



Notice of a public meeting of

Corporate Services, Climate Change and Scrutiny Management Committee

- To:** Councillors Fenton (Chair), Merrett (Vice-Chair), Ayre, Baxter, J Burton, Healey, Kelly, D Myers, Rowley, Steels-Walshaw, K Taylor, Waller and Widdowson
- Date:** Monday, 29 January 2024
- Time:** 5.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

AGENDA

- 1. Declarations of Interest** (Pages 1 - 2)
At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see the attached sheet for further guidance for Members.]
- 2. Minutes** (Pages 3 - 8)
To approve and sign the minutes of the meeting held on 11 December 2023.

3. Public Participation

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

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is **5:00pm on Thursday 25 January 2024.**

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

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

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Section 106 Agreements and Community Infrastructure Levies (Pages 9 - 42)

This reports provides information on Planning Obligations (section 106 agreements) and an update on Community Infrastructure Levy (CIL).

5. Workforce Development Plan and Attendance Management (Pages 43 - 62)

This report provides an update on the workforce development plan together with an overview of the attendance rates and management across the workforce.

6. Digital Switch Over 2025 Information Report (Pages 63 - 70)

This reports outlines the current position and the next steps within the digital switch over programme of work.

7. Work Plan (Pages 71 - 72)

To consider the scrutiny overview work plan.

8. Urgent Business

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

Democracy Officer:

Jane Meller

Contact details:

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

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

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 **(01904) 551550**

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Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting	Corporate Services, Climate Change and Scrutiny Management Committee
Date	11 December 2023
Present	Councillors Fenton (Chair), Merrett (Vice-Chair), Ayre, Baxter, J Burton, Healey, Kelly, D Myers, Rowley, Steels-Walshaw, K Taylor, Widdowson and Fisher (Substitute for Cllr Waller)
Apologies	Councillor Waller
In Attendance	Councillor Douglas, Leader of City of York Council
Officers Present	Debbie Mitchell, Chief Finance Officer Ian Cunningham, Head of Business Intelligence Claire Foale, Assistant Director Policy and Strategy Shaun Gibbons, Head of Carbon Reduction Sam Blyth, Corporate Policy and City Partnerships Bryn Roberts, Director of Governance & Monitoring Officer Dawn Steel, Head of Democratic and Scrutiny Services
External Attendee	Suzan Harrington, Interim Monitoring Officer of the Proposed York and North Yorkshire Mayoral Combined Authority

21. Declarations of Interest (5.32 pm)

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

None were declared.

22. Minutes (5.32 pm)

Resolved: That the minutes of the last meetings held on 16 October (subject to a correction to the start time from 16:32 to 17:32) and 27 November 2023 (subject to an amendment at minute 18, to include mention of the written update provided by officers), be approved as a correct record.

23. Public Participation (5.35 pm)

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

Gwen Swinburn spoke in relation to agenda Item 7 (Mayoral Combined Authority Governance). She expressed concern over transparency in relation to the constitution of the Combined Authority.

24. 2023/24 Finance and Performance Monitor 2 (5.38 pm)

The Chief Finance Officer and the Head of Business Intelligence presented the Finance and Performance Monitor Quarter 2 report to Members. They noted that while there had been some small improvements in the forecast, serious financial concerns continued and work was being undertaken by officers to identify mitigations and other potential savings.

Officers responded to a range of questions from Members which covered how the financial situation had been communicated to York residents, service area financial reviews, the impact of the difficulties in recovering Housing Benefit overpayments resulting from the move to Universal Credit, the external public sector audit fee, how information from previous quarters was displayed in the report, vacancy management and overtime costs, and the comparative cost of different forms of communication with residents.

Officers confirmed that they did not expect the budget to be balanced before the Quarter 3 report, and that replacement of the paper Our City newsletter with the Gov Delivery e-newsletter had been part of the last Council Budget.

[Cllr Kelly arrived at 17:59].

Resolved:

- i. That the finance and performance information be noted.
- ii. That the Chair would invite expressions of interest to establish a task and finish group to examine the costs and benefits of Council communications, including resident consultations.

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

25. Net Zero Fund Update (6.13 pm)

The Assistant Director of Policy and Strategy and the Head of Carbon Reduction introduced the report, updating Members on applications to the £7m Net Zero Fund established as part of the Mayoral Combined Authority devolution deal for York and North Yorkshire. The Head of Carbon Reduction provided an overview of the process, drawing attention to the £3m of funding which had been allocated to City of York Council for 3 development projects and 4 delivery projects due to be delivered between January 2024 – March 2025.

Officers responded to a range of questions from members covering the potential for future project funding, officer capacity for project delivery, contingency planning for cost inflation, and challenges around National Grid connectivity. Officers noted the ambition for York and North Yorkshire to be the first carbon-negative region in the UK, and the Leader of the Council emphasised the importance of taking available opportunities to bring green investment into York and the wider region.

Resolved:

- i. That the report be noted;
- ii. That the committee monitor the progress of these and other Net Zero projects;
- iii. That the officers be congratulated for their work in this area.

Reason: To ensure that the committee's responsibility for monitoring progress on reducing carbon emissions continues to be fulfilled.

[18.34 – 18.38, the meeting adjourned for a comfort break]

26. York-North Yorkshire Devolution and the Mayoral Combined Authority (6.38 pm)

The Strategic Manager, Corporate Policy and City Partnerships introduced the report, providing an overview of the process that had been undertaken toward the establishment of a Mayoral Combined Authority (MCA) for York and North Yorkshire.

Officers responded to questions on Member engagement and the timing of the process. The Director of Governance clarified the Parliamentary timetable relating to the establishment of the MCA. The Interim Monitoring Officer of the Proposed York and North Yorkshire Mayoral Combined Authority confirmed that the two constituent authorities would be the members of the MCA, and the Mayor the only elected member. The Assistant Director of Policy and Strategy and the Leader of City of York Council highlighted efforts to learn from best practice elsewhere.

Resolved: That the content of the report be noted.

Reason: To ensure Committee and Member feedback is considered as part of the ongoing engagement process with the CA/MCA.

27. Mayoral Combined Authority Governance (6.38 pm)

The Interim Monitoring Officer of the Proposed York and North Yorkshire Mayoral Combined Authority provided an update on the progress of the creation of the proposed MCA with reference to governance issues. She gave an overview of the governance structure of the Combined Authority, drawing attention to the decision-making process set out in the draft Order in Appendix A and the draft Constitution of the MCA, including the membership and functions of the Combined Authority, the constitution of its committees, and requirements for statutory officers.

The officer responded to a range of questions from Members which covered the openness and transparency of the process, differences between the agreed devolution scheme and the draft Order and draft Constitution, the issue of the political proportionality of Combined Authority committees, the remit of the proposed Transport Committee of the Combined Authority, arrangements for scrutiny of the Police, Fire and Crime function, potential council tax ramifications of the Mayoral budget, the engagement of North Yorkshire Council in the process, and the time

available for meaningful scrutiny of the proposed governance arrangements.

The officer confirmed that the draft Constitution was a live document and likely to be subject to further revisions. There was no scope to vary the Order but amendments to the Constitution could be put forward at the inaugural meeting of the Combined Authority if Members were minded to review an appropriate draft in January. She also confirmed that discussions were ongoing in relation to outstanding issues including the remit of the proposed Transport Committee and the incorporation of Police, Fire and Crime functions.

[Cllr Rowley left the meeting at 18:53; Cllr Baxter left the meeting at 19:32].

Resolved:

- i. That the proposals in relation to the proposed governance of the Combined Authority be noted;
- ii. That the Chair and Vice-Chair liaise with the Chair and Vice-Chair of the Audit and Governance Committee, and Democratic Services, to convene a joint meeting to consider an appropriate draft Combined Authority Constitution;
- iii. That the Leader of City of York Council be asked to raise the concerns highlighted by the committee at the Joint Devolution Committee meeting on 15 December 2023.

Reason: To ensure there is appropriate member oversight with regard to the governance issues in the creation of the Combined Authority.

28. Work Plan (8.03 pm)

Members considered the Scrutiny work plan for the four scrutiny committees.

Resolved:

- i. That the work plan be noted;
- ii. To add the item, public switch telephone network changes, to the Committee's January agenda.

Reason: To ensure an overview of the scrutiny work programme.

Cllr S Fenton, Chair

[The meeting started at 5.32 pm and finished at 8.04 pm].



Corporate Services, Climate Change and Scrutiny Management Committee**29 January 2024**

Report of the Director of Environment, Transport and Planning

Section 106 Agreements and Community Infrastructure Levy**Summary**

1. This report provides information on Planning Obligations (section 106 agreements), how they are negotiated and how the contributions are invested. There is a specific focus of the public open space element of the process due to this being requested by the Chair. There is also an update on Community Infrastructure Levy (CIL).

Background

2. Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal.
3. This is normally via a planning agreement entered into under section 106 of the Town and Country Planning Act 1990 by a person with an interest in the land and the Local Planning Authority Planning obligations run with the land, are legally binding and enforceable.
4. Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms.
5. They must be:
 - necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
6. These tests are set out as statutory tests in [regulation 122](#) (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework.

7. There are specific limitations when the Local Planning Authority can seek to secure obligations in respect of affordable housing. Obligations for Affordable Housing can only be sought for residential developments that are major developments.
8. A major residential development is defined within the National Planning Policy Framework as a development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000 square metres or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
9. Section 106 agreements can be used to secure a number of elements which can include but are not limited to:
 - On site affordable housing
 - Affordable housing contribution
 - Education contributions
 - On/Off site highway improvements
 - Highways sustainability measures
 - Open space and recreation contributions
 - Monitoring fees

Monetary and Non-monetary obligations

10. Planning obligations can be usually categorised into two distinct types. Monetary and Non-monetary.
11. A monetary planning obligation is one where a developer pays an agreed sum of monies which the Council must then use to fund infrastructure elsewhere. An example of a monetary obligation would be a payment towards off-site affordable housing.
12. A Non-monetary planning obligation is one whereby the developer provides the required infrastructure; this is often on the site of the development. An example of a non-monetary obligation would be where the affordable housing requirement is built and delivered on site as part of a wider development.

13. The level of obligations secured from one year to the next can also vary. This variation is ultimately driven by the nature of the developments that come forward as proposals.

When are planning obligations paid or delivered?

14. In all cases where planning obligations are secured via a Section 106 Agreement. The agreement will set out the specific points in time or trigger points at which both monetary and non-monetary obligations have to be delivered.
15. The most common triggers are linked to the commencement of a development, or on a larger development scheme when a specified amount or proportion of the development is completed or occupied.
16. In reality there can often be a time lag between the completing of an agreement and the granting of planning permission to the point at which obligations are delivered. These time lags can be for a range of reasons some of which will be outside the control the Council such as the developer securing the necessary financial backing to proceed with the development. The scale of development can also impact upon the rate at which contributions are delivered as it takes time for the development to reach the agreed trigger points.
17. In cases where financial obligations are secured the legal agreement will specify the amount of that obligation. It is common for such obligations to be index linked. Whilst the measure of indexation can vary from one agreement to another the overarching principle is that this seeks to protect the obligations secured against inflation. Therefore, once an obligation becomes payable the actual amount received often differs from that which is written in the associated legal agreement. In addition to this monies held by the Council are held in interest bearing accounts; this is often a stipulation of most Section 106 Agreements. This allows the monies held to accrue interest until such time they are drawn down for spending. This again provides a degree of protection to the Council from factors such as inflation and any other unforeseen cost increases.
18. Once a Section 106 agreement is secured it is registered against the land in question as a Land Charge and recorded in the Land Charges register. Section 106 agreements are binding on the land to which they

relate. This means that in the event of planning permission being granted and the land then been sold to another party the obligations secured via the Section 106 agreement would remain in place.

How are planning obligations spent?

19. When planning obligations are secured the Section 106 Agreement will specify what the secured obligation must be used for. The exact specificity on the spending of each obligation will vary case by case. Typically spending will be restricted to infrastructure that is closely related or in close proximity, such as the same Ward area, to the development against which the obligation was secured.
20. An example of this is a Traffic Regulation Order (TRO) which could be used in the vicinity of the site to reduce the speed limit. Other examples of a TRO further away from the site would be to introduce residents parking permits if it was considered necessary to mitigate the impact of the development.
21. The general exception to restrictions is off site contributions for affordable housing which normally allows for use across the administrative area of the Council.
22. In contrast to this, monies collected under a Community Infrastructure Levy (CIL) regime would have a far greater degree of flexibility in terms of what and where they are spent. This is due to CIL spending adopting a more strategic authority wide approach. CIL is covered in more detail in the section below.

Community Infrastructure Levy (CIL)

23. The CIL is a locally set charge on new development that authorities can choose to introduce across their area. It is based on the size and type of development and, once set, is mandatory to pay and non-negotiable. CIL differs from S106 agreements in that it collects contributions from a wider range of developments and allows greater flexibility on where the contributions are spent. S106 agreements will continue to be used for site specific infrastructure.

24. Following viability work, which built on the Local Plan evidence base, a draft CIL charging schedule was approved at Executive in January 2023 for public consultation. That consultation finished in March 2023 and the results were reviewed. During the Autumn 2023 further sensitivity testing was undertaken in response to the comments received during the initial consultation, and to consider the impacts of market fluctuations on viability. This resulted in a revised draft charging schedule which is currently out to consultation, finishing 31 January 2024.
25. Following further work to assess the results of the current consultation, it is hoped that an independent examination of the draft Charging Schedule will take place in the summer with adoption, and implementation, in the autumn.
26. Once the CIL Charging Schedule takes effect, payment of CIL becomes due from commencement of the development. The CIL monies collected can then be applied to fund a wide range of infrastructure. This can include transport infrastructure, flood defences, schools, hospitals, and other health and social care facilities, open spaces, cultural and sports facilities, district heating schemes and other community safety facilities.
27. A proportion of the CIL monies is paid directly to the communities where development has taken place to be used to mitigate for that development. In communities where there is an adopted neighbourhood plan, 25% of the CIL monies collected in that area are payable to the community each year. Where no neighbourhood plan is in place this falls to 15% of the CIL monies (capped at £100 per dwelling). In areas without a parish council, the local authority would consult with the community to agree how best to spend the money. 5% of the CIL receipt can also be kept by the charging authority for administration of the levy.
28. CIL differs from S106 in that it is non-negotiable and more strategic while S106 monies are required to be spent as detailed in the legal agreement. The Council would decide on its spending priorities for CIL and would need to wait for the CIL to accumulate to a sufficient level.

Consultation

29. Consultation on a CIL draft Charging Schedule must be undertaken in accordance with the CIL Regulations 2010. These require a charging

authority to invite representation from people who live, work or operate a business in the area, and from consultation bodies, which include adjoining authorities, parish councils and neighbourhood forums. A minimum consultation period of 4 weeks is suggested.

30. The Council undertook consultation on the draft Charging Schedule for 6 weeks in Spring 2023, alongside a consultation on main modifications to the Local Plan. Consultation bodies (as detailed above) were directly contacted regarding the consultation, and wider publicity was enabled via the Council's social media channels and in conjunction with the Local Plan consultation.
31. In relation to the current consultation on the revised draft Charging Schedule, and as there are no statutory requirements for such re-consultations, direct contact has been made only with those who previously responded to the CIL consultation and expressed an interest in continuing contact, although responses will be accepted from any interested parties. Responses are invited by email only and solely in relation to the revised material, which has been published on the Council's website. The consultation began on 18 December 2023 and ends on 31 January 2024.

Infrastructure Funding Statement (IFS)

32. The Infrastructure Funding Statement (IFS) is an annual report which provides a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) within the City of York for the reported year.
33. The requirement to publish an IFS is contained within The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019.
34. The Community Infrastructure Levy (CIL) is a planning charge, first introduced via the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure; it came into force in April 2010 through the Community Infrastructure Levy Regulations 2010.
35. In preparing an annual IFS the legislation sets out what information is required to be reported within an IFS. The annual IFS must comprise of:

- a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL.
 - b) A report about CIL, in relation to the previous financial year.
 - c) A report about planning obligations in relation to the reported year.
36. Within the context of the CIL regulations the Council does not constitute a 'Charging Authority' as it does not have an adopted CIL Charging Schedule, nor do we collect CIL contributions on behalf of other authorities. As a result, the Council's IFS needs only to comprise of those matters contained in c) concerning planning obligations. The IFS is attached in appendix 1.

Open Space

37. Under Draft Local Plan Policy G16 there is a requirement for open space provision for both recreation and amenity. The policy encourages on site provision where possible but where there is a need for offsite provision it outlines the circumstances where it would be considered acceptable.
38. Where an offsite contribution to open space is required, this is secured through the section 106 process. In terms of defining the catchments for where the section 106 contributions are spent the Council's Operation Manager for Open Spaces makes an assessment in line with the City of York Council Local Plan Evidence Base: Open Space and Green Infrastructure September 2014 and Open Space and Green Infrastructure Update September 2017.
39. The 2017 update considered the new ward boundaries and updated the data from 2014, the 2014 report has the methodology and typology standards.
40. As part of the assessment as to the suitability of areas for payments the Operations Manager considers the following when considering allocating contributions:
- a) there is a suitable site within the catchment i.e., an existing CYC, or local council play area,
 - b) there is space or opportunity within the existing play area,

- c) the total amount of money available is such that a meaningful expansion or improvement can be made. In such instances money is held until it can “pooled” with other payments from the catchment, and,
- d) where there is opportunity to create a larger expansion or improvement linking 106 payments to other funds such as Council capital programme or money raised by the local community e.g., lottery.

41. The assessment also considers if existing facilities can be upgraded or if there is the requirement for new facilities to be provided. The section 106 agreement will in most instances name the area or the facilities where the contribution is to be spent in line with the assessment which has been made on the evidence base as outlined above.

Sport and Recreation

42. As part of the above process for over 10 dwellings the Councils community sports team are consulted in order to provide advice as to if the proposal will result in an implications that will require mitigation as part of the proposals.
43. The team assess each application based on the information provided within the plans and supporting documentation. Consideration is given to the provision of open space within the development and the recreation capabilities/capacity of this.
44. When considering applications, the team rely on an evidence base for their comments. This includes the Local Plan Evidence Base, Open Space and Green Infrastructure Update and the Playing Pitch Strategy and Built Facilities Plan.
45. The team also work with Sport England and The National Governing Bodies of Sport on the production of the above documents and work with them on the delivery of suitable places and schemes to deliver works through the contributions made. The criteria the team use include and are consistent with is that the beneficiaries of the contributions are the closest voluntary/community sports clubs or site of sports space and equipment and within/as close to the guidelines as set out below in the table for outdoor sport facilities.

The open space standard typologies and standards are therefore as follows:

	Recommended standard / 1000 population	Recommended Accessibility Standard	Other guidance/ 1000 population
Parks and Gardens	0.18ha/1,000 population;	20 minute walk (960m) (City Park); 15 minute walk (720m) (Local Park)	
Natural / Semi Natural	2.13ha/1,000 population;	15 minute walk (720m)	2.0ha (ANGSt)
Amenity:	1.45ha/1,000 population;	5 minute walk (240m)	
Children's playspace*	0.48ha/1,000 population	10 minute walk (480m)	0.25ha/1,000 pop (FIT for Equipped playspaces (LAP/LEAP/NEAP))
Teenager's playspace*	0.21ha/1,000 population	15 minute walk (720m)	
Outdoor sports facilities	1.78ha/1,000 population	15 minute walk (720m) for pitches/ tennis/ bowls; 20 minute public transport for synthetic turf pitches	1.6ha (FIT) of which 1.15ha for pitch sports
Allotments	0.29ha/1,000 population	15 minutes walk (720m)	0.22ha (NSALG)

*incorporated into amenity open space

Acronyms:

- ANGSt – Accessible Natural Greenspace Standard
- NEAP – neighbourhood equipped area for play. A minimum area of 1,000m² with at least eight activities and should be located 1,000 metres
- or 15 minutes walking time along pedestrian routes (600 metres in a straight line)
- LEAP – local equipped area for play. A minimum area of 400m² with at least five activities and should be located 400 metres or 5 minutes
- walking time along pedestrian routes (240 metres in a straight line)
- LAP – local area for play. Formally designated area for play to be at least 100m² in size with up to three activities and should be located
- 100m or 1 min walk along pedestrian routes (60m in a straight line)
- FIT – Fields in Trust
- NSALG – National Society of Allotment Gardeners

46. When allocating funds, the team take into account the following:
- Being one of the closest community sports clubs to the development.
 - Identified in playing pitch strategy.
 - Identified as a priority by the sport's national governing body.
 - Have the ability to cater for the residents of the new development.
 - Club has engaged with the council / sport and active leisure team and has good governance etc.
 - Evidence of wider partnership working.
 - Whether they are council facilities or community voluntary sports club.
 - The scheme is deliverable (in terms of time frame, additional partnership funding etc.)

Post Planning Application Process

47. Once the application has been approved and the section 106 has been signed it is logged onto an administration IT system. The system allows for the following:
- prompt an administrator at key stages of the S106 agreement
 - A categorised document management system to allow for the storage of category relevant documentation with the ability to link to an external DMS via URL
 - The ability to store multiple contacts such as “Interested Party” and agent management of covenants and clauses
 - Full financial section to monitor incoming and outgoing expenditure
 - Project module allocations to calculate or to view a breakdown of sums received per application
 - Payment policy management as per the legal agreement
 - Planning application linkage from Outline to Reserved Matters, and between Full and application variations
 - Decision monitoring including alerts
 - Logging of land charges information
 - Finance monitoring
 - Event logging for audit purposes.
 - Administer and monitor various individual projects, including calculations of funding, spending and returned sums against initial project estimations
 - Allocate spending to projects based on allocations of above funding
48. Once the contributions secured by the section 106 have been received by Finance they notify the Planning Department of the amount, who paid the contribution and which scheme it relates to.

49. The Planning department then send a pro-forma to the relevant department within the Council to inform them of the contribution that has been received along with what the contribution was allocated for. The department must fill in the proforma and return it to the Planning Department to confirm what the contribution will be used for before the relevant contribution will be released to the depart for spending.
50. Once the contributions have been spent the relevant department must also report back to the service via proforma as to what contribution has been spent on. This includes dates and specifics of the spending for recording purposes.
51. The proforma process allows for all received contributions to be captured and recorded along with a clear audit trail.

Options

52. This section is not applicable to this covering report as there are no options being presented to the Scrutiny meeting.

Analysis

53. This section is not applicable to this covering report as there are no options presented.

Council Plan

54. The “One City, for all” 2023-27 Council Plan sets out clear priorities.

Equalities and Human Rights
Affordability
Climate
Health

55. A robust and clear section 106 process will assist with achieving all of the above priorities.

Implications

56. There are no implications from this report as the above is for information purposes.

Risk Management

57. This is an update report to Scrutiny only, with no decisions required.

Recommendations

56. That Corporate Services, Climate Change and Scrutiny Management Committee notes the content of this briefing report and considers further activity for scrutiny if required.

Reason: To ensure that the Section 106 process is robust and in line with planning policy requirements.

Contact Details

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Chief Officer Responsible for the

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Director of Transport, Environment and
Planning

**Report
Approved**

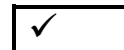


Date 17.01.2024

Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

Annexes

Annex 1

City of York Council Infrastructure Funding Statement
Infrastructure Funding Statement for the reported year 1st
April 2022 to 31st March 2023



City of York Council Infrastructure Funding Statement

Infrastructure Funding Statement for the reported year 1st
April 2022 to 31st March 2023

Published December 2023

**City of York Council
Infrastructure Funding Statement for 2022-23**

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Introduction

The Infrastructure Funding Statement (IFS) is an annual report which provides a summary of all financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) within the City of York for the reported year.

The requirement to publish an IFS is contained within The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019.

The Community Infrastructure Levy (CIL) is a planning charge, first introduced via the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure; it came into force in April 2010 through the Community Infrastructure Levy Regulations 2010.

In preparing an annual IFS the legislation sets out what information is required to be reported within an IFS.

The annual IFS must comprise of:

- a) A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL.
- b) A report about CIL, in relation to the previous financial year.
- c) A report about planning obligations in relation to the reported year.

Within the context of the CIL regulations the Council does not constitute a 'Charging Authority' as it does not have an adopted CIL Charging Schedule, nor do we collect CIL contributions on behalf of other authorities. As a result of this the published IFS needs only to comprise of those matters contained in c) concerning planning obligations.

What are planning obligations?

'Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal.

This can be via a planning agreement entered into under Section 106 of the Town and Country Planning Act 1990 by a person with an interest in the land and the local planning authority; or via a unilateral undertaking entered into by a person with an interest in the land without the local planning authority.

Planning obligations run with the land, are legally binding and enforceable. A unilateral undertaking cannot bind the local planning authority because they are not party to it.' (Paragraph 001, Planning Obligations, National Planning Practice Guidance, 2019).

When can planning obligations be sought by the Local Planning Authority?

‘Planning obligations assist with mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:

- *Necessary to make the development acceptable in planning terms;*
- *Directly related to the development; and*
- *Fairly and reasonably related in scale and kind to the development.*

These tests are set out as statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework. These tests apply whether or not there is a levy charging schedule for the area.’ (Paragraph 002, Planning Obligations, National Planning Practice Guidance, 2019).

There are also specific limitations in when the Local Planning Authority can seek to secure obligations in respect of affordable housing. Obligations for Affordable Housing can only be sought for residential developments that are major developments.

A major residential development is defined within the National Planning Policy Framework as a development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

Monetary and Non-monetary obligations

Planning obligations can be usually categorised into two distinct types. Monetary and Non-monetary.

A monetary planning obligation is one where a developer pays an agreed sum of monies which the Council must then use to fund infrastructure elsewhere. An example of a monetary obligation would be a payment towards off-site affordable housing.

A Non-monetary planning obligation is one whereby the developer provides the required infrastructure ‘in kind’; this is often on the site of the development. An example of a non-monetary obligation would be where the affordable housing requirement is built and delivered on site as part of a wider development.

The level of obligations secured from one year to the next can also vary. This variation is ultimately driven by the nature of the developments that come forward as proposals.

When are planning obligations paid or delivered?

In all cases where planning obligations are secured via a Section 106 Agreement that agreement will set out the specific points in time or trigger points at which both monetary and non-monetary obligations have to be delivered.

The most common triggers are linked to the commencement of a development, or on a larger development scheme when a specified amount or proportion of the development is completed or occupied.

In reality there can often be a time lag between the completing of an agreement and the granting of planning permission to the point at which obligations are delivered. These time lags can be for a range of reasons some of which will be outside the control the Council such as the developer securing the necessary financial backing to proceed with the development. The scale of development can also impact upon the rate at which contributions are delivered as it takes time for the development to reach the agreed trigger points.

In cases where financial obligations are secured the legal agreement will specify the amount of that obligation. It is common for such obligations to be index linked. Whilst the measure of indexation can vary from one agreement to another the overarching principle is that this seeks to protect the obligations secured against inflation. Therefore, once an obligation becomes payable the actual amount received often differs from that which is written in the associated legal agreement. In addition to this monies held by the Council are held in interest bearing accounts; this is often a stipulation of most Section 106 Agreements. This allows the monies held to accrue interest until such time they are drawn down for spending. This again provides a degree of protection to the Council from factors such as inflation and any other unforeseen cost increases.

Once a Section 106 agreement is secured it is registered against the land in question as a Land Charge and recorded in the Land Charges register. Section 106 agreements are binding on the land to which they relate. This means that in the event of planning permission being granted and the land then been sold to another party the obligations secured via the Section 106 agreement would remain in place.

How are planning obligations spent?

When planning obligations are secured the Section 106 Agreement will specify what the secured obligation must be used for. The exact specificity on the spending of each obligation will vary case by case. Typically spending will be restricted to infrastructure that is closely related or in close proximity, such as the same Ward area, to the development against which the obligation was secured. The general exception to this is off site contributions for affordable housing which normally allow for use across the administrative area of the Council.

In contrast to this, monies collected under a Community Infrastructure Levy (CIL) regime would have a far greater degree of flexibility in terms of what and where they are spent. This is due to CIL spending adopting a more strategic authority wide approach.

Estimating planning obligations

In some circumstances it will be necessary when reporting the obligations that have been secured for the reported year to use estimates. Estimates will only be used when the exact amount that an obligation would secure is unknown. All estimates will be a best case based on the known parameters.

The most common scenario where estimates will need to be used is in cases where the planning permission the Section 106 relates to is an Outline Planning Permission. Typically Outline planning permissions establish the principle of a development and usually set the upper limits of what can be constructed. It will not be until all the associated reserved matters are agreed that the final extent of development and therefore the amount of obligations secured will be known.

Data on developer contributions is imperfect because it represents estimates at a given point in time which can be subject to change. However, the data presented within the IFS is the most robust available at the time of publication.

Example 1 – Estimating obligations:

Outline planning permission is granted for a development of up to 500 dwellings.

The associated S106 agreement has secured that a minimum of 20% of the dwellings will be affordable housing.

20% of up to 500 Dwellings = 100 Affordable Units.

100 Affordable Units included in the IFS as having been secured.

In this example scenario the 100 affordable units would only be achieved if the development as a whole delivered its upper limit of 500 dwellings. The developer may choose to pursue a lesser overall total amount. Therefore, the overall number of affordable units delivered will also be reduced albeit whilst still maintaining the 20% proportion of affordable units.

Section 278 Highways Agreements

Other legal agreements that can fund infrastructure are Section 278 Agreements. These are legally binding agreements made under the Highways Act 1990 between Local Highway Authorities and Developers. These are required to secure alterations

or improvements to the highway and could include new highway junctions or improvements to existing highway infrastructure.

At present Section 278 Agreements are not reported within the IFS.

Reporting Periods

The reporting period for each IFS will generally be the preceding financial year.

This report covers the period of 1st April 2022 to 31st March 2023.

It is intended that the IFS will be published annually by the 31st December each year.

Monitoring Fees

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 makes provision to allow Local Authorities to charge a monitoring fee through S106 planning obligations. Monitoring fees are intended to cover the cost to the authority of monitoring and reporting on the delivery of that S106 planning obligation(s).

Monitoring fees can be calculated in a number of differing ways. They could be either be a fixed percentage of the total value of the section 106 agreement or individual obligation. Alternatively, a fixed fee could be charged linked to the overall scale of the associated development. In all cases any monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring.

Monitoring fees cannot be sought retrospectively. At present the Council does not have a fee schedule for the charging of monitoring fees which would be applied to all agreements. Monitoring fees are currently requested on a case by case basis.

For the period outlined the total amount of monies received to the Council in respect of monitoring fees for monitoring Section 106 Agreements is zero.

Section 106 Contributions Summary

The following information provides an overview of activity relating to Section 106 contributions for the reported year 2022-2023.

Contributions held at the start of the reported year

Prior to the reported year the Council held a total of £9,353,705.53 which had previously been paid by developers in relation to planning obligations that had been secured prior to the report year. This total can be broken down as follows:

Service Area or Function	Amount
Sport, Recreation and Open Space	£1,010,122.54
Transport, Highways and Sustainable Travel	£4,617,483.12
Housing	£525,411.83
Education	£3,200,688.04
Total	£9,353,705.53

Contributions secured during the reported year

During the reported year the Council has secured planning obligations from developers totalling £1,251,345 These are contributions which will be paid in future years; assuming that the developments under which they were secured progress as planned and the associated trigger points are reached. The monies secured can be broken down as follows:

Service Area or Function	Amount
Sport, Recreation and Open Space	£88,775
Transport, Highways and Sustainable Travel	£74,600
Housing	£288,232
Education	£799,738
Total	£1,251,345

Contributions received during the reported year

During the reported year the Council received monies totalling £372,743.99. This is money which was paid by developers as a result of their developments reaching the agreed trigger points.

Service Area or Function	Amount
Sport, Recreation and Open Space	£5,336
Transport, Highways and Sustainable Travel	£98,459.47
Housing	£144,073.70
Education	£124,874.82
Total	£372,743.99

Contributions spent during the reported year

During the reported year the Council has spent a total of £550,015.95. This is money which has previously been received under agreed planning obligations and then spent on the delivery of infrastructure.

Service Area or Function	Amount
Sport, Recreation and Open Space	£208,486
Transport, Highways and Sustainable Travel	£41,875.50
Housing	£38,583.78
Education	£261,070.17
Total	£550,015.95

Contributions held at the end of the reported year

At the end of the reported year (31st March 2023) the Council held a total of £10,345,590.40. This is money which was received under planning obligations and will be available to spend in future years; subject to the spending being in accordance with the Section 106 Agreement under which they were received.

Service Area or Function	Amount
Sport, Recreation and Open Space	£925,301.06
Transport, Highways and Sustainable Travel	£4,788,212.82
Housing	£642,254.32
Education	£3,989,822.28
Total	£10,345,590.48

In addition to the monetary contributions that were secured during the reported year there were a number of non-monetary contributions which were also secured. Details of these are listed later in this report.

Details of the obligations entered into during the reported year

During the reported year the Section 106 Agreements entered into by the Council have secured obligations totalling £1,251,345

These sums will be paid by developers in future years assuming that the developments to which they relate progress as planned. The tables below detail the developments from which the contributions have been secured and what general area of infrastructure the contributions will be used for.

Affordable Housing

Application Details	Amount secured (£)	Ward Area	Intended Use
20/02034/FULM – Cherry Tree House, 218 Fifth Avenue	255,024	Heworth	Toward the provision of Affordable Housing activities within the City of York Council area.
21/00601/FULM – Church House, 10-14 Ogleforth	33,208	Guildhall	Toward the provision of Affordable Housing activities within the City of York Council area.
Total	£288,232		

Sports, Recreation and Open Space

Application Details	Amount secured (£)	Ward Area	Intended Use
20/01626/FULM – Os Field 2800, Eastfield Lane, Dunnington	47,925	Osbaldwick and Derwent	Dunnington Sports Club
20/02034/FULM – Cherry Tree House, 218 Fifth Avenue	8,456	Heworth	Amenity Open Space at Melrosegate Field and/or Hull Road Park
20/02034/FULM – Cherry Tree House, 218 Fifth Avenue	4,208	Heworth	Play Equipment at Hull Road Park

Application Details	Amount secured (£)	Ward Area	Intended Use
20/02034/FULM – Cherry Tree House, 218 Fifth Avenue	11,928	Heworth	Sport provision to be used at 1 or more of Heworth Tennis Club, Glenn Gardens, Heworth Cricket Club, Heworth Amateur RLFC.
21/00601/FULM – Church House, 10-14 Ogleforth	2,869	Guildhall	Off Site Amenity Space
21/00601/FULM – Church House, 10-14 Ogleforth	4,208	Guildhall	Off site play space
21/00601/FULM – Church House, 10-14 Ogleforth	4,047	Guildhall	Sport provision contribution at 1 or more of Heworth Tennis Club, Glen Gardens, Heworth Cricket Club, City of York Hockey Club, Heworth RLFC
22/00599/FULM – Bootham and Monk Ward Conservative Club, 77-79 Clarence Street	5,134	Guildhall	Landscape and Biodiversity Improvements in Clarence Gardens
Total	£88,775		

Transport, Highways and Sustainable Travel

Application Details	Amount secured (£)	Ward Area	Intended Use
21/01605/FULM – Mecca Bingo, 68 Fishergate	6,000	Fishergate	Traffic Regulation Order to amend waiting restriction on Fishergate.
21/01605/FULM – Mecca Bingo, 68 Fishergate	10,000	Fishergate	Travel Plan Monitoring
20/01626/FULM – Os Field 2800, Eastfield Lane, Dunnington	12,000	Osbaldwick and Derwent	Traffic Regulation Order to extend 30mph section on Eastfield Lane
20/01626/FULM – Os Field 2800, Eastfield Lane, Dunnington	16,600	Osbaldwick and Derwent	Sustainable travel incentives to first occupants.

Application Details	Amount secured (£)	Ward Area	Intended Use
21/02247/FUL – 21 Mill Lane, York.	3,000	Heworth	Traffic Regulation Order to amend R30 Residents Parking Zone.
20/02034/FULM – Cherry Tree House, 218 Fifth Avenue	15,000	Heworth	To widen footpath on East side of Melrosegate connecting Fifth Avenue to National Cycle route 658/66.
22/00599/FULM – Bootham and Monk Ward Conservative Club, 77-79 Clarence Street	6,000	Guildhall	Traffic Regulation Order to amend Residents Parking Zone R44 and provide Disabled Parking bay in Zone R44.
21/01154/FUL – Dennings of York, The Sidings, Wigginton Road	6,000	Guildhall	Traffic Regulation Order to introduce parking restrictions within the vicinity of the development
Total	£74,600		

Education

Application Details	Amount secured (£)	Ward Area	Intended Use
20/01626/FULM – Os Field 2800, Eastfield Lane, Dunnington	799,738	Osballdwick and Derwent	£341,568 for additional places at Dunnington Primary School, £287,386 for additional places at Fulford Secondary and £170,784 for preschool places within 3Km.
Total	£799,783		

Non-monetary contributions to be provided under obligations entered into during the reported year

During the reported year the following non-monetary obligations were secured.

Affordable Housing

Application Details	Total Units	Ward Area	Breakdown
20/01626/FULM – Os Field 2800, Eastfield Lane, Dunnington	25	Osbaldwick and Derwent	25 units to be provided for Affordable Rent/Discounted Sale.
Total	25		

These units are made up of the on-site affordable housing provision that has been secured on each of the identified developments. These units will be provided by the developers of each site and built out as part of the wider development schemes, if these developments proceed as planned.

Details of the obligations received during the reported year

During the reported year the Council has received a total of £372,743.99. This money was paid by developers under obligations previously secured by the Council as a result of the developments to which the obligations relate reaching their specified trigger points.

Affordable Housing

Application Details	Amount Received (£)	Ward Area	Intended Use
16/01646/FULM and 22/00542/FUL – Clock Tower Bishopthorpe Road	141,112.35	Micklegate	Provision of affordable housing and associated activities within the City of York Council Area.
17/02982/FUL – Former Piggeries Rear of Willow Court, Main Street, Holtby.	2961.35	Osbaldwick and Derwent	Provision of affordable housing and associated activities within the City of York Council Area.
Total	£144,073.70		

Sports, Recreation and Open Space

Application Details	Amount Received (£)	Ward Area	Intended Use
99/01927/FUL - Leeman Road	2,500	Holgate	Public Realm Maintenance
12/03821/FUL - 44 The Green	2,836	Westfield	Open Space Provision
17/02982/FUL – Former Piggeries Rear of Willow Court, Main Street, Holtby.	322.08	Osballdwick and Derwent	Improve facilities at Dunnington and Grimston Bar playing fields.
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	317	Rural West York	Improve pitches at Carr Vikings and/or provision of facilities at Poppleton Sports Association and/or extend and/or improve community accessible pitches at Manor School.
Total	£5,975.08		

Transport, Highways and Sustainable Travel

Application Details	Amount Received (£)	Ward Area	Intended Use
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	2,468	Rural West York	Bus Priority Measures
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	617	Rural West York	Provision of Bus Stop

Application Details	Amount Received (£)	Ward Area	Intended Use
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	103	Rural West York	Provision of Pedestrian Crossings
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	89	Rural West York	Sustainable Transport Measures
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	103	Rural West York	Provision of Travel Plan
99/01927/FUL - Leeman Road	5,000	Holgate	Road Fund Payment toward Leeman Road Relief Road
99/01927/FUL - Leeman Road	2,500	Holgate	Highways Landscaping
99/01927/FUL - Leeman Road	2,500	Holgate	Off Site Cycle and Pedestrian Works
19/02615/FUL – The Retreat, Strensall	129.47	Strensall	Provision and/or amendment of Traffic Regulation Order
21/02237/FUL – Priory Hotel, 126-128 Fulford Road	3,000	Fishergate	Provision/amendment of Traffic Regulation Order.
18/02946/FULM - Hungate	37,200	Guildhall	Provision of Car Club
18/02946/FULM - Hungate	30,000	Guildhall	Provision of CCTV
18/02946/FULM - Hungate	10,000	Guildhall	Provide/amend Traffic Regulation Order
12/02971/FULM – YWCA, Water Lane	2,880	Clifton	Provision of cycle vouchers or Travel Pass to first occupiers

Application Details	Amount Received (£)	Ward Area	Intended Use
15/02888/FULM – Saxon House, 71-73 Fulford Road	1600	Fulford and Heslington	Provision of Car Club
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	270	Rural West York	Overpayment of Indexation
Total	98,459.47		

Education

Application Details	Amount Received (£)	Ward Area	Intended Use
16/02358/OUTM – York St John University Playing Fields, Windmill Lane.	124,874.82	Hull Road	Provision of additional school places at Badger Hill Primary School, Archbishop Holgate School and pre-school places within 1.5km of development.
Total	£124,874.82		

Details of the projects wholly or partly funded by monies secured from planning obligations

In addition to summarising the headline amounts in terms of the amount secured, amount received, and amount spent. It is useful to look at the spend element in more detail and document the projects and operations that planning obligations have been used to fund. It is these projects that are the tangible assets that are being delivered and that in part are made possible by the planning obligations process. Monies secured via planning obligations will rarely cover the full cost of delivering infrastructure. It is common for projects, particularly large ones, to draw funding from multiple sources. These can include capital budgets, service area specific budgets and can also include funding from external sources such as grants from central government.

Affordable Housing

Use	Units Delivered
Purchase or provision of Affordable Housing within the City of York Area funded by off-site s.106 contributions.	38
Affordable Housing delivered on site.	23
Total	61*

**The above total only relates to Affordable Housing Provision via Planning Obligations secured via Section 106 Agreement. Affordable Housing provision is also achieved via alternative funding and grant streams such as those from Homes England and other bodies.*

Sport, Recreation and Open Space

Development Site	Amount of S106 Monies spent (£)	Project to benefit from contribution(s)
11/02581/OUTM – Land Inc Huntington Stadium to the West of Jockey Lane, Huntington	20,000	Community Sports Officer
07/01992/OUTM – Former Grain Store	9,145	Former Grain Store Site
08/00750/FUL - Alfreda Guest House. 61 Heslington Lane	6,551.40	Hull Road Park, Fenby and Walmgate Play Area
13/02626/FUL – Stockton Lodge	3,775.92	Heworth Rugby Club
11/02693/FUL - Blakeney Hotel 180 Stockton Lane	1,287.50	Hempland Play Area
11/01748/FUL - 15 Sherwood Grove	2,114.96	Barfield Play Equipment
10/00617/FUL – Stockton Lodge	2,058.79	Heworth Rugby Club
13/02257/FUL – 21 Hill View	2,077.45	Heworth Rugby Club and Public Realm
09/00062/FUL - Patch House Main Street, Heslington	1,264.94	Fenby and Walmgate Play Area

Development Site	Amount of S106 Monies spent (£)	Project to benefit from contribution(s)
13/00119/FUL - White Rose House, Moor Lane Murton	1,190.19	Dunnington and Grimston Playing Fields
13/01916/FULM – 86 Walmgate	67,207.13	Tower Gardens
13/01833/FULM – Former Beckfield Lane Household Waste Site	19,207.77	Victoria/Garnet Play Area
12/02971/FULM – YWCA, Water Lane	16,420.14	Viking Road Play Area
10/01538/FULM – Lilbourne Drive	9,268.38	Brailsford Fencing/Equipment
11/02943/REM - Tarmac Limited Ouse Acres, York.	6,447.08	Sowerby Road Play Equipment
13/00806/FUL – Heworth Autopoint, Mill Lane, Heworth	6,115.88	Glen Garden Play Equipment and Public Realm
14/00763/FULM – 164 Lindsey Avenue	4,460.84	Sowerby Road Play Area
13/03597/FUL – The Junction, Leeman Road	1,491.65	Victoria/Garnet Play Area
08/00100/FUL – 4-6 Saxon Place	2,361.18	Barnfield Play Equipment
13/00177/FUL – York Conservation Trust, Middleton House, 38 Monkgate	2,109.53	Clarence Street Store and Public Realm
07/02479/FUL – 95 Front Street	1,974.42	West Bank Park Pond and Public Realm
10/02721/FUL– 19 West Thorpe	1,537.65	Chesney Fields Play Equipment

Development Site	Amount of S106 Monies spent (£)	Project to benefit from contribution(s)
10/02846/FUL – 7 Thorn Nook	1,524.86	Barfield Play Area
13/01543/FUL – 3 Harington Avenue	1,542.86	Hull Road Play Area
11/02817/FUL – 128 Carr Lane	1,490.23	Viking Road Play Area
11/00515/FUL - Bright Street Post Office, 37 Stamford Street East.	904.71	Victoria/Garnet Play Area
13/00337/FUL – 56 Green Lane	873.81	Public Realm
14/02314/FUL - 54 Campleshon Road York	849.21	Micklegate/Scarcroft Play Equipment
13/01285/FUL – 42a The Green Acomb	252.61	Public Realm
14/01663/FUL – 27 Park Street	156.12	Micklegate/Scarcroft Play Equipment
10/02414/FUL – 20 Severus Street	151.38	Sowerby Road Play Equipment
13/03144/FUL – Meadow Bank Farm, Scoreby Lane	616.72	Dunnington Playing Fields
15/02726/FULM – 26 Tadcaster Road	7,685.81	Dringhouses Sports Club
17/02982/FUL – Former Piggeries of Willow Court, Main Street, Holtby	4,369.59	Dunnington Playing Fields
Total	£208,486	

Transport, Highways and Sustainable Travel

Development Site	Amount of S106 Monies spent (£)	Project to benefit from contribution(s)
01/01315/OUTM – Germany Beck	21,825.30	Real Time Passenger Information Screens at Crossfield Crescent and Germany Lane.
16/02358/OUTM – York St John University Playing Fields, Windmill Lane.	14,550.20	2x Real Time Passenger Information Screens.
14/02979/FULM and 21/01314/FUL Former Civil Service Club, Boroughbridge Road	5,500	Travel Plan
Total	£41,875.50	

Affordable Housing

Development Site	Amount of S106 Monies spent (£)	Project to benefit from Contribution(s)
17/02982/FUL – Former Piggeries Rear of Willow Court, Main Street, Holtby.	38,438.55	Burholme Housing
02/02754/OUT – 187 Tadcaster Road, York	145.23	Burnholme Housing
Total	£38,583.78	

Education and Community Facilities

Development Site	Amount of S106 Monies spent (£)	Project to benefit from Contribution(s)
13/02724/FULM – Former Sessions of York Site, Huntington Road, York	12,579.05	Yearsley Grove Primary School
11/00860/OUTM – Former Grain Stores, Water Lane, York	218,491.12	Improvement and reorganisation at Clifton Green Primary School
01/01315/OUTM – Germany Beck	30,000	Fulford School Sports Hall
Total	£261,070.17	

Spending on Forward Funding Infrastructure and the Monitoring of Planning Obligations

No monies received under planning obligations was spent on repaying or servicing money borrowed including interest to forward fund infrastructure during the reported year.

No monies received under planning obligations was spent in respect of monitoring in relation to the delivery of planning obligations. The costs of monitoring planning obligations are covered by existing staffing and departmental budgets.



Corporate Services, Climate Change and Scrutiny Management Committee**29 January 2024**

Report of the Head of Human Resources

Workforce Development Plan and Attendance Management**Summary**

1. This report provides a summary of:
 - a) an update on the key achievements, challenges, and next steps within the workforce development plan (WFP) for members to be appraised and assured that the workforce is supported to undertake the key challenges ahead, and
 - b) an overview of the attendance rates and management across the workforce.
2. The Committee are requested to note the contents of this report and consider whether there are any aspects that Members wish to explore and offer a level of scrutiny on that fall within the remit of the Committee.

Workforce Development Plan

3. The Workforce Plan (WFP) attached at **Annex 1** and Workforce Themes (**Annex 2**) were created in April 2023, and have recently been updated to include a specific Equalities, Diversity and Inclusion theme to reflect the increased focus and work in this area and to align these activities to the council's core commitments and Council Plan.
4. The plan is renewed annually, and reviewed by Corporate Management Team quarterly. The plan will be renewed again in May 2024, and a key focus of the updated will be to ensure that activities support the workforce in light of the forthcoming budget proposals and the future changing shape of the workforce and the change processes that employees are facing. Corporate Management Team are the leaders and accountable for the Workforce Strategy and the Workforce Plan.

5. Progress of the WFP to date is summarised in brief in **Annex 1**, and good progress has been made on all areas.
6. Following the launch of the Council plan, sessions were held with Leading Together (Senior Heads of Service) and employees to embed the strategy and align it to our financial position, whilst ensuring we provided reassuring messages.

Workforce Strategy and Action Plan Links with 4 Core Commitments – ‘EACH’

7. **Equalities:** We continue to support staff equalities networks, and these are growing in popularity and recognition with the introduction of the sole parent network, and the potential reintroduction of the climate change network. The network groups terms of reference are under consultation with corporate equalities group. Recent themes promoted in staff communications include black history month and domestic abuse awareness. Preparations are also underway to complete the corporate equalities review against the Equalities Framework for Local Government (EFLG) framework.
8. **Affordability:** Significant work has been completed in relation to pay and reward practices, including the implementation of the annual pay award agreed in November. The Foundation Living Wage increase to £12ph was announced recently which the Council will implement from 1st April 2024. A review of increments throughout the grades is due to commence. Updates to HR policies and guidance around travel and subsistence allowances and relocation have recently been agreed to add further clarity for employees on claiming processes. Staff cost of living sessions have run and sessions have been well received.
9. **Climate:** Ongoing working environment improvements and ways of working via the Working as One (Wa1) programme progress. Ongoing emphasis on the need to ensure appropriate risks within workplace are assessed and acted upon. A premises risk assessment workshop was held in October which was well received and further sessions are planned in the future in addition to risk assessment master classes.
10. **Health and Wellbeing:** The new Occupational Health service continues to be embedded following implementation in July 2023. Use of the Employee Assistance Programme service supports our workforce and there appears to be a good awareness of the service across the council, as calls have been received from all directorates. A new

wellbeing app was launched in December and a monthly employee wellbeing newsletter continues to signpost staff to topical issues and support. The health and wellbeing of our workforce will be assessed in a staff survey planned for January. There is a communications campaign relating to health and safety with the slogan, 'Work safely; go home safely' with six themes planned as part of the launch, the campaigns will be launched bi monthly to reach all levels of the workforce – the first theme will be Manual Handling.

11. Corporate attention has focused on employee induction, a new employee induction guide was launched in September along with a revamped corporate welcome event both have been well received by new starters to enable them to settle into the council quickly and easily reinforcing the employer brand, values and expectations.
12. Corporate focus is also reinforcing the financial challenges ahead and preparing the workforce for change with key communications associated with support available, the cost control measures that are essential as well as ensuring that we promote and instil confidence that we continue to be 'open for business' and a good employer. There will be many changes ahead in the coming 12 months and the key will be to ensure that the employee journey is realistic, supportive and there is appropriate awareness and action throughout the levels of the workforce to know the seriousness of the challenge ahead. In some cases business as usual activities and support may need to be reviewed to support the savings plan delivery required. This will be reflected in numerous support services including from the Human Resources team.

Directorate specific actions

13. In Adults York Health and Care Partnership hosted its first Recruitment, Careers and Volunteering Event in West Offices on 4th November and provided an opportunity to showcase the health and care employment opportunities from over 20 employers, voluntary services and education providers within the York area including the council. Following which we have appointed to some of our vacancies in adults. We were also able to signpost visitors to other roles in the Council, apprenticeships, and work experience.
14. Additional HR Workshops for Managers are being planned in the new year. The workshops will cover topics including attendance and

employee wellbeing, resourcing, performance, pay and reward and workforce change.

15. Training commenced in September 2023 for culture and behavioural support sessions for adult social care to align the service to CYC values and behaviours framework. This programme is due to conclude in March 2024.
16. In Children's services, work continues to develop CYC's practice model, this model will enable the directorate to describe collective values and principles that drive the way in which we want to work with children and families. It will also describe the purposeful outcomes we are wanting to achieve for children and inform future workforce training.
17. We have partnered with Research in Practice who have designed the Social Work Organisational Resilience Diagnostic (SWORD). This is a short survey (max 15 mins) and an online workbook designed for use across the whole social work and broader social care profession. It is completely anonymous and the data we will receive is at the organisational level. The findings will help leaders and senior managers implement organisation-wide improvements.
18. A series of "Meet your Team" sessions have been delivered to staff within Adult Social Care and Children's Social Care, these were available to all staff with line management responsibility. The sessions provided an opportunity to introduce key contacts in support services including colleagues from Finance, Health and Safety, Business Intelligence and Payroll.
19. At Hazel Court work is being done to support line managers to further developing their people management and coaching skills; this has included policy sessions, targeted employee relations guidance, support around interviews and general recruitment. A 121 meeting template has also been developed which incorporates the Council values and is being trialled with supervisors and their frontline staff in Environmental Services to try to increase employee engagement (employee survey feedback) as well as encouraging more individual, regular and meaningful communications with employees.
20. To help improve digital skills, employees have been offered development opportunities through York Learning, to build confidence in using Microsoft applications for office staff and basic online skills for frontline staff. The lessons are taking place in employees own time but

are taking place on site a Hazel Court to be more accessible. Feedback has been very positive, and more training has since been added due to the encouraging uptake.

Attendance Management

21. Workforce resilience and wellbeing are key themes of the workforce plan and strategy to maintain a skilled and capable workforce to be able to deliver services to our community. Well-being takes the widest form of health including health and safety, risk assessments, supporting employees in all aspects of work from induction, everyday working, engagement and communication, positive leadership and good management. All these components add to providing a safe and supportive working environment.
22. The Council seeks to maximise attendance at work, but it is recognised that employees will from time to time be unable to perform their work duties due to sickness. We seek to minimise absence due to sickness through early intervention, employee support and through the promotion of health, safety and wellbeing initiatives.
23. Attendance management for the workforce is reported through the Council's absence line. This process has been in place for several years and in July 2023, a new contract was signed following a tendering process and a joint service was procured for the Council's occupational health and one day absence line providing a complete service allowing for efficiencies between reporting of initial absence and access to occupational health services.
24. During the pandemic period: 2020 to 2022, the Council saw high absence rates and these followed the same trend as many employers both in the public and other sectors. Sickness absence figures are now starting to fall. Rates have not returned back to pre-pandemic rates in the Council, when the rate was 9 days per FTE, but progress is being made. At the Quarter 2 position (1st October to 31st December 2023), the average days sickness was 11.3 days per FTE, this is a reduction from 13 days per FTE based on the same quarter in 2022.

	Q2 2022	Q2 2023	Trend
Headcount	2523	2023	Decrease
FTE	2113	2186	Increase
Average Days Sickness	13.0 days	11.3 days	Decrease

25. The Council does have several employees who are on long term sickness with terminal illness, for these employees we explore ill health retirement options but employee absence continues to be part of the absence figures, this may in some cases distort absence figures in some directorates. The following is the average days sickness per FTE based on a rolling 12 month period.

Directorate	2020/21	2021/22	2022/23	2023/24 to Q2
City of York Council (exc.	9	12	11.9	11.3
Benchmark – CIPD (All Sectors)	5.8	N/A	7.8	N/A
Benchmark – CIPD (Public)	8	N/A	10.6	N/A

26. In September 2023 the Chartered Institute of Personnel and Development (CIPD) presented a benchmark figure for absence as part of their Health and Wellbeing at Work report, this report was paused during COVID. Across all working sectors, the CIPD quoted an average level of employee absence of 7.8 days per employee and the highest level of absence reported for over a decade. The report acknowledges significant differences in the way in which absence is reported so comparisons like for like are very difficult. For the public sector the average absence is quoted as 10.6 days, the Council average sits at 11.3 days only slightly higher, this is a reduction from 13 days reported in Q2 in 2022. Discussions with other regional Yorkshire and Humber Councils confirms that City of York are comparable in terms of sickness absence trends; figures are higher in social care, days absent are steady after the pandemic recovery period and absence rates tend to reduce in Q4.
27. In terms of reasons for absence the CIPD report mentions, minor illness, muscular skeletal and stress / mental health as the most common reasons for absence. This mirrors the Council's absence reasons which at November 2023 were Stress, Muscular skeletal and Other Reason (minor illnesses).
28. The Local Government Association (LGA) has published that they propose to set up a benchmarking survey on key workforce statistics for Councils and it is understood that this will include absence; this will not however, dictate how sickness is calculated so there will continue to be variances so direct comparisons will be difficult.

29. We are currently preparing for the next employee survey, which will be launched at the end of January. The survey will include a focus on wellbeing and this can be reported accordingly alongside absence reasons.
30. In the current climate of ongoing cost control measures in the workplace, cost of living pressures in employees personal lives, as no-one is immune to the increased cost of living, this can take a toll on personal resilience. Measures are in place to support employees however, it is common in times of uncertainty, with conversations of redundancies and reduced services, that some employees will find the situation stressful. Conversely to this position it is also important that employees do not try to work excessive hours to cover for absent employees or vacant roles or use presenteeism or leavism as techniques to manage increased workloads; wellbeing, support, engagement and good communication are paramount to continue to deliver services effectively. Managers are equipped with tools to assist employees and deal with absence in a sensitive and supportive manner whilst providing a robust standard of expectations, this will be reinforced at all levels of the organisation.

Consultation

31. Specific projects within the Workforce Plan are consulted on as appropriate, there is ongoing dialogue with trade unions regarding workforce profile (including absence management), projects and any issues; both from a health, wellbeing and safety perspective and employee relations. Corporate management team members ensure that there is visible leadership and the that themes of the workforce plan are embedded and part of individual service plans and work plans as appropriate.

Implications

32. The following implications are presented for consideration;
 - Financial** : costs associated with the implementation of any aspects of the Workforce plan will be considered on an ongoing basis and be fed through Corporate management team and will be mindful of the current financial challenges.
 - Human Resources (HR)**: The WFS and WFP plan fits with the HR Service plan and is key to developing and ensuring that the Council has a workforce fit to deliver all its priorities.
 - Legal**: The Director of Governance and legal team will provide any legal challenges associated with the individual actions associated with the strategy and plan

Procurement: The head of procurement and team will provide any procurement support associated with any contracts required by the HR department and WFP.

Health and Wellbeing: The Director of Public Health and team will be contacted where there are any actions that require public health intervention and consideration.

Environment and Climate action: There are no known environment and climate implications.

Affordability: The Director of Customer and Communities will be contacted where there are any actions that required intervention and consideration.

Equalities and Human Rights: any aspects of the WFS and WFP that requires equality impact assessments will be considered on individual basis as part of the project planning process.

Risk Management

33. There are no known risk implications associated with the recommendations in this report, however, it is acknowledged that the savings and financial implications ahead do have risks for employee relations, but these will be managed through good communication, engagement with recognised trade unions and ensuring managers and employees are aware of the journey and support available.

Wards Impacted

34. No Ward(s) are directly impacted by decisions in the workforce development plan or absence management statistics.

Recommendations

35. Corporate Services, Climate Change and Scrutiny Management Committee Members are asked to:
 - a. Note the workforce plan and themes and associated updates

Reason: For members to be assured that the workforce is supported to undertake the key challenges ahead and consider if there are any aspects of the workforce plan that they wish to ask questions on or seek further information on from a scrutiny perspective

- b. Note the overview of attendance rates and management across the workforce.

Reason: For members to be assured that the workforce is supported from a well being perspective in order to minimise absence and allow members as they wish to ask questions on or seek further information on absence information from a scrutiny perspective

Contact Details

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Report approved: Yes
Date: 15/1/2024
Wards Affected: All None

Background Papers:

Report of the Customer and Corporate Services Management Committee
Review of the Organisational Development Plan – 14th March 2022
<https://democracy.york.gov.uk/documents/s157548/OD%20Plan%20Report.pdf>

Annexes

Annex 1 – Workforce Development Plan
Annex 2 – Workforce Development Plan Themes

Abbreviations

The following abbreviations are used in this report and attached annexes

CMT – Corporate Management Team
CCNC – Corporate Consultative Negotiation Committee
COO – Chief Operating Officer
DCNC – Departmental Consultative Negotiating Committee
DoPH – Director of Public Health
EAP – Employee Assistance Programme
EDI – Equalities Diversity and Inclusion
EFLG - Equalities Framework for Local Government
ER – Employee Relations

HR – Human Resources

HHR&OD – Head of Human Resources and Organisational Development

ICT – Information Communication Technology

JH&HS – Joint Health and Safety Committee

LGA – Local Government Association

OD – Organisational Development

PDR – Performance Development Review

M365 – Microsoft 365

SWORD - Social Work Organisational Resilience Diagnostic

Was1 – Working as One

WFP - Workforce Development Plan

WO – West Offices

WWY – Work with York



Workforce Development Plan 2023/2024 Annex 1

Progress Against Corporate Actions: August to November 2023

Leadership & Management - Continue good practice and prioritise good leadership and management behaviours and promote a positive culture			
WFD Theme	Actions	Timescale / Status	Progress / Update
Equip managers with the right skills, practical advice and train and develop them, allowing them to create environments which enable them to be effective in their roles.	Leading Together Sessions	Ongoing	Planned agenda's <ul style="list-style-type: none"> • Support to significant change and budget / financial planning – 11th December • Equalities, Diversity & Inclusion – 15th January
	Development of e-learning manager training and support videos (foundation level)	End February In progress	Currently assessing e-learning content to launch for new and newly promoted resource on managing and developing people effectively.
	CYC Peer Review	End March In progress	Peer review planning and preparation currently underway. Review planned for February; recommendations expected end of March.
	Embed culture of engagement, feedback and suggestions by holding staff Q&A every 6 weeks	Every 6 weeks	Next Staff Q&A 20 th November agenda to cover budget savings and core commitments.
	Staff engagement surveys.	December 2023 to March 2024	Next staff survey planned for January, working with regional group to look at a set of standard survey questions to enable benchmarking of engagement results. Proposals options for CMT early Dec
Equip managers with the skills to be digitally agile and	Working as one programme key actions focus on: <ul style="list-style-type: none"> • Customer Centre Redesign 	End April	Skills – Digital course offered to HC and libraries staff level's 1 & 2, ran in October



Workforce Development Plan 2023/2024 Annex 1

<p>work effectively, ensuring they connect with their teams, when working in a remote environment.</p>	<ul style="list-style-type: none"> • Hazel Court – Introduce new ways of working and office redesign • Replacement of Wyse terminals with docking stations HC, in line with ICT strategy. 		<p>W@1 ICT – Replacement programme of old terminals and deployment of docking stations planned across WO & HC.</p> <p>West offices new signage has been installed across the whole of the ground floor, this includes the addition of the new Partner board in the staff entrance Hazel Court - Service locations now agreed with Place DMT and Heads of Service. Floor plan designs prepared, and costs being finalised.</p>
<p>HR policies and guidance are clear, consistent and fit for purpose.</p>	<p>Conduct review of vacancy and employee spend management.</p>	<p>Nov 23 Complete</p>	<p>New arrangements now in place for all vacancies and employee spending including Recruitment, Agency worker spend, extensions to fixed term contracts/secondments/acting up, regrading applications – HR Advisory circular issued Oct 23.</p>
	<p>Travel and Subsidence Policy and Guidance - Review</p>	<p>Nov 23 Complete</p>	<p>CCNC signed off October 23, to be published in November 23. Clarified claims process and timelines, and investigation of incorrect claims.</p>
	<p>New Allowance policy and guidance - NEW</p>	<p>Nov 23 Complete</p>	<p>CCNC signed off October 23, to be published in November 23. Included information on TOIL, additional hours, bank holidays, tool allowances, market supplements and retention payment.</p>
	<p>Review of Annual Leave guidance</p>	<p>Dec 23 Complete</p>	<p>Drafted amendments made to guidance and calculators, due to be launched Dec 23.</p>
	<p>Confirm Christmas and New Year 23/24 holiday arrangements</p>	<p>Oct 23 Complete</p>	<p>HRA circular confirming pay and time off arrangements issued</p>
	<p>Review sickness, maternity & family friendly policy in relation to</p>	<p>Mar 23 To commence</p>	



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	annual leave accrual and carry forward criteria		
	Review Employee corporate induction in person welcome event	Sept 23 Complete	Corporate Welcome event redesigned now includes informative videos, greater networking opportunities.
	Create New Employee Induction guide		Introduction of new employee induction web-based guide provides as one stop shop for all information, to settle new starters into the council.
Both launched September 23.			

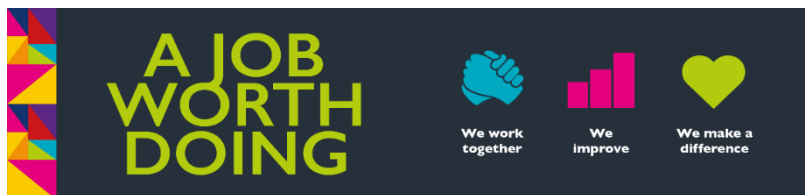
Continue to prioritise recruitment, retention, career development, pay, reward and recognition strategies to have a resilience and robust workforce to meet the needs of services and or community

Theme	Action	Timescale	Progress / Update
The shape and size of the organisation is fit for purpose, sustainable for projected needs and flexible enough to be responsive to change.	Transformation journey – agree scope of work, programme framework and allocate resource.	October 2023 onwards	Initial work started
	Customer journey focus scope – review structures and process	March 2024	
	CLG restructure	Commenced	Started – SMUC January followed by consultation
	Review of Council structures with the use of DMA principles	To start in November onwards	Part of BAU and CLG restructures. HR Staff to be trained on DMA principles following the work of the LGA
	Cost Control – vacancy mgt, procurement challenge board created, review of performance, OT, agency etc	Started and to continue reinforcement and monitoring	



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Robust Redeployment and Redundancy selection process with appropriate support for all managers and employees	Business cases potential redundancies, retirement business cases	November onwards	Not a programme of voluntary redundancies but carefully planned programme of posts to consider over the next 12 months and beyond as part of reviewing services, merging functions and finding opportunities to reduce the size of the organisation to meet financial challenges but maintaining services.
	Review secondment policy and guidance	31st Dec	To be started
Recruitment and Selection improvements	Review of iTrent (payroll system) recruitment module	Jan 24 In progress	HR part of regional recruitment and retention task group, discussing key issues effecting local authorities in the region and potential solutions.
	Review electronic application forms.	Jan 24 In progress	Work started
	Equalities guidance to support the recruitment and selection process.	Jan 24 In progress	Draft guidance currently being prepared
	Review of Recruitment and selection policy & guidance	April 24 Not started	
	Branding and selling CYC as an employer of choice, as part of the recruitment and onboarding.	Ongoing	Review commenced – work on target
Apprenticeships / Work experience and placements	Promoting apprenticeship offer for employees and guidance for managers.	Ongoing	
	Develop apprenticeship guidance for managers.	Feb 23	Just started.



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	Work experience – developing programme with schools for implementation Q2 24	May / June 24	
Management and reduction of agency spend and number of agency staff	Roll out and embed new City of York Trading contract. To include training and guidance for managers	Oct 23 Complete	5-year contract signed in September 23. Vacancy and employee spend HR Advisory bulletin issued in Oct.
Offering an affordable and equitable all-round package of compensation, terms and conditions, which are kept under regular review in line with current legislation, national terms and MTFP.	Ensure Mid-day Supervisors (MSA) and school crossing patrol (SCP) annual leave pay is comparable to LGA Term Time Only (TTO) calculations.	Complete Nov 23	
	April 23 Annual pay award implemented	Nov 23 Complete	National Annual pay award announced October 23, to be implemented November pay.
	Review 12 Grade pay structure and pay rates to assess the impact of the new Living Wage rate on the lower scales and meaningful increments throughout the grades.	April 24	Foundation Living Wage announced October £12ph, CYC to implement from 1 st April 24. Review of increments throughout the grades to commence
	Review of market supplements criteria and market premiums	Date TBC	
HR and Payroll System contract renewal and System Development	HR and Payroll contract with MHR (Payroll Provider) expires October 24, review to consider alternative suppliers, or move to MHR hosted model and system functionality to meet CYC needs.	October 24 In progress	Options paper to go to ICT board 7 th December



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Resilience & Wellbeing- Continue to embed good practice in respect of wellbeing and engagement to promote and maintain a safe, healthy and resilient workforce			
Corporate Actions			
Theme	Actions	Timescale	Update / Progress
Continue to support managers to manage absence and Health.	Embedded new Occupational Health, Day one (attendance mgt), EAP and the Physiotherapy service and reduce DNA rates.	July 2023 Complete	
	Implement new annual Health Surveillance programme - streamline administration process. Ensure complete set of OH and HS records in place in line with records retention policy.	April 24 In progress	HS programme currently under development with Midland aim to commence Jan / Feb 24. Arrangements to transfer HS & OH records from HML currently underway.
Ensuring a positive Health & Safety culture	Conduct a review of premises risk assessments and manager training following audit. Review of fire regulations and impact on Council buildings and review of strategy commenced Communications campaign to be launched in Dec 2023; Work Safely, Go home Safely	April 24 In progress Ongoing Starts in Dec 2023	Premises risk assessment workshop complete with further themes to follow Managers Risk assessment master classes started to conclude early 24. CCNC signed off updated HAVS compliance Oct 23 First campaign manual handling
To put in place initiatives to help support staff	Regularly signpost staff to health and wellbeing initiatives and support to available to them.	Ongoing / Complete	Staff awareness session to take place in Dec alongside launch of new EAP Wisdom App. Signposting staff to domestic abuse support as part of Nov 27th White ribbon day in Nov Health & Wellbeing newsletter



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			Financial wellbeing support session held in November for staff at Hazel Court
Equality, Diversity and Inclusion: Council to address inequalities in the workplace and create a more inclusive work environment.			
Take steps to actively increase diversity in the workforce and address any inequalities, including reviewing promotion, training and retention issues.	Action EFLG Assessment and Diversity Consultant outcomes.		Promotion black history month sign post to EAP webinars on talking about BARMC.
	Review of Stonewall membership	March 24	Plan to report in March ahead of May renewal
	Support and development of EDI staff networks	Ongoing	Draft Network terms of reference prepared. Staff networks continue to progress a solo parent network was formed in Sept. Development of climate network group started.
	Encourage employees to declare their equalities profile / protected characteristics to inform change.	Ongoing	Comms to promote and sell benefits of declaration planned for Nov.
	Further develop programme of Human Rights and Equalities training / awareness for all staff.	April 24	To be started
	Introduce ethnic pay gap reporting.	March 2024	To be published alongside gender pay gap report but emphasis needs to be made that we can only use the data that we have available but this is a good start.

Glossary

BARMC –Black, Asian and Racially Minoritised Communities

BAU – Business as usual

CMT – Corporate Management Team



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CCNC – Corporate Consultative Negotiation Committee
COO – Chief Operating Officer
DCNC – Departmental Consultative Negotiating Committee
DoPH – Director of Public Health
EAP – Employee Assistance Programme
EDI – Equalities Diversity and Inclusion
EFLG - Equalities Framework for Local Government
ER – Employee Relations
HR – Human Resources
HHR&OD – Head of Human Resources and Organisational Development
HAVs – Hand and Arm Vibration
HS – Health Surveillance
ICT – Information Communication Technology
JH&HS – Joint Health and Safety Committee
LGA – Local Government Association
OD – Organisational Development
PDR – Performance Development Review
M365 – Microsoft 365
SWORD - Social Work Organisational Resilience Diagnostic
Was1 – Working as One
WFP - Workforce Development Plan
WO – West Offices
WWY – Work with York

Workforce Development Plan 23/24

Aligned to the council's values and four core commitments:
Equalities, Affordability, Climate and Health

Leadership and Management

Continue good practice and prioritise good leadership and management behaviours and promote a positive culture.

- Maintaining effective employee relations in a climate where managers and leaders can motivate and engage with employees effectively.
- Allow managers to understand and implement limitations to services, for example to have the ability to say 'no' and challenge pressure that is excessive or not conducive to future delivery or sustainable.
- Equip managers with the skills to be digitally agile and work effectively, ensuring they connect with their teams, when working in a remote environment
- Enhance the digital information and data management offer.
- Ensure HR policies and guidance are clear, consistent, and fit for purpose and inclusive and accessible to all.

Resilience and Wellbeing

Continue to embed good practice in respect of wellbeing and engagement to promote and maintain a safe, healthy, and resilient workforce.

- Promoting a positive Health and Safety culture
- Embedding appropriate and effective risk assessments.
- Continue to support managers to manage absence.
- Continuing our wellbeing focus to ensure employees are aware of their own health, take care of themselves and are aware of services available to assist them to do this.
- Promotion and support of flexible working practices where possible.
- Maintain opportunities for staff engagement activities including staff survey.

Resourcing

Continue to prioritise recruitment, retention, career development, pay, reward and recognition strategies, to have a resilience and robust workforce to meet the needs of services and/or community.

- The shape and size of the organisation is fit for purpose, sustainable for projected needs and flexible enough to be responsive to change.
- Robust Redeployment and Redundancy selection process with appropriate support for all managers and employees.
- Ensure our approach to recruitment and retention encourages and nurtures talent, either through direct employment or other delivery models.
- Reduce agency spend and number of agencies staff.
- Continue to promote and embed flexible working / agile working.
- Offering an affordable and equitable all-round package of terms and conditions of employment and benefits, regular reviewed in line legislation, national T&Cs and with MTFP.

Equality, Diversity, and Inclusion

To address inequalities in the workplace and create a more inclusive work environment.

- Take steps to actively increase diversity in the workforce.
- Take action to address any inequalities, including reviewing promotion, training, and retention issues.
- Support EDI staff networks
- Encourage employees to declare their equalities profile / protected characteristics.
- Further develop programme of Human Rights and Equalities training / awareness for all staff and use of Equalities Analysis Tools
- Supportive environment in respect of a zero tolerance of bullying and harassment
- Introduce Ethnic Pay reporting.



Corporate Services, Climate Change and Scrutiny Management Committee**29 January 2024**

Report of the Director of Customer & Communities

Digital Switch Over 2025 Information Report**Summary**

1. This information report provides Scrutiny Committee members with the current position and the next steps within the digital switch over programme of work. This is a result of the full Council motion from the meeting of 23 November 2023, where Council resolved:
 - To ask the Corporate Services, Climate Change and Scrutiny Management Committee to include as an agenda item at a meeting of that committee or another scrutiny committee in the next three months, consideration of York's level of preparedness for this change. Participants in the discussion could include local authority, telecoms, NHS, care, voluntary sector and other partners as appropriate.
 - To ask the relevant Executive Members to ensure that all front-line staff working with groups who may be particularly affected by this change are suitably briefed in order to be able to direct residents and their families/carers to sources of information and support.

Recommendation

2. To bring further updates to this committee in the lead up to the end of 2025 switch over deadline.
Reason: To keep the committee updated.

Background

3. The UK's Public Switched Telephone Network (PSTN) analogue telecommunications network telephone network is being phased out of service.

4. And the Telecommunications industry service providers will be moving their customers over from their existing analogue connections to digital technology-based platform providing a future proof, more reliable and dependable broadband services (see Annex A).
5. The switch over process will be undertaken on an exchange-by-exchange basis, and the current expectation is that this UK wide work programme will be completed by the end 2025.
6. This means services that rely on the old landline system such as landline phones, healthcare devices such as telecare, alarms and intercom systems and some traffic signals will need to be switched over.
7. The continuing significant private sector and central government investment in the City's digital connectivity landscape is helping to enable and support the increasing number of people who have already made the move off analogue services or will be making the switch when upgrading their broadband service.
8. However, the switchover has implications for the telecare and Technology Enabled Care (TEC) sector, and the 2 million people who rely on those services in the UK and is a key focus in terms of the Housing and Be Independent services that the Council provides, and the scale of the changes required.
9. In addition to identifying all the Council services currently dependent on analogue systems for informative purposes, it is crucial to develop a prioritised action plan. This plan should include engagement and communication with the customers benefitting from these services. The Council must collaborate with partners, service providers and the telecommunications industry to heighten awareness of the impending transition. Additionally, efforts should focus on offering guidance, and support to city residents during the switch over process. (see Annex B,C).

Consultation

10. As part of the work to establish this required work programme, we have started to work with several Council teams including but not restricted to Adults Social Care, Housing, Transport and Property/FM Services to help identify the services and the associated customers that will be impacted by the switch over, and also any external providers who are part of their end-to-end service provision.

11. Transport and Car Park services are ready for the switchover as they have been actively upgrading their kit over the years to align with modern transportation infrastructure across the UK, their systems have Wi-Fi/Sim capabilities and no longer rely on analogue based services.
12. Therefore, the current focus of the upgrade work is around Adults Social Care, Housing and Property/Facility Management services.
13. Over the last year, Be Independent have been upgrading their customers telecare equipment in preparation for the digital switchover with Tunstall, the work is ongoing with the goal to be completed by the end of 2024. Property Services and Adults Social Care are currently reviewing their existing kit at the independent living sites to see what analogue kit remains vs digital and are reviewing the total cost/time to upgrade the sites.
14. Housing is currently focused on conducting audits, their suppliers are being contacted to gain awareness of their approach to the switchover to ensure business continuity and minimise disruption to service delivery, as well as pulling quotes together to have a more accurate picture of the cost of equipment to be upgraded.
15. We are also engaging with North (the Council's network managed service provider) and telecommunications industry providers to help complete the information gathering exercise to help inform our evolving understanding of current reliance upon any analogue based connectivity services.
16. The switchover may raise concerns about access and inclusion, as certain populations may face challenges adapting to new technologies. Efforts to ensure access, affordability, and information about the switch over are important for a smooth transition. City of York Council will ensure there is a comms strategy in place targeted at York residents who use telecare technology either as a Be Independent customer or via another provider and that the strategy includes media formats and solutions to support those with additional needs.

Current Next Steps

17. Work with Directorate Management Teams to secure identified service or directorate leads on this programme of work, so they can undertake an audit of their existing services to help establish a service-by-service action plan to plan and complete the switch over plan before the end of 2025 and inform the funding implications.

18. As part of this work, the council's services can review their existing planned work programmes for 24/25 to explore any opportunities to include any of the identified replacement or upgrade work that is required for the switchover to help minimise any disruption to the customer or service.
19. Monthly project meetings will be established with the directorate/service area leads to monitor and track progress of this council wide work programme to help ensure service continuity as we head towards the end of 2025 deadline.
20. Work with colleagues, partners and other organisations utilizing to establish a consistent communication and awareness campaign of the switch over in general with residents of the city and those residents who are receiving services from the council that will be directly impacted by the switch over.

Council Plan

21. The City of York Council's Council Plan (2023-2027) include the following core commitments which are particularly relevant for this report and the digital switch off work programme.

Health – Health and Wellbeing

22. We will improve health and wellbeing and reduce health inequalities, taking a Health in all policies approach, with good education, jobs, travel, housing, better access to health and social care services and environmental sustainability. We will achieve outcomes by targeting areas of deprivation, aiming to level opportunity across the city.

Environmental Impact

23. The disposal of electronic devices may have environmental implications. Efforts to address e-waste and promote sustainability are crucial within City of York Council.

Implications

24. In the absence of a consolidated budget allocation from corporate funds for the Digital Switchover program, and also of any current financial support from Central Government for the nationwide implementation, it is imperative to acknowledge the fiscal constraints faced by the City of York

Council, as outlined in the communication during the Committee meeting on Monday, 22nd January.

25. In light of the financial circumstances, it is incumbent upon each service area to address the upgrade within their existing budgetary allocations following a series of audits and quotations provided by suppliers.
- **Financial** – Contained within the report.
 - **Human Resources (HR)** – None.
 - **Equalities** – Contained within the report.
 - **Legal** – None at this current stage.
 - **Crime and Disorder - None**
 - **Information Technology (IT)** – Contained within the report.
 - **Property** – Contained within the report.
 - **Transport/Highways** – Contained within the report.

Risk Management

26. There are two known risks that have been identified during the initial investigation and early preparation.

Risk 1 - Not receiving timely updates and or change notifications from the telecoms industry and/or service providers, that could result in service outage.

Mitigation - We are in contact with BT and EE on a regular basis and are in the process of sharing with them lines that are connected to telecare users. This is to avoid any testing on the lines ahead of the switch off so they can be pre planned and communicated.

Any change in protocols will be communicated in advance so Be Independent and Enovation who manage out telecare lines can carry out the necessary changes.

Risk 2 - The potential of supply chain provision bottlenecks due to the demands of this nationwide programme.

Mitigation - New contracts have been agreed with the Council's main provider of telecare equipment, which will allow us to procure the new digital kit more effectively as required.

Audits are also being carried out across our Housing Estate to establish a position of the existing and future proofed equipment requiring no intervention for the digital switch over, and the equipment which will need replacing. We are also as part of the engagement work with our suppliers, looking to secure an understand of their plans and roadmap for the digital switchover.

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**Report
Approved**



Date 18 January 2024

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A: [Local Government Association Digital Switchover Hub](#) LGA have designed a toolkit for councils and partners to use to raise awareness of the digital switchover including information, FAQ's and a glossary explaining technical terms.

Annex B: [Are landlines being phased out? Changes to landline telephones | Age UK](#) Age UK campaign to support vulnerable and elderly.

Annex C: [BT Newsroom](#) Information about BT's roll out plan across the country and includes information on how they have been testing the roll out.

List of Abbreviations Used in this Report

None

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Scrutiny Work Plan

Meeting Date	Committee	Agenda Item
29/01/24	CSMC	<ul style="list-style-type: none"> • S106 Agreements and CIL • Organisational Development • Digital Switch Over
30/01/24	HHASC	<ul style="list-style-type: none"> • Tees, Esk & Wear Valleys CQC Inspection • 2023/24 Q3 Finance and Performance report for Health and Adult Social Care • ASC CQC Assurance Update • All Age Commissioning Strategy
27/02/24	EPAT	<ul style="list-style-type: none"> • The health of our rivers and becks • Drainage infrastructure
05/03/24	CCC	<ul style="list-style-type: none"> • Finance & Performance Q3 • Safer York Partnership • Targeted Youth Provision • SEND update
18/03/24	CSMC	<ul style="list-style-type: none"> • Procurement • York Central Update • Devolution (tbc) • Ward Funding

The Forward Plan can be found [here](#).

Committees

CSMC	Corporate Services, Climate Change and Scrutiny Management Committee
EPAT	Economy, Place, Access and Transport Scrutiny Committee
HHASC	Health, Housing and Adult Social Care Scrutiny Committee
CCC	Children, Culture and Communities Scrutiny Committee

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