growth levels and sites by Members and their inclusion in a composite draft Plan along with the non-site policy changes, which will also be appended to this report, a full SA/SEA will need to be undertaken prior to consultation.

## Transport Assessment

72. Initial transport modelling of residential and employment allocations has shown that there is unlikely to be a significant difference in the increase traffic growth, travel time and total delay across the network between the demographic starting point trajectory of 867 dwellings per annum and the demographic starting point with 10% market signals uplift trajectory of 953 dwellings per annum.
73. Initial transport modelling of potential residential and employment sites has shown that increased queues and delays are being forecast in the Poppleton area, exacerbated by the potential level of development projected for that area, including potential employment sites at Northminster Business Park (ST19), Land to the North of Northminster Business Park and the former Poppleton Garden Centre. The initial modelling undertaken assumes trip rates generated by B1 (office) use only at Northminster Business Park and Land to the North of Northminster Business Park. However, if the existing split at Northminster Business Park is continued at 40/60 B1a to B2/B8 the delays forecast may be an overestimate at this initial stage and would need to be subject to more detailed assessment.
74. Following the decision on growth levels and sites by Members a full analysis of city-wide transport implications will need to be completed. This will be made available to support the consultation.

## Viability

75. Ensuring sites are viable and deliverable in the context of planning policy is a requirement of national guidance. Following the decision on growth levels and sites by Members and their inclusion in a composite draft Plan a Local Plan Viability Assessment will need to be undertaken. This may necessitate changes to the non-site specific policies, attached as Annex 7 to the Report, where they include planning obligations.

## Duty to Cooperate

76. The Localism Act (2011) requires that local planning authorities demonstrate co-operation in plan making with adjoining or nearby authorities and other organisations in relation to cross boundary issues. Section 110 of the Localism Act transposes the Duty to Co-operate into the Planning and Compulsory Purchase Act 2004 and introduces Section 33A, which sets out a Duty to Co-operate in relation to the planning of sustainable development ('the Duty'). The Duty applies to all local planning authorities, county councils and 'prescribed bodies' and

requires that they must co-operate with each other in maximising the effectiveness with which development plan documents are prepared.

77. The Local Plan is required to consider and respond to issues which extend beyond the district boundary. Officers have previously consulted with adjoining authorities as part of the Local Plan process to date to fulfil the requirements of the Duty to Cooperate.
78. The representations at Preferred Sites Consultation (2016) by neighbouring local authorities and the York North Yorkshire and East Riding Local Enterprise Partnership (LEP) were varied. East Riding of Yorkshire Council and Hambleton District Council support the approach taken by CYC. North Yorkshire County Council recognises the importance of the City having a robust and high quality Local Plan in place that enables it to unlock economic growth and prosperity for the benefit of its communities and those of its wider hinterland. Ryedale district Council did not, in principle object to the apparent reduction at Preferred Sites of earlier proposed growth strategies, but did express concerns. Harrogate Borough Council also expressed concerns and the LEP considers the delivery of critical infrastructure and key employment sites, underpinned by an ambitious Local Plan and strong partnership with both LEPs and Central Government to be vital, adding that an ambitious plan, which can deliver this strategic infrastructure would provide the confidence to investors that York can deliver on its potential. Furthermore the LEP stated that for York, the dualling of the A1237 Outer Ring Road and the delivery of York Central are critical.
79. The concerns expressed by Ryedale District Council (RDC) and Harrogate Borough Council (HBC) centre around their doubts that there is sufficient flexibility in the plan to meet its requirements towards the end of the plan period and beyond the plan period, once a Green Belt boundary has been established through the plan, as this could lead to RDC and HBC facing pressure to meet the housing needs of the city. HBC also expressed that the way CYC is proposing to deal with its Green Belt boundary in terms of its permanence is a risk to the plan being found unsound.
80. It will be important that the view of Neighbouring Authorities and other prescribed bodies are sought on the next reiteration of the Plan. Reports will be submitted to North Yorkshire, York and East Riding Heads of Plan and the associated Spatial Planning and Transport Board; LCR Heads of Planning and associated Planning Portfolio Members group and associated LEPs for both areas.

## Analysis

81. The report presents to Members technical work undertaken on the MOD sites, housing, employment and policies. It highlights the choices that need to be considered in moving forward with the Local Plan. This is summarised below.

## Housing

82. The Preferred Sites Consultation (2016) was based on a housing growth figure of 841 dwellings pa for the plan period. This figure was calculated using a demographic baseline of 783 then adding adjustments of 58 dwelling pa. The work undertaken by GL Hearn advises the Council that the demographic baseline for assessing housing need has now increased from the Preferred Sites (2016) position from 783 to 867. Planning Practice Guidance (NPPG) makes it clear that current household projections published by the Department for Communities and Local Government should provide the starting point for estimating overall housing need therefore the previous 841 figure is not an option that the the Council can consider in the production of a Local Plan if it is to be successful when subject to examination by a member of the Planning Inspectorate.
83. The GL Hearn Report recommends that based on the market signals evidence a reasonable adjustment for York is a 10% market signals adjustment to the 867 figure. This would increase the housing figure to 953 per annum. The market adjustment is based on their assessment of both market signals and affordable housing need.
84. National Guidance (PPG) sets out that the scale of any adjustment to the DCLG housing baseline projections for an area should be "*a level that is reasonable*". SHMAs around the country have generally applied adjustments to improve affordability of up to 20%. There have been exceptions to this, including Cambridge (where a 30% adjustment has been recommended). There are however some examples across the country where a 0% market signal uplift have been accepted at Examinations. These authorities include Mendip, Stratford upon Avon, Crawley and Cornwall. It should be noted however, that each examination involved the consideration of the individual circumstances of these authorities.
85. In terms of past delivery and the context for reasonable market adjustment; from the effective start date of the plan the 1<sup>st</sup> April 2012 up until the latest monitoring date of 31<sup>st</sup> March 2017 there have been 3,432 net housing completions. This equates to an annual average of 686

dwellings. For context the 10 year average 2007 to 2017 is 575 dwellings per annum. Clearly achieving both the demographic baseline and the SHMA figure will require a considerable uplift in delivery amounting to 26% increase in housing delivery from the 5 year average.

86. During the Preferred Sites Consultation (2016) responses were received on the overall levels of growth and sites this included from the public, developers and landowners. In terms of the public response a significant number of respondents supported the level of housing growth proposed (841 dwellings per annum from 2012) and felt that it better represented the City's characteristics than that published as part of Preferred Options in 2013 (1090 p.a.). This view is particularly representative of comments from the general public and Parish Council's.
87. Some respondents, however, felt that the Preferred Sites figure of 841 p.a continued to overestimate housing need and that more consideration of the environmental cost of this provision should be given. There were also views expressed that the methodology suggested by NPPF over-inflated housing need in York, that the actual growth for the city could adequately be met on brownfield land alone and the need to review housing need in light of Brexit and likely reduced international migration.
88. In addition there were also a number of objections suggesting that the Council had underestimated housing need. A number of respondents consider that there is an inadequate assessment of housing need in the Strategic Housing Market Assessment (SHMA) and flaws in the calculation of the City's housing requirement in terms of taking account of market signals or the need to apply an uplift to meet needs of those households requiring affordable homes. Issues were also raised around supply, highlighting persistent under-delivery against the housing target, lack of consistency with City's economic ambitions or those of the LEP, and unrealistic density assumptions. Several OAHN were submitted by developers and landowners as part of the Preferred Sites Consultation. The GL Hearn report includes a summary of these responses in Appendix A to their report.
89. The Preferred Sites (2016) position in terms of housing supply was based on the delivery of 841 dwellings per annum in the plan period from 2012 to 2032 and 660 dwellings per annum in the post plan period to 2037. The figure of 660 per annum in the post plan period reflected the CLG household projections in the period 2032-2037. This approach included dealing with any shortfall in the period 2012-2016 (based on net completions), factoring in established supply at that point and appropriate levels of flexibility. If the MOD sites were included within the Plan as detailed in paragraph 18 of this report then the Council could

achieve the demographic starting point of 867 dwellings per annum from 2012 through the plan period and proposed Green Belt timeframe. It should be noted that need and supply shouldn't be in parity and the additional 1035 dwellings in the post plan period provides additional flexibility to that included in the Preferred Sites Document (2016) and would help increase the robustness of the plan.

90. Paragraphs 82 to 89 above set out those factors Members need to consider when coming to a view on housing need and supply. These comprise:
- (i) The recommendations of the GL Hearn Report including the need to incorporate market signals to a level that is reasonable;
    - the GL Hearn advice on a reasonable market adjustment would equate to 953 dwellings per annum.
  - (ii) The revised DCLG baseline;
    - the update in national projections effectively excludes the 2016 consultation figure of 841 dwellings per annum and create a new baseline of 867 dwelling per annum.
  - (iii) Relevant inspectors decisions as described in paragraph 84.
  - (iv) Consultation responses;
    - comments both support and contest the previous 841 Dwellings per annum based plan.
  - (v) Technical work on sites, including the MOD sites;
    - this work demonstrates that land could be made available to accommodate the market adjusted figure of 953 dwellings per annum for York.
    -
91. If having considered the factors set out in paragraphs 82-90 of this report, the OAHN of 953 dwellings per annum is not agreed, Members should provide reasons for departing from the conclusions in that report. Reasons should also be given to justify any alternative OAHN figure.
92. Plan making is not without risk and will be subject to an Examination in Public conducted by an Inspector appointed by the Secretary of State. Therefore, Members will need to satisfy themselves (and subsequently the Inspector appointed in the Examination in Public) of the rationale for

discounting and substituting a different perspective to some or all of the GL Hearn recommendations. In this regard, Members are referred to the legal implications section and the statutory duty to only submit a Plan for examination that is considered to be 'sound'.

### Employment

93. The revised forecasts support the position taken in the Preferred Sites Consultation (2016). However, the report highlights that during consultation key organisations argued for increased flexibility in the proposed supply to provide choice. This includes addressing the loss of office space to residential development through ORC's and to provide additional choice for B1a (office) provision in the earlier part of the plan period as an alternative to the York Central sites. Officers have provided technical information on the provision of additional sites and boundary revisions which could be incorporated within the Local Plan. The additions Members may wish to consider are included in Annex 4.
94. It should be noted any additions, over and above minor changes, are in response to the consultation responses seeking further flexibility within the overall supply. As highlighted Officers are looking to increase flexibility in the use of sites.

### Non Site Related Policies

95. Non housing and employment site related policies were last subject to consultation in July 2013 as part of the Preferred Options Consultation. Whilst updates were then made to policies in the Draft Plan following Preferred Options, this was never consulted on following the halting of the Plan in October 2014 by Members.
96. Since the plan was last consulted on in 2013 at the preferred options stage there have been a number of changes in national policy and local strategies. There has also been significant evidence base work undertaken and consultation outcomes to consider from the preferred sites consultation in 2016. The changes Officers believe are necessary to update the plan are highlighted in Annex 7 to this report.
97. In addition Members attention is specifically drawn to the proposed changes to the Gypsy and Traveller policies highlighted in Annex 9.

### Next Steps

98. Given the proposed level of change to the 2013 version of the Plan, notwithstanding the consultation on sites in 2016, a consultation on a full



plan and policies would be recommended. This would involve producing a plan based on the recommendations highlighted within this report along with necessary technical documents. This would start with pre publicity in Our City in August and formal consultation commencing in September for 6 weeks. This will ensure that the Council's position is transparent and clear before moving to the final publication draft consultation early next year.

99. Following consultation in September, subject to the number of representations received, it would be Officers intention to bring a publication draft document to Executive in January 2018. This would be subject to consultation in February 2018 with the intention of submitting a plan for Examination in April / May 2018. It is anticipated that the Examination would take between 6 to 9 months.
100. Following the Executive, officers if Members agree, will produce a composite draft Plan including both site and non-site related policies along with an overall vision and spatial strategy for the city. A city-wide proposals map showing all land allocations and designations will also need to be produced. In addition this document will be accompanied by the following which will need to be prepared after the Executive:
- SA/SEA;
  - Habitat Regulation Assessment (HRA);
  - City-wide transport model;
  - Viability Assessment;
  - Strategic Housing Land Availability Assessment (SHLAA);
  - Any technical addendums necessary arising from the recommendations of this report relating to growth and sites.
101. Officers will seek dialogue with key partners including neighbouring authorities, the County Council and both LEPS. In addition dialogue will also be sort with both DCLG and the Planning Inspectorate.

### **Impacts**

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

was based on the approved Local Development Scheme (Local Plan Project Plan).

103. It was reported to the Executive in January that if the MOD sites were to be included within the plan this would necessitate additional costs. These will have to be factored into future years budget allocations. The extension of time arising from the addition of the MOD sites would require maintaining existing staffing levels for 18/19 and additional funding to cover consultation and technical work. The costs in 2017/2018 can be contained within the current Local Plan budget however the impact of additional costs of finalising the plan will need to be considered as part of future budget processes.
104. **Financial (2)** - It should also be considered that if the approach taken is subsequently judged to be non compliant with Government Guidance either before or after submission this could lead to further technical work and additional consultation adding to the identified costs and creating delay.
105. **Financial (3)** - Managing the planning process in the absence of a Plan will lead to significant costs to the council in managing appeals and examinations.
106. **Human Resources (HR)** – The production of a Local Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within EAP.
107. **Better Decision Making Tool** – Please see Annex 11.
108. **Legal** – The procedures which the Council is required to follow when producing a Local Plan derive from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012.
109. The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:
- **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
  - **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

- **Consistent with national policy:** enable the delivery of sustainable development in accordance with the policies in the Framework.

110. In order for the draft Local Plan to pass the tests of soundness, in particular the ‘justified’ and ‘effective’ tests, it is necessary for it to be based on an adequate, up to date and relevant evidence base. The Council also has a legal duty to comply with the Statement of Community Involvement in preparing the Plan. (S19(3) 2004 Act).

111. The Council also has a legal “Duty to Co-operate” in preparing the Plan. (S33A 2004 Act). In due course Council will be asked to approve the publication draft Local Plan which will be subject to examination by a member of the Planning Inspectorate before being finally adopted. If the draft Local Plan is not prepared in accordance with legal requirements, fully justified and supported by evidence, the draft Local Plan is likely to be found unsound at examination and would not be able to proceed to adoption.

112. **Crime and Disorder** – The Plan addresses where applicable.

113. **Information Technology (IT)** – The Plan promotes where applicable.

114. **Property** – The Plan includes land within Council ownership.

115. **Other** – None

### **Risks**

116. In compliance with the Council’s risk management strategy, the main risks in producing a Local Plan for the City of York are as follows:

- The need to steer, promote or restrict development across its administrative area;
- The potential damage to the Council’s image and reputation if a development plan is not adopted in an appropriate timeframe;
- 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, increased potential to lose appeals on sites which may not be the Council’s preferred development options;
- Financial risk associated with the Council’s ability to utilise planning gain and deliver strategic infrastructure;

- Failure to progress a plan could lead to direct interventions by Government into the City's Local Plan making; and
- Measured in terms of impact and likelihood, the risks associated with this report have been assessed as requiring frequent monitoring.

**Contact Details**

**Author:**

Martin Grainger  
Head of Strategic Planning  
Tel: 551317

Rachel Macefield  
Forward Planning Team  
Manager  
Tel 551356

**Chief Officer Responsible for the report:**

Mike Slater  
Assistant Director of Planning and  
Public Protection  
Tel: 551300

**Executive Members Responsible for the Report:**

Cllrs D Carr & K Aspden

**Report  
Approved**



**Date**

**Specialist Implications Officer(s):**

Patrick Looker, Finance Manager  
Alison Hartley, Senior Solicitor, Planning

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

*All*

For further information please contact the author of the report

**Annexes (to final Executive report)**

Figure 1 – Preferred Sites Consultation (2016) citywide map

Annex 1: Draft Strategic Housing Market Assessment, GL Hearn (SHMA) - available online;

Annex 2: Draft Employment Land Review Addendum (ELR) - available online;

Annex 3: Officers Assessment of Housing Sites following Preferred Sites Consultation (2016) - available online;

Annex 4: Officers Assessment of Employment Sites following Preferred Sites Consultation (2016) - available online;

Annex 5: Officers Assessment of other sites following Preferred Sites Consultation (2016) - available online;

Annex 6: Consultation Statement - available online;

Annex 7: Non housing and employment site related policy modifications since 2013 Preferred Options Local Plan - available online;

Annex 8: Gypsy and Travellers and Travelling Showpeople Needs Assessment (ORS) - available online;

Annex 9: Draft Gypsy and Traveller Policy - available online;

Annex 10: SA/SEA Technical Note - available online;

Annex 11: Better Decision Making Tool - available online.

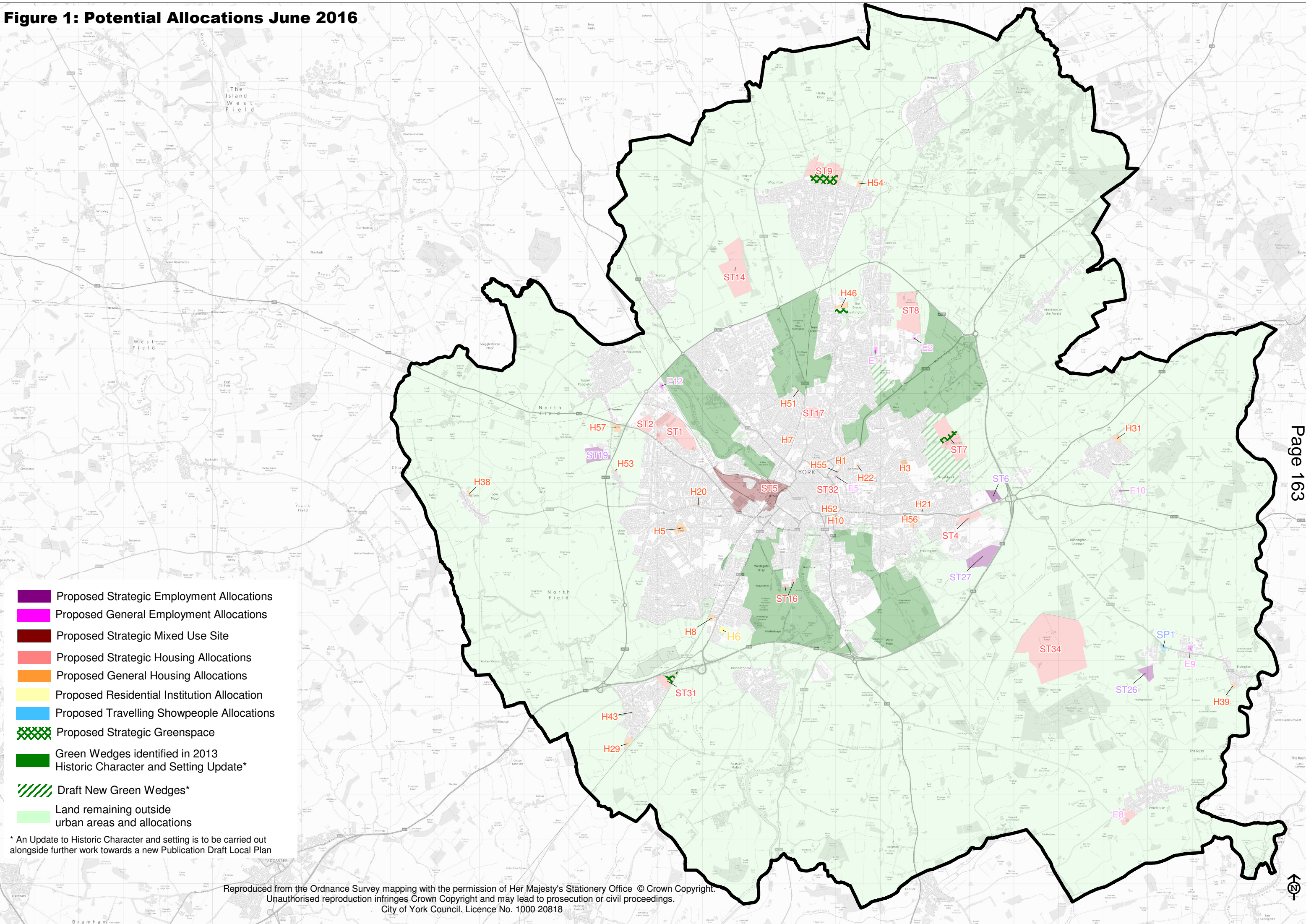
**Background Papers:**

## **Glossary of Abbreviations**

LPWG – Local Plan Working Group  
NPPF – National Planning Policy Framework  
NPPG – National Planning Practice Guidance  
OAHN – Objective Assessment of Housing Need  
MOD – Ministry of Defence  
SCI – Statement of Community Involvement  
SHLAA – Strategic Housing Land Availability Assessment  
SHMA – Strategic Housing Market Assessment  
SNHP - Sub National Household Projections  
SNPP – Sub National Population Projections  
SHMA – Strategic Housing Market Assessment  
SSSI – Site of Special Scientific Interest  
SPA – Special Protection Area  
SAC – Special Area of Conservation  
ORC – Office to residential conversion  
ELR – Employment Land Review  
DCLG – Department for Communities and Local Government  
HRA – Habitats Regulations Assessment  
SA – Sustainability Appraisal  
SEA – Strategic Environmental Assessment  
OE – Oxford Economics  
REM – Regional Econometric Model  
PD – Permitted Development  
GTAA – Gypsy and Traveller Accommodation Assessment



**Figure 1: Potential Allocations June 2016**



- Proposed Strategic Employment Allocations
- Proposed General Employment Allocations
- Proposed Strategic Mixed Use Site
- Proposed Strategic Housing Allocations
- Proposed General Housing Allocations
- Proposed Residential Institution Allocation
- Proposed Travelling Showpeople Allocations
- Proposed Strategic Greenspace
- Green Wedges identified in 2013  
Historic Character and Setting Update\*
- Draft New Green Wedges\*
- Land remaining outside urban areas and allocations

\* An Update to Historic Character and setting is to be carried out alongside further work towards a new Publication Draft Local Plan





This page is intentionally left blank