

Meeting:	Executive
Meeting date:	12 May 2026
Report of:	Garry Taylor, Director of City Development
Portfolio of:	Councillor Claire Douglas, Leader of the Council

York Christmas Market Operating Hours and Economic Impact

Subject of Report

1. At the March 2026 Executive, Members considered a report on City centre events and a Permanent **Anti-Terrorism Traffic Regulation Order** (“ATTRO”). The report set out a strategic approach to events and accessibility of the city centre.
2. As well as agreeing the report’s recommendations, Members asked ‘that further work be undertaken to establish the viability of ensuring greater access, rest days and times during the Christmas Market’. The desire is to explore opportunities for residents, visitors and disabled people to have additional time over the Christmas period to enjoy the city centre and access shops and facilities over this time, and for this to be explored specifically through the running of the Market on 6 days of the week as opposed to 7 days as currently.
3. With underlying seasonal increases in footfall experienced across the city at this time of year, the Christmas Market is the busiest of the city centre’s events by some way. Creating time during this busy period for residents and visitors to quietly enjoy the city centre, and access essential services will bring key benefits.
4. The March Executive report articulated at a high level the impacts of amending the hours of the Market. These included: improved accessibility of the city centre; changes to footfall, overnight stays and spend; impacts on servicing and deliveries for city centre businesses; and loss of income to the Council and **Make it York** (“MIY”) (with potential for implications for service delivery). A subsequent report to the April Executive meeting further

considered options around changes in Christmas Market hours, and their associated effect, including more detailed analysis of the economic impact for the city. Unfortunately, however, due to ongoing discussions with **North Yorkshire Police** (“NYP”) and **Counter Terrorism Security Advisors** (“CTSA”), it was agreed that further due diligence would need to be undertaken by senior council officers including the new Chief Executive, and that the proposals would be considered further at a future Executive meeting.

5. Following further discussions with NYP and CTSA, the options and recommendations have been reviewed and refined. These are presented in the context, set out previously, of a need to improve the accessibility of the city centre (including for disabled residents) in line with corporate policy, whilst reflecting its critical importance as a key hub for social, cultural, knowledge exchange, and commercial activity, and balancing this with the need to ensure public safety.

Background

6. In March 2026, Executive agreed to the principle of maintaining a wide range of City Centre events and managing their impacts over the short, medium, and long term through improvements to how they are accessed, managed and operated, and how city centre infrastructure operates.
7. A short-term package of measures to improve accessibility was approved by Members as part of an ongoing process to improve access. Options for reduced or amended hours of operation were previously considered as part of the 2025 event planning as summarised in the [November 2024](#) and [October 2025](#) Executive Papers. These resulted in the approach ultimately adopted of delaying commencement of the Market from its usual 10am to 7pm operating hours to instead commence at 10.30am (aligning with the start of foot street hours under the permanent **Traffic Regulation Order** (“TRO”) for the area) and maintaining the 7pm closure.

Benefits and Challenges

8. City Centre events drive significant footfall and activity in York, sustaining and underpinning its retail, food & beverage and social offer, bringing people together and driving vibrancy and

attractiveness. The Christmas Market event in particular is very successful, and generates significant footfall in its central location, with visitors also spending time and money in the broader city centre across retail, food and beverage, and many visitors to the market staying overnight. Travel to the city centre at this time supports bus and rail services and generates parking revenue that supports investment in highway and transport infrastructure.

9. With the market having been held for many years, and its length having extended over time, it is difficult to disaggregate the footfall and trade generated by the market itself from that of the broader city centre at this busy time of year, to allow assessment of the market’s economic impact. Looking at overall footfall figures an uplift over the time period is clearly discernible, although the degree to which this is driven by seasonal shopping patterns or the market itself is less clear:

Table 1: BT Active footfall data

	Average daily footfall 2025	Average Daily Market Footfall 2025	Increase on Market Days
City Centre	101,032	117,383	16%

10. With **Hostile Vehicle Measures** (“HVM”) protecting an area covering much of the city centre, and the statutory need to consider and protect events from terrorist attack including **Vehicle as Weapon** (“VAW”) attack, many city centre users are unable to access essential services and activities in the centre when events are operating; even outside of events, due to the configuration of the city centre, accessibility is reduced. Previous reports have principally considered the needs around mobility access such as Blue Badge holders, but a broader spectrum of our community is impacted, with the events having the potential to marginalise those with a wide range of physical and non-physical conditions.
11. As well as those with protected characteristics summarised above and set out in the Annex 1 **Human Rights Equity Assessment** (HREAT), the Christmas Market also impacts wider residents and visitors to the city, with disruption and increased footfall putting some off from visiting the centre. Reducing the hours or days of operation would also bring benefits to these residents and visitors – a day closure option could see the city centre being used as a

rest day, with opportunities to come together, access shops and services and quietly enjoy the city centre.

12. Should the 'rest day' option be preferred, proactive and effective communication of any changes to the hours or days of operation will be essential to avoid reputational damage to the city from people still visiting when the market is not operating.

Policy Basis for Decision

13. The 10-year Council Strategies sets a vision that everyone can benefit from and take pride in the city, with the Council Plan setting a priority that the Council will set the conditions for a healthier, fairer, more affordable, more sustainable, and more accessible place where everyone can feel valued.
14. This vision sets a clear policy that "an accessible place" is a priority for the Executive. The Executive has set out Four Core objectives in the Council Plan to support the delivery of their vision. One of which is: "Equalities and Human Rights – Equality of Opportunity – We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities."
15. The Council's Local Transport Strategy establishes a vision by 2030 of an 'accessible, affordable and resilient transport network', and a city that is accessible to everyone. The Council's 10-year Economic Vision seeks to promote a vibrant and resilient city centre economy, supporting the city's strong independent businesses, and promoting inclusive growth. The My City Centre 10-year vision defines objectives including creating a welcoming and accessible city centre for all, ensuring the city centre meets the needs of residents and supporting economic vibrancy. These strategies recognise the importance of events within the city centre economy, and their role in supporting businesses and the visitor economy.
16. The Council has statutory responsibilities around community safety, security, and counter terrorism which shape how and what we deliver, and how we work with partners to ensure that objectives are met. City centre security infrastructure is seen as gold standard by partners, and robust working approaches and

practices have been established over a number of years to facilitate multi-agency coordination and delivery.

Recommendation and Reasons

17. Executive are recommended to note the work to date and additional analysis presented in the report, and:
- i) to decide whether, on a trial basis for 2026, to progress a 6-day Christmas Market, with 10.30am to 7pm market operation on the operational days, and on the basis of the evidence presented, to select Tuesday as the rest day, and as part of this, on the rest day, to restrict Blue Badge access to the Goodramgate access loop only, with additional temporary Hostile Vehicle Measures to protect Church Street, Low Petergate and King's Square from vehicles;
 - ii) to seek a further report early in 2027 containing detailed analysis of the impacts and outcome of this trial;
 - iii) to establish an interface group between the Council and other necessary parties to ensure effective joint planning, risk assessment and mitigation, such group to include the Council's Chief Executive, Director of Governance, Director of City Development and other officers as appropriate in order that such group will undertake an ongoing process of dynamic risk assessment to prepare for, and assess, any serious risks which may emerge, and which could impact on the proposed arrangements for any of the days; and
 - iv) That the additional costs of temporary HVM set out at i) above be met from existing budgets.

Reason: To allow the trialling of an approach to providing improvements for residents, visitors and disabled people in accessing the City Centre through reduced operating hours, and in a way which is deliverable operationally, considers the safety and security of the city centre area, and minimises economic impacts to the city.

Options Analysis and Evidential Basis

18. The principal considerations in the development of options relate to: operational matters (ability to service the city centre in terms of

deliveries, waste etc, and manage vehicles inside the area during controlled hours); security (potential risk of VAW, or **Improvised Explosive Device** (“IED”) terrorism attack); accessibility impacts (improvements to the ability of residents, visitors and disabled people to access city centre services); and economic impact (for the city as a whole).

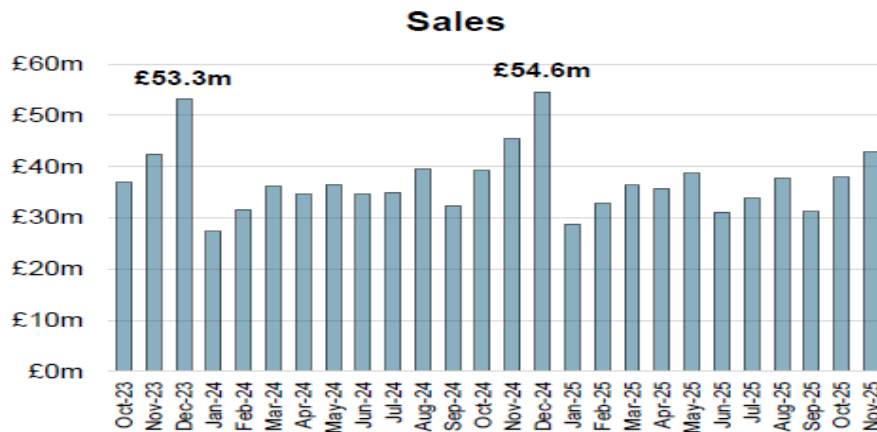
19. Additional operating hours scenarios have also been considered as part of the development of this report. The default operating model for the Market is for 7 days per week, between 10.30am and 7pm – this is the baseline operating model against which alternative scenarios should be considered. In addition to the 6-day option set out in the recommendations section above, the following scenarios have been considered and discounted:
 - 7-day operation with commencement further delayed (11am-7pm)
 - 7-day operation with reduced daytime hours and extended evenings (1pm-9pm)
20. Delaying commencement over 7 days to 11am would introduce a misalignment with the underlying TRO, which normally commences at 10.30am. It would also be unlikely to significantly impact volumes of market footfall, with the relatively small scale of change leading to significant volumes of people in the City Centre ahead of market opening, and an event still taking place in the day. The advice of security partners is that the city centre access restrictions would be very likely to be required at this time, nullifying any access benefits.
21. Delaying commencement over 7 days to 1pm and extending the evening hours to 9pm would also still result in an event taking place on the day, albeit with a later start. The views of security advisor partners would likely be that a closure to vehicular traffic would still be required in these circumstances, negating any accessibility benefits. Extending operating hours beyond 7pm would impact other businesses operations (including Shambles Market traders, who would be prevented from leaving the area under normal operations).
22. Reducing the Christmas Market to a 6-day operation could deliver improved accessibility to city centre users if the decision was taken by the Council to stand down the ATTRO measures on rest days. In this regard, and as in previous years, advice in relation to the

option presented has been sought from both CTSA and from NYP. In common with their previous advice, both CTSA and NYP consider that 7-day operation of the temporary ATTRO will provide the greatest security for the operation of the City Centre, notwithstanding the proposed introduction of a rest day for the Christmas Market.

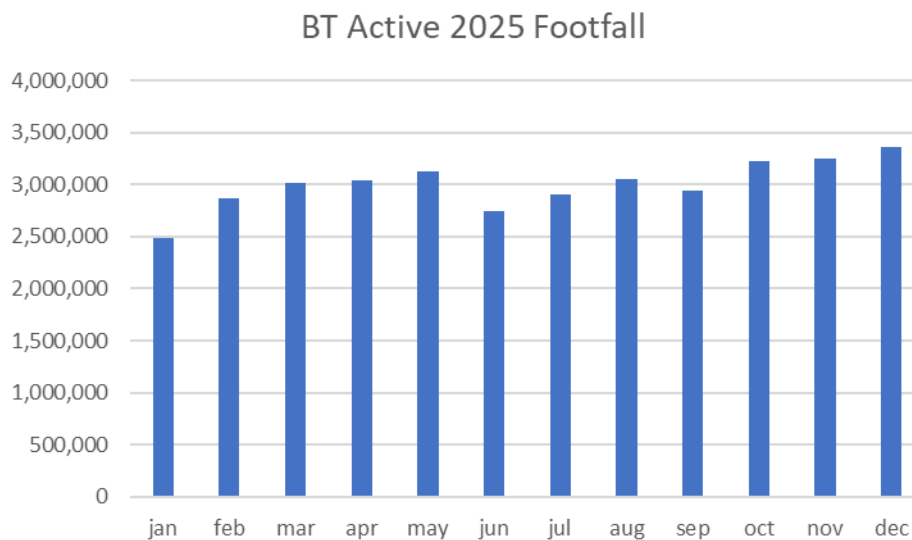
23. Counter Terrorism Security Advisors and NYP have been clear in their advice that the decision to reduce the operation of the temporary ATTRO to 6 days per week (excluding the proposed Christmas Market rest day) would be a decision for City of York Council to make based on the Council's threat, risk, and vulnerability assessment, and any associated risks will sit with City of York Council; their recommendation is that this issue should be recorded on the City of York Council corporate risk register.
24. As part of the 6-day option should it be progressed, in order to reduce risks associated with vehicular access, it is recommended that just the Blue Badge holders 'Goodramgate Loop' (between Deangate and King's Square, and Colliergate, but with Church Street not accessible) be operated, with the 'Lendal Loop' through Blake Street, St Helen's Square, Lendal stood down. This approach would reduce the number of interactions between vehicles and pedestrians by excluding the Lendal loop, and ensure that these take place in the location which has the lower risk profile and is operationally less complex to manage as a result of highways configuration.
25. As part of the use of the remaining Goodramgate loop, enhanced temporary HVM measures would be implemented to protect secondary streets off the Goodramgate access loop – these would comprise of three HVM rated lift arm barriers at the entrances to Low Petergate, Church Street, and Newgate/ Shambles, with a linear static barrier along the edge of the King's Square adjacent to Colliergate. This would result in increased costs to the administration of the Christmas Market, likely to be in the region of £50,000 for the hire and staffing of the temporary HVM. Such costs are currently unbudgeted, and would therefore need to be found from current budgets or contingencies. As part of the enhanced restrictions, and as agreed previously at Executive on [3rd March 2026](#) (decision b), provision of additional Blue Badge parking, including in locations associated with the Goodramgate access loop, is already being progressed.

26. It is, however, important to note that, irrespective of Members decision on the 'rest day', the Council, together with colleagues from both CTSA and NYP will continue to undertake a dynamic risk assessment process, in order to be able to respond to any evolving threats that may arise, and including factors such as the underlying national threat level. To that end, it is proposed that the Council establish a senior officer Group, comprising the Chief Executive, the Director of Governance, the Director of City Development, and such other senior officers as may be considered appropriate, together with relevant partners such as NYP, CTSA, MIY, and other affected parties, to consider information on a live basis, ensuring that identified threats are evaluated, and appropriate measures put in place to ensure the safety of the public. This process will continue throughout the operation of the Christmas Market, and measures may need to be put in place on 'rest days' in response to specific threats.
27. These mitigation measures, together with existing mitigations, will form part of the risk assessment for the temporary ATTRO operation in conjunction with the proposed 6-day operation.
28. The Christmas Market makes a significant contribution to York's economic performance, helping to contribute to the city's £2bn tourism and visitor economy, through driving footfall, overnight stays and high street spend. Anecdotal reports from MIY suggest a positive impact on the city economy in the region of £80m-£100m flowing from the Christmas Market.
29. The Council monitors spend through use of Beauclair data which captures debit card spend across retail tourism, entertainment, consumer services and transport. Spend is reported on a total monthly basis for the city centre area. The Council also monitors footfall in the centre through BT Active mobile data which is captured daily for the city centre area.
30. Beauclair spend data reveals seasonal spending patterns in common with the rest of the UK, with significant spikes in activity in the holiday periods, and most acutely spiking in November and December in the run up to Christmas. Figures for 2025 indicate monthly retail spend of £42.9m and £52.2m respectively for November and December. This is against year to date spend to November of £387m, with spend over these months accounting for around a quarter of the year's total. Not all spend is captured by

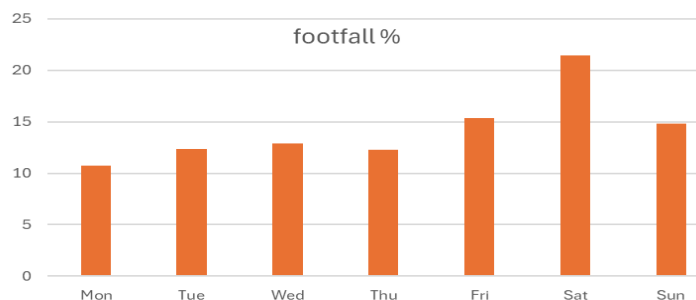
Beauclair, with cash sales, credit card and non-UK debit card transactions not captured.



31. BT Active footfall data shows broadly consistent patterns of footfall throughout the year, with December the busiest month, followed by November.



32. With daily data available from BT Active, heatmapping of footfall patterns throughout the days of the week is possible. This is shown below for the period over the 2025 Christmas Market period:



33. Dividing monthly Beauclair spend data against daily footfall data generates an estimate of how this total spend is profiled over the Christmas Market period. This suggests an average spend of £13.22 per person and £15.55 per person over November and December respectively. This data is high level, capturing all debit card spend (and footfall) in the city centre area, and it is important to note that:

- The footfall data captures all movement, including residents and workers, meaning that the average spend per person figure will be lower than the spend levels per person associated with leisure trips to the Christmas Market;
- Additional spend outside of the City Centre area will take place over this period;
- Spend per head will typically be higher over the weekend when greater leisure activity takes place, and therefore weekday spend may be overstated; and
- The Beauclair data does not capture remote payments made in advance including for overnight accommodation.

However, over the Christmas Market period as a whole for 2025 (13 November 2025 to 21 December 2025) this data generates a total City Centre spend figure of £66.24m.

34. Research by the British Retail Consortium indicates high street spend in the UK is typically comprised of around 67% debit card, 20% credit card and 12% cash payments. Applying these ratios would increase the total spend levels to £98.87m. BT active data also reveals around 3.63% of footfall in the city centre is international in nature; uprating spend for this figure generates a combined total uprated spend estimate of £102.46m (or £20.45 and £24.05 per person for November and December respectively).

35. Additional spend assessment has also been undertaken by MIY, drawing on survey responses to analyse spend, using:

PCP in person visitor survey data and MIY online visitor survey to derive daily spend per person – average £65.93;

- Christmas Market survey 2025 and Visitor Survey data to derive overnight accommodation spend per person – average £215.8 per person, with 44% of people staying overnight; and
- 2024 Christmas Market Visitor Survey to derive spend in wider city centre attractions – average spend of £38.71 per person.

36. The data overcomes some of the challenges of using Beauclair spend data as highlighted in paragraph 28, being specifically targeted to leisure visitors, and reflecting spend made in advance and outside of the city centre area. The data is drawn from small sample sizes though, and there is a high risk of duplication across the categories of spend, with the £65.93 average visitor spend very likely duplicating elements of that captured within the £38.71 spend in wider city centre attractions, and the overnight accommodation spend also incorporating elements of food and drink spend captured also in the wider visitor surveys. The data generates a total spend of £199.59 per person, against £20.45-£24.05 in the preceding analysis.
37. The two methodologies for assessing spend represent either end of a spectrum, with the Beauclair/BT Active data likely being understated (even when uprated), and the MIY data significantly overstated. Taking an average 'blended' rate across these two datasets as a most likely scenario is a proportionate way of assessing impact, this generates a spend of £106.99 per market visitor.
38. As stated previously in the report, it is difficult to disaggregate the degree to which footfall and spend is driven by the Christmas Market itself, or by the core city centre shops, services and attractions. To arrive at an estimate of this, the BT Active footfall levels over the first week of the 2025 Market (Thursday, 13 November to Wednesday, 19 November) have been compared to the levels for the week immediately prior to this (Thursday, 6 November to Wednesday, 12 November). This shows a 17.18% increase in footfall during the first week of the Christmas Market over the week before. Some of this increase will be a result of general uplift in city centre footfall in the pre-Christmas period with shopping activity increasing, and the popularity of the market as a factor will also likely increase in the run up to Christmas, but the rate is considered a reasonable estimate of the 'impact' of the Christmas Market on footfall in the absence of other data. Applied to the whole city centre footfall from BT Active over the market period, this rate would attribute 787,000 individuals to the Market's presence.
39. The table below presents the spend levels under the two appraisal methodologies (beauclair and visitor surveys), applied to this level of footfall, and generates the average blended rate across the two

methodologies, expressed over the whole Christmas Market period, which is explored further below.

Footfall uplift	Spend (Beauclair)	Spend (Surveys)	Spend (blended)
786,850	£17.61m	£157.05m	£84.18m

40. Profiling this blended spend throughout the week in line with 2025 City Centre footfall volume generates the following data over the full period of the Christmas Market's operation:

Day of week	% Footfall	Resulting spend over Christmas Market period	Average spend per day
Mondays	10.79	£9.05m	£1.62m
Tuesdays	12.4	£10.42m	£1.87m
Wednesdays	12.9	£10.85m	£1.95m
Thursdays	12.27	£10.35m	£1.86m
Fridays	15.33	£12.95m	£2.32m
Saturdays	21.47	£18.06m	£3.24m
Sundays	14.85	£12.5m	£2.24m
TOTAL	100	£84.18m	

41. These figures allow for a high-level understanding of how spend is spread over the week, to allow consideration of the impact of a rest day for the Market. On the basis of this data, Mondays are the quietest day of the week where economic impacts may be reasonably assumed to be smallest. However, Mondays have an important relationship with overnight stays, with many extending visits over the weekend and into a Monday, generating spend within the hospitality trade and supporting the sector. Mondays also see some closures or shortened operating hours amongst independent food and beverage outlets, cultural attractions, and banks, reducing the positive accessibility benefits that might flow from a rest day, in terms of ability to best use the city centre.
42. Tuesdays and Thursdays are the next quietest days of the week, with a similar estimated spend of £10.42m and £10.35m respectively. There is expected to be a degree of displacement of activity from the rest day to other days of the week when the market operates; if a Thursday were selected as the rest day, it might be expected that a significant proportion of this would displace to a Friday, adjacent to the weekend. This is an already busy weekday, when transport network congestion is heightened.

On this basis, and their broadly equivalent modelled economic impact, a Tuesday rest day would be preferential to a Thursday. This option is explored in more detail below.

43. It is difficult to establish the degree to which that element of footfall and spend which is generated just by the Christmas Market on the rest day would simply 'switch' to an alternative day of the week on which the market is operating (and therefore spend would be retained overall in the city centre). Sensitivity analysis has been undertaken and is summarised below to illustrate a range of scenarios in this respect. In terms of the degree of 'switching' of this footfall and spend to alternative days of the week rates of 25%, 50% and 75% have been modelled.

		Resulting loss of spend (financial and as % of total Christmas Market period estimated spend)
% market users displaced to alternative days from the rest day	25%	£7.82m 5.62%
	50%	£5.21m 3.75%
	75%	£2.6m 1.87%

44. This analysis shows an impact in the worst modelled scenario (where only 25% of those who would usually visit on a Tuesday decide to visit the city on an alternative day of the week), £7.82m of spend would be lost in the city centre over the market period (or 5.62% of the total City Centre Spend). These figures also do not allow for any uplift in general spend by residents etc., in permanent establishments, that would be generated by increased patronage of the city centre on rest days, which may be significant.
45. In terms of broader economic factors, it is important to note as well that the impact of the rest day option is anticipated to include the displacement of some trips to alternative days of the week. These additional trips on other weekdays would result in increased traffic volumes, with an impact on network operations, and an economic cost of delay (though accepting that the network operates at or over capacity already for much of the Christmas Market period). It is not possible to assess and monetise this impact at this time, but

as part of the trial nature of the recommended rest day, this could be assessed over the operation of the 2026 event.

46. The assessed range of economic impact is not insignificant, in both percentage and monetary terms, and would be felt across the City Centre economy where pressures are already being felt by businesses as a result of macro-economic conditions, rises in labour and fixed costs through factors including inflation and National Insurance changes, and impacted consumer demand. These are important factors that should be weighed when making a decision, against the benefits to residents, visitors and those with accessibility needs that will flow from any change.
47. As well as purely economic considerations, there are a range of wider factors too that must be taken into account in making a decision. There is a need to ensure that any changes to the hours of operation are very well communicated to guard against potential reputational damage to the city from visitors being unaware of rest days and visiting the city with the expectation that the market is operating. Make it York has a communication budget which can be deployed to this activity, and close working with the Council's Communications team would be proposed to maximise reach and impact. With the City Centre reverting to a 'Business as Usual' mode during the rest days, there would be a slight increase in operational staffing requirements for HVMs etc., however these requirements are achievable and financial costs are noted in the financial strategy section. The change would have an impact on the direct income generated by the event, and MIY have indicated that whilst this is manageable, there may need to be some reduction in services such as Visitor Information on rest days to accommodate this pressure.

Financial Strategy Implications

48. The presented options and scenarios to amend the operating hours or days of the Christmas Market would have limited direct financial impact on the Council. Parking income could be impacted in some of the options presented, though council operated car parks already operate at capacity at key times over the Christmas period, and as noted in the report, the direct impact that the Christmas Market plays in driving activity at an already busy time of year is not readily determinable.

49. The Christmas Market plays an important function in the overall commercial performance of the City Centre. Maintaining a vibrant trading environment in the city is critical to attracting and sustaining city-centre businesses. A failure to effectively support city centre events could lead to a decline in York's high street.
50. The 'rest day' option will increase the accessibility of the city centre, and there is a likelihood that displaced Market visitors will visit the market on days when it is open, increasing the footfall and spend on those days. There would be additional operational costs associated with enhanced temporary HVM to the Goodramgate loop, which would result in additional costs in the region of £50,000, which is presently unbudgeted. This will need to be identified through either reprioritisation of existing budgets or through use of the Council's contingency.

Consultation Analysis

51. Previous public consultation on Blue Badge access to the city centre received over 3,000 responses. The findings of this consultation were re-presented at Annex C of the October 2025 Executive report on Christmas Market. Further engagement has been undertaken since this time, with two specific engagement meetings in January 2026 (involving both York Disability Rights Forum and York Access Forum) at which the options to explore operating hours of the market in more detail were raised. Additional ongoing dialogue and conversations with key stakeholders, organisations and individuals has taken place to inform this report.
52. The rest day approach has been shared with York Access Forum and York Disability Rights Forum, who both broadly support the proposal for the rest day, and support was expressed by a public speaker at the April Executive meeting. Formal consultation on the proposed permanent ATTRO is also currently being undertaken and will be reported to Executive in due course.
53. Engagement has also been undertaken with business representative organisations and would be continued as proposals are worked up in more detail. Concerns have been flagged by some of these groups around the economic impact of changes, and the need for effective communications to avoid abortive visits on rest days. Some of these concerns were voiced by public

speakers and through written representations at the April Executive meeting.

Organisational Impact and Implications

54. These are set out below:

Financial

As set out in the body of the report, the potential direct financial impact to the Council is limited to the Council's car park income, staffing costs associated with running the markets, which are recharged to event operators where possible, and costs for temporary HVM. A trial run of the preferred approach for 2026 will allow for an analysis of the impact on the Council ahead of the permanent decision.

Human Resources

There are no HR Implications contained within this report.

Legal

It is understood that the proposals align with footstreet hours under the permanent TRO for the area. In the event of any amendments to any existing TRO being required they would need to be put into effect in accordance with the Road Traffic Regulation Act 1984 and any other relevant statutory procedures.

Guidance has previously been given in relation to the **Public Sector Equality Duty** ("PSED"), in the report to Executive in November 2024, and more broadly in relation to balancing rights under the Human Rights Act 1998, and the powers utilised in making an ATTRO, in the report to Executive in October 2025. That guidance is reproduced at Annex B for Members' assistance.

Members will be aware from previous reports that, in considering the balance to be struck between the various rights established under Schedule 1 ("the Schedule") to the Human Rights Act 1998 ("the Act"), the Executive must consider the 'absolute' (at least insofar as the Council is concerned) right to life, set out in Article 2 of the Schedule, against the 'qualified' rights to respect for private and family life, set out in Article 8 of the Schedule, and the freedom from discrimination, set out in Article 14 of the Schedule;

whilst it is the case that, under the Act, no order of precedence is set between the various rights, it is also the case that the Council cannot lawfully interfere with Article 2 rights, but can interfere with Article 8 and 14 rights providing due legal process is followed.

It is also the case that the Council has public safety responsibilities under the Occupiers Liability Acts 1957 and 1984, the Highways Act 1980, the Civil Contingencies Act 2004, and under tort law, requiring that we provide a safe environment for those to whom we owe a duty of care; these duties are particularly relevant in relation to the Article 2 rights mentioned above. These responsibilities are ever-present, and the mitigations put in place by the Council serve to reduce the associated risks. In this context, the existence of the ATTRO provides a significant mitigation on those days when it is in operation; for 'rest days' the responsibilities remain similar, and the Council's dynamic risk assessment process will be crucial in ensuring that the associated risks are managed appropriately. Whilst the Council will not be liable for loss of earnings as a result of the operation of 'rest days', the Council may be liable to pay damages should an incident occur on a 'rest day' and it be subsequently established that the Council failed to suitably mitigate the identified risks.

Procurement

Whilst there are no direct procurement implications relating to the report itself, procurement may be a tool used to deliver any priorities that arise. All works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Procurement Act 2023. Further advice regarding the procurement process and development of procurement strategies must be sought from the Commercial Procurement team. For any modifications to existing contracts, both Commercial Procurement and Legal Services must be consulted to follow the formal variation process set out within the contracts held.

Health and Wellbeing

Public Health support the recommendations within the report. Noting that any large gathering (especially in winter months) where people are in close quarters warrants messaging about 'catch it, bin it, kill it' and to promote the provision of hand sanitiser by stall holders for the use of visitors to the Christmas Market.

Environment and Climate action

No climate change impacts have been identified

Affordability

Improved access to the city centre will allow access to banks and other facilities for support and information

Equalities and Human Rights

The Council needs to take into account the PSED under Section 149 of the Equality Act 2010. This is a duty to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's function.

A **Human Rights & Equality Assessment** ("HREA") has been carried out and is annexed to this report at Annex A. The recommendation of the assessment is there be no major change to the proposal.

Data Protection and Privacy

The **Data Protection Impact Assessment** ("DPIA") screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be reviewed following the approved recommendations and options from this report and a DPIA completed if required.

Communications

This is an issue of significant local community and media interest and any changes to the operation of the market will require coordinated communications activity. As set out in the report, additional funding to help us reach key audiences will support a clear message to the community about access times outside the operating hours of the market.

Economy

The Christmas Market generates significant footfall and spend as summarised in this report, helping to sustain the city centre economy and key sectors. The impacts of changing the operating hours of the market are complex, and reduction in the days of operation will impact on footfall and spend, with a net reduction anticipated. The report seeks to quantify this across a variety of datasets, to establish a range of impact. The range identified is between £2.6m and £7.82m, this is a significant impact, particularly in the context of broader pressures on businesses operating in affected sectors. Spend levels over the period are significant though at over £100m, and it is expected that as well as Christmas Market users still visiting on non-rest days, a degree of compensatory uplift in the baseline resident spending in the city centre will take place on the rest days. The economic impacts and risks of the approach should be weighed against the benefits that will result from the proposals.

Risks and Mitigations

Risk	Mitigation
Rest days to the Christmas Market could result in more significant revenue losses for traders than assessed.	Analysis has taken place to apportion visitor spend against visitor numbers during the market period. A day has been chosen that is deemed to have the least impact on trade in the city.
Visitors to the city may be unaware of the rest day, causing negative publicity for the Council.	A communications and marketing strategy, in partnership with MIY, is recommended ahead of time to ensure that visitors are aware of the changes.
Vehicle restriction measures may still be required to be in place, even during the rest day of the market.	Close dialogue with security advisors and protocols around management of risk and events to be maintained.
Risk of terrorism attack – whilst partners will provide advice on the approach to the Council, ultimately it is the Council who are the decision maker and have responsibility.	Close collaborative working relationship with partners, robust risk analysis and mitigation approach. This will be facilitated by the group to be established in accordance with paragraph 25 above.

Wards Impacted

Whilst city centre events and the protected area are hosted within specific wards, they are used by residents of all wards.

Contact details

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Annexes

- Annex A: Human Rights Equality Assessment (HREAT)
- Annex B: Previous Legal Advice.

List of Abbreviations

ATTRO	Anti-Terrorism Traffic Regulation Order
CTSA	Counter Terrorism Security Advisors
DPIA	Data Protection Impact Assessment
HREA	Human Rights & Equality Assessment
HVM	Hostile Vehicle Measures
IED	Improvised Explosive Device
MIY	Make It York
NYP	North Yorkshire Police

TRO
VAW

Traffic Regulation Order
Vehicle as Weapon