

**Notice of a public meeting of
Executive**

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

Date: Thursday, 16 March 2023

Time: 5.30 pm

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

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm on Monday, 20 March 2023**.

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

1. Declarations of Interest

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

2. Minutes

(Pages 1 - 6)

To approve and sign the minutes of the Executive meeting held on 14 February 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 Executive.

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 Tuesday, 14 March 2023.**

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. **Forward Plan** (Pages 7 - 8)

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

5. **Update on Local Bus Services** (Pages 9 - 22)

The Director of Environment, Transport & Planning to present a report which provides an update on actions taken in response to decisions made by Executive in December 2022 to support local bus services in the short term, and details future plans to stabilise, improve and grow the local bus network.

6. **Strensall with Towthorpe Neighbourhood Plan - Examiner's Report and Decision Statement** (Pages 23 - 118)

The Corporate Director of Place to present a report which asks Executive to agree the Examiner's Report and the council's Decision Statement in respect of the Strensall with Towthorpe Neighbourhood Plan, to enable the Plan to proceed to

Referendum.

Note: Annex C to the above report has not been included in the printed or pdf agenda pack but can be viewed online with this agenda.

- 7. Children's Mental Health - Review** (Pages 119 - 134)
The Corporate Director of Adult Social Care and Integration and the Vice-Chair of the Children, Education and Communities Policy and Scrutiny Committee to present a report which asks Executive to consider the recommendations of the Task Group set up by the Committee to review the mental health referral system for young people in York, in the context of an update on actions taken since the review was completed.
- 8. Re-procurement of Sexual Health and Contraception Services** (Pages 135 - 166)
The Director of Public Health to present a report which sets out options for the re-procurement of sexual health and contraception services, with a view to entering into new contractual arrangements for up to 10 years once the current contracts have come to an end in June 2024.
- 9. Homes for Ukraine Budget** (Pages 167 - 182)
The Directors of Customer & Communities and Housing, Economy & Regeneration to present a report which provides an update on the use of the Homes for Ukraine Scheme funding and asks Executive to approve plans for further expenditure up to March 2025.
- 10. Clifton Green Primary - Re-organisation and Security** (Pages 183 - 204)
The Corporate Director of Children & Education to present a report which provides details of a proposed capital scheme to re-organise the site of Clifton Green Primary School to develop provision that will support better outcomes for children with SEND.
- 11. Market Position Statement** (Pages 205 - 240)
The Corporate Director of Adult Social Care and Integration to present a report which seeks approval for a market position statement, as part of the market shaping and engagement process required under the Care Act 2014 to ensure services meet the needs of the city's population.

12. Election Act 2022 and City of York Council Elections 2023 (Pages 241 - 248)

The Director of Governance to present a report which provides information on the preparations for the forthcoming City Council elections, and steps taken to implement the relevant sections of the Elections Act 2022 that have come into force.

13. Urgent Business

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

Democratic Services officer:

Name: Fiona Young

Contact details:

- Telephone – (01904) 552030
- E-mail – fiona.young@york.gov.uk

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

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

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

 **(01904) 551550**

City of York Council

Committee Minutes

Meeting	Executive
Date	14 February 2023
Present	Councillors D'Agorne (Vice-Chair, in the Chair), Ayre, Craghill, D'Agorne, Mason, Runciman, Smalley, Waller and Widdowson
Apologies	Councillor Aspden
In Attendance	Councillor Kilbane (in place of Cllr Douglas)
Officers in Attendance	Ian Floyd – Chief Operating Officer Bryn Roberts – Director of Governance and Monitoring Officer Debbie Mitchell – Chief Finance Officer Neil Ferris – Corporate Director of Place Sharon Stoltz – Director of Public Health Martin Kelly – Corporate Director of Children & Education James Gilchrist - Director of Environment, Transport & Planning Will Boardman - Head of Corporate Policy & City Partnerships

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

90. Declarations of Interest (14:36)

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

91. Minutes (14:36)

Resolved: That the minutes of the Executive meeting held on 26 January 2023 be approved, and signed by the Chair as a correct record.

92. Public Participation (14:37)

It was reported that there had been five registrations to speak at the meeting under the Council's Public Participation Scheme. The Chair confirmed that he had refused a further late request to speak on Item 4, noting that this was within his discretion and there would be opportunities for people to make their views known on this matter through the consultation process.

Flick Williams spoke on Agenda Item 4 (Local Transport Consultation). She welcomed the commitment to inclusive consultation but queried how the council would overcome 'consultation fatigue' and loss of trust from disabled people, whose views had previously been ignored.

Andy Shrimpton spoke on Item 4 on behalf of York Cycle Campaign. He supported the overall vision of the Strategy but expressed concerns around a lack of ambition and failure to implement active travel schemes.

Anthony May spoke on Item 4 on behalf of York Civic Trust. He welcomed the consultation, circulating copies of the Trust's own Transport Strategy to Members as a contribution, and stressed the need for action in the meantime.

Cllr Vassie spoke on Item 4, supporting the comments of the previous speaker, highlighting the reference to other European cities at page 102 of the papers and stressing the need for viable alternative solutions to achieving a 70% cut in carbon emissions.

Carolyn Frank spoke on Agenda Item 5 (York & North Yorkshire Devolution – Outcome of Consultation) on behalf of the York & North Yorkshire Federation of Small Businesses, expressing support for devolution and the opportunities it would bring to local business.

93. York Local Transport Consultation (14:57)

The Director of Environment, Transport & Planning presented a report which sought approval to carry out consultation with stakeholders and residents on a draft Local Transport Strategy that reflected the priorities set out in the 10-Year Strategies and the Local Plan.

The draft Strategy, attached as Annex B to the report, set out the high-level principles and priorities for York that would underpin future transport policies. It had been developed with the help of a cross-party working group and took account of the results of the 'Our Big Conversation' consultation carried out in summer 2022', as summarised in paragraph 14 and detailed in Annex A. As outlined in paragraphs 28-35, under Devolution the Combined Authority would become the new Transport Authority but City of York Council would retain responsibility for highways and be a standing member of the Combined Authority's transport committee.

In response to comments made under Public Participation, the Chair stressed that this was very much the start of the process. He acknowledged the challenges ahead and encouraged all to take part in the consultation. In supporting the proposals, he thanked officers for bringing the process to this stage, noting that the Strategy reflected the post-Covid world and underpinned compliance with the Climate Change Strategy.

Resolved: (i) That that the Draft Transport Strategy set out in Annex B to the report be approved as the basis for consultation on York's future local transport policies.

Reason: To ensure that transport policy reflects the priorities outlined in the 10 Year Strategies and the Local Plan.

(ii) That authority be delegated to the Director for Environment, Transport and Planning, in consultation with the Executive Member for Transport, to commence a period of stakeholder and resident consultation on the Transport Policy.

(iii) That it be noted that a report will be brought forward to Executive following consultation on the proposed policy context in Annex B, along with a list of schemes and policies which the council will seek to deliver.

Reason: To gain residents' and stakeholders' views on the strategy and provide time to respond within the timescale of a new Local Transport Plan by 2024, as

prescribed by Devolution and the Department for Transport's current expectations.

(iv) That it be noted that the guidance from the Department for Transport on Local Transport Plans has not yet been issued.

Reason: To put in context the timelines and challenges for producing a full Local Transport Plan.

(v) That authority be delegated to the Director of Environment, Transport and Planning, in consultation with the Executive Member for Transport, to provide a response to the expected consultation by the Department for Transport on future Local Transport Plans.

Reason: To ensure that a response can be made in accordance with government timelines, and that the priorities and policies for York are made clear to Government.

PART B - MATTERS REFERRED TO COUNCIL

94. York and North Yorkshire Devolution - Outcome of Consultation (15:19)

The Chief Operating Officer and the Head of Corporate Policy & City Partnerships presented a report which summarised the outcome of consultation on a Scheme for governance arrangements to implement the proposed Devolution Deal for York and North Yorkshire, suggested amendments to the Deal arising from the consultation, and asked Executive to recommend that Council approve the submission of a consultation summary to Government. North Yorkshire County Council was considering the same matters, as the approval of both councils was needed to progress the statutory process.

Details of the consultation were set out in Annex 1 to the report and summarised in paragraphs 10-92, including suggested amendments to take on board the comments received. The overall response had been positive, with 54% supporting the proposals and 32% opposing them. Three options were presented, as set out in paragraphs 93-101:

Option 1 – submit the consultation summary and Scheme to government without amendment. Not recommended, as the suggested amendments would improve the model of governance.

Option 2 – decide not to submit the summary and Scheme. Not recommended, as the consultation had been robust and the issues raised could be addressed satisfactorily.

Option 3 – amend the Scheme based on information received and submit it to government with the summary, as recommended.

In supporting the recommendations, the Executive Member for Environment & Climate Change highlighted the greater autonomy and access to funding that devolution would bring, while noting the importance of consultation amid concerns around the power of the mayor. The Chair also welcomed the proposals and the significant benefits that devolution would bring to the city. Having noted the comments made under Public Participation on this item, it was

Recommended: (i) That Council approve the submission of a Consultation Summary Report to the Government.

Reason: To inform the Secretary of State of the consultation outcome, allowing him to consider the next stages of the statutory process facilitating the creation of a York and North Yorkshire Combined Authority.

(ii) That Council approve Amendments to the Scheme and proposals for the operating model of the Combined Authority outlined in paragraph 92 of the report, for submission to Government.

Reason: To utilise the information received during the consultation to improve the proposed governance arrangements.

(iii) That Council delegate authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to submit the Consultation

Summary Report and Scheme to Government, in line with recommendations (i) and (ii) above.

Reason: To facilitate the submission of the required documents to Government within the required timescales.

(iv) That Council approve Amendments to the Terms of Reference for the York and North Yorkshire Joint Devolution Committee outlined in paragraphs 103-107 of the report and attached at Annex 2.

Reason: To ensure appropriate, robust and transparent decision-making.

(iii) That Council delegate authority to the Chief Operating Officer, in consultation with the Leader of the Council, to undertake any action necessary to provide consent to the Order facilitating the creation of the Combined Authority in line with the scheme submitted to Government, as outlined in paragraph 115 of the report.

Reason: To allow the progress of the statutory process facilitating the creation of the Combined Authority.

Cllr A D'Agorne, Chair

[The meeting started at 2.36 pm and finished at 3.35 pm].

Forward Plan: Executive Meeting: 16 March 2023

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on (prov.) 15 June 2023

Title and Description	Author	Portfolio Holder
<p>Recommissioning of the Current York Reablement Service</p> <p>Purpose of Report</p> <p>To present recommendations for the recommissioning of the York Reablement Service, an important provision that provides the opportunity to meet the duties of the Care Act 2014 s2 (duty to prevent, reduce or delay needs for care and support for all adults), as the current contract is coming to an end this year.</p> <p>Executive will be asked to: recommend the best option to recommission York Reablement Service.</p>	<p>Judith Culleton / Edward Njuguna</p>	<p>Executive Member for Adult Social Care and Public Health</p>

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on (prov.) 13 July 2023

None currently listed

Table 3: Items Slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason
<p>Recommissioning of the Current York Reablement Service See Table 1 for details.</p>	<p>Judith Culleton / Edward Njuguna</p>	<p>Executive Member for Adult Social Care and Public Health</p>	<p>16/3/23</p>	<p>(<i>prov.</i>) 15/6/23</p>	<p>An equality impact assessment has recently been completed and as a consequence there is a need for an extended engagement period with key stakeholders to fully understand the impact of the current service and any gaps in provision and that they are addressed as part of the recommissioning process.</p>



Executive**16 March 2023**

Report of the Director of Transport, Environment
and Planning
Portfolio of the Executive Member for Transport

Update on local bus services**Summary**

1. Bus service operation has been extremely challenged nationally during and since the covid pandemic. Levels of patronage as well as significant rises in operating costs and national driver shortage have all impacted the operations since the pandemic. Whilst this continues to be evident in York, the impact has not been as severe as many other places.
2. These pressures manifest themselves as challenges in the commercial viability of services.
3. The government has provided significant financial support in response to COVID to the bus industry, also recently announcing the latest short term extension to that support to June 2023. This however is likely to only provide short term relief to the immediate pressure facing the bus network.
4. In responding to these challenges, in December 2022 Executive made decisions to support local bus services in the short term, by approving emergency subsidy in a bid to maintain the bus network where possible, as well as review frequency of bus services to maintain the network, work with bus operators on the driver recruitment challenge and seek to open park and ride for Easter 2023. These actions are designed to facilitate future growth.
5. This report updates the Executive on actions taken in response to those decisions and details future plans to stabilise, improve and grow the local bus network.
6. By stabilising the network against this challenging backdrop, it sets a foundation to grow patronage, grow the network and maintain the objective

to enhance the network within York's Bus Service Improvement Plan. City of York Council has been working with a range of stakeholders in the bus industry to develop services in the city in the longer term.

7. Officers have completed all actions in relation to securing the DfT BSIP funding for 2022/23 and 2023/24

Recommendations

8. The Executive is recommended to:
 - a) note that the short term bus subsidy for services 12, 13 and 412 funded through BSIP has saved the network extent.
 - b) To note that as per the Executive Decision in December 2022 the Director of Transport, Environment and Planning (in consultation with the Leader of the Council, Executive Member for Transport and the Director of Governance, Section 151 Officer or their delegated officers) has delegation to award the long terms contracts for the 12, 13 and 412 using BSIP funding.
 - c) To note that Poppleton Park and Ride will open at the start of the school Easter Holidays on the 1st of April with support from BSIP funding.
 - d) To delegate to the Director of Environment, Transport and Planning the authority to vary the park and ride and contract against contractual obligations for the purpose of stabilising the wider bus network.

Reason: To ensure that the Bus Network in York is stabilised and that the council can work with the statutory Enhanced Bus Partnership to deliver its stated Bus Service Improvement Plans objectives in line with the National Bus Strategy.

Background

9. Prior to the covid pandemic, York's bus services carried approximately 16 million passengers a year, with a steady increase in passenger volumes since 2014. The number of passengers carried at the moment is around

85% of pre-covid volume, at a time when service operating costs have increased, which means York's bus services now:

- Carries around 40,000 passengers a day
- Fulfils around 10% of all journeys in the city, and around 30% of all journeys to the city centre
- Costs approximately £70,000 a day to operate
- Employs around 500 people

10. Short term Subsidised bus service contracts have been let for the services 412, 12 and 13 services and the network maintained. Longer term contracts for these services have been tendered and submissions received for all services for commencement on 31 March 2023. As per the delegation officers are currently reviewing those tenders and will make a decision shortly.
11. City of York Council has been successful in securing funding to develop the bus network. Zero emissions bus grants of £11.3m have been awarded in the last 12 months. The council was also successful in attracting £17.5m funding through central government's National Bus Strategy
12. Though the Local Plan process a series of network enhancements have been identified to support new developments in York. It has also begun the process of supporting York's Dial a Ride service, operated by York Wheels.
13. A successful engagement event in January has been undertaken as part of a study to introduce a city centre shuttle.
14. Improvements to York's bus network are also important elements of a number of major projects in York, particularly York Station Frontage, Castle Gateway and York Central. Improvements to the junctions on the A1237, as part of the York Outer Ring Road upgrade will also improve bus services which cross the A1237 on Shipton Road, Wigginton Road, Haxby Road and Huntington Road. The Council has also been considering measures to upgrade bus routes and facilities in York city centre. Initially part of the Castle Gateway programme, securing funds for the Bus Service Improvement Plan has allowed this work to be accelerated.

15. The driver recruitment has improved but all operators are not yet at full establishment. Significant recruitment drive is in progress and some operators are reporting an improved situation.
16. York's Bus Quality Partnership, which has existed for 20 years, has been converted into an Enhanced Partnership – something which brings new expertise into the partnership and enhances the way the Council, bus operators and other stakeholders work together to improve the network for the benefit of its users and enabled the access to the significant government funding.
17. This report considers these developments, providing an update where appropriate.
18. The budget approved by Council includes £100k to incentivise the use of public transport locally to ensure the local bus network can be maintained. This spend is to be discussed with the Enhanced Bus Partnership.

Bus Service Improvement Plan

19. In April 2022 City of York Council was given an indicative allocation of £17.4m for enhancing York's bus network which will be delivered through the Enhanced Bus Partnership. This funding comprised capital funding of £10.7m and revenue funding of £6.7m. The grant for the first year (£4.6m) was paid to CYC in November 2022, at which point CYC mobilised to deliver the programme. Key elements of the programme are:
 - Upgrading York's park and ride sites to provide a wider range of services, including providing opportunities to provide a wider range of bus and coach services, park overnight, pick up e-bikes and e-scooters for onward travel and greater numbers of cycle lockers.
 - Improved bus priorities on high frequency bus routes/ in the city centre
 - Improvements to real time information systems across York
 - A range of reduced fares, targeted to younger people and those who may be suffering hardship but are not covered by existing concessionary fares schemes
 - Introducing an all-operator tap-on-tap-off ticketing system – potentially also allowing reduced price travel across the York boundary into North Yorkshire/ the East Riding of Yorkshire

- Enhancements to bus networks – more routes, greater frequencies
 - Travel behaviour change campaigns to encourage greater use of sustainable modes, including buses.
20. Work to date has been around defining a clear programme and spend profile over the delivery period to the end of March 2025, then agreeing this with DfT.
21. The proposed delivery programme forms Annex A to this report. York's Bus Service Improvement Plan has already been through a Decision process Executive in December 2022 and individual schemes in the programme will also be subject to further consultations and Decisions as they are progressed.
22. Consequently, at this stage the Executive is asked to note the proposed programme and delivery timescales for the various elements of the programme. Progress on individual elements of the programme is given below.

Bus Support

23. The funding challenge continues locally and nationally. Operators have been withdrawing services which are no longer financially viable. Government support has been announced to continue until June 2023.
24. The York Bus Network has been affected by decreased passenger numbers both on the Park & Ride and wider network with a 20% reduction in passengers compared to pre COVID.
25. Operators are also experiencing rising operating costs in terms of fuel with increases averaging 38% and staff costs increasing on average by 28%.
26. There are national and local driver shortages. The pool of drivers in York is very small and many have either changed to other professions or there has been an increase in retirements. Resource issues are a key problem in many sectors of the economy.
27. Without additional external assistance, the council does not have sufficient financial influence on its own to make much overall difference to the economic viability of the bus network in the long term.
28. Short term Subsidised bus service contracts have been let for the services 412, 12 and 13 services and the network maintained. Longer term contracts for these services are due to be awarded and Executive will be updated at the meeting.

29. The long term contracts are funded through BSIP funding and are the contracts are conditional on the BSIP funding, break clauses have been inserted if the BSIP funding is not secured in the future.

City Centre Bus Improvement Work

30. The work being undertaken on buses in the city centre is ongoing, however, initial analysis has identified a small number of improvements which can be progressed through an Executive Member Decision to allocate funds to capital works. In particular, these will focus on improving poor quality bus stops in the city centre.

31. As such, capital funding from the city centre allocation of the Bus Service Improvement Plan will be released to improve bus stops at we expect Cosultation to take place in May 2023 on proposals

- Piccadilly (adjacent former Banana Warehouse)
- Walmgate
- Gillygate
- Exhibition Square

32. And also to replace life expired bus shelters at:

- Tower Gardens
- Station Avenue

Real Time information

33. York's Bus Service Improvement Programme includes a capital allocation to provide 100 battery powered real time bus information screens across York. Use of batteries allows the equipment to be installed in locations which are remote from a power supply, particularly in residential areas and villages. Officers have been in discussion with councillors over the most appropriate locations for installing the equipment in each ward.

Reduced Bus Fares/ simplifying bus fares

34. Funding is allocated in the BSIP programme for supporting targeted bus fare reductions, particularly:

- Extending the existing concession which allows up to 3 children to travel with an adult on the park and ride service to all bus services in York
 - Other targeted reductions for younger people, students and other groups in society who could benefit from reductions in the cost of bus travel
35. Furthermore, the Enhanced Partnership is developing new “tap-on-tap-off” ticketing products to make it easier for bus passengers to cap the cost of daily travel – in the same way that is currently applied in London. Tap-off readers have been installed on First and Transdev buses, and will be installed on all other buses in York in the coming months.
36. CYC is engaging with Transport for the North to identify the most effective ways to implement fare reductions and simplifications. The Executive is asked to note that this work is progressing towards a target for introducing the new ticketing products in September 2023.

Electrification of the bus network

37. City of York Council established a voluntary clean air zone covering York’s Inner Ring Road and the area within it in January 2020. All buses operating more than five times a day inside the zone have been equipped to Euro VI standard since the end of January 2021. Previous bus electrification projects have introduced:
- 12 electric buses – for use on the Poppleton and Monks Cross park and ride services – in 2014
 - 23 electric double decker buses for use on the Askham, Grimston and Fulford park and ride services – in 2020/21
38. In April 2022 CYC was awarded £9.5m First York to purchase 42 electric buses (with First contributing a similar amount toward purchase), and in February 2023 a further £1.8m of funding was awarded to the Council to support the purchase further electric buses, which will allow complete electrification of First York’s operation. This will allow approximately 70% of all York’s bus services to be provided using electric buses once the fleet is delivered by the end of March 2024.
39. York’s Dial A Ride service will also be converted to electric power.

City Centre Shuttle Bus

40. York's Bus Service Improvement Plan carried a specific commitment to investigate the shuttle bus service and a study of options was let in Autumn 2022. A workshop and exhibition of some of the potential vehicles which could be used in York was held during Residents' Weekend at the end of January.
41. Feedback from the event, which was attended by approximately 180 people over two days, is currently being collated.

Poppleton Park & Ride

42. There are a number of challenges to the Commercial Park and Ride services. Following the start of the Pandemic in 2020, the contract was varied to allow First, the operator, to temporarily sublet the Poppleton Bar site to central government as a COVID testing facility.
43. The council also gave First temporary discretion to alter service frequencies as necessary in response to the pandemic. This has led to the actual level of service provision being somewhat different to the contract terms.
44. The Council is working to return service levels to those it has contracted with the operator to provide, with work currently ongoing with First on a recovery plan for Park and Ride. This is on the basis that it does not impact upon the cities other bus services.
45. . First are leading on the Communications Plan for the reopening it is outlined below with Key dates:

Activity	Explainer	Go live/deadline
Poppleton Bar landing page	Update the First Bus website landing page for York P&R and Poppleton Bar with information on re-opening. Add information on opening to all Easter BH communications	13/03
Organic social media	Owned channel social posts regarding re-opening across @FirstYork and @YorkParkAndRide. Link in with all Easter BH communications.	13/03
First Bus App notification	Schedule app notification to York customers from 27th March - copy TBC	24/03

CYC website & socials	CYC to add information on the re-opening (using branded assets) to their landing pages/social accounts	13/03
PR	Work with CYC to produce PR surrounding re-opening	13/03
Visit York promotions	Discuss with Visit York options for promoting the re-opening of Poppleton to their database	13/03
Paid social campaign	Facebook/Instagram ads to target geo area surrounding Poppleton Bar site & geo area of key travel routes (Knaresborough/Boroughbridge/Harrogate/Wetherby)	13/03
Internal comms	Connect App and Facebook group posts. Posters for depot noticeboard. Working with local Ops Manager to best communicate	06/03
On site signage	Site signage needs to be updated to new prices/timings. Entry/Exit signs to be updated to remove reference to 'closed'.	31/03
Local highway messages	Paul M mentioned opportunity to add messages to local highway digital signage such as 'Poppleton Bar Park & Ride re-opening 1st April' or similar – pick up with CYC	13/03
Signage in lead up to site	To confirm any existing signage and identify any opportunities for new signage in the lead up to the Poppleton Bar site.	31/03
A3 posters on bus	Create A3 posters advertising the re-opening for placement on P&R buses across York	13/03
A3 posters at Rawcliffe/Askham	Create A3 posters advertising the re-opening for placement at Askham Bar and Rawcliffe Bar P&R sites	13/03
Door drop	Door drop to the local area (Upper Poppleton/Nether Poppleton and villages along A59) OR extended door drop which includes the outer parts of Knaresborough/Boroughbridge/Harrogate/Wetherby (i.e. not the centres).	03/04

46. Whilst the communications plan is being lead by First Bus input and support from CYC communications team is being made.

47. The Poppleton site has been out of action since March 2020 due to its use as an NHS COVID Testing Site.
48. Poppleton Park and ride will reopen on the 1st of April for the start of the school Summer Holidays. The relaunch of Poppleton is to be funded by support from the BSIP package – it is therefore important that it is done in a sustainable way. The DfT are very keen to see delivery of high profile improvements to networks, the funding from DfT has been received by the Council. First and the Council will monitoring the impact of this on the performance of adjacent Park & Ride sites at Rawcliffe and Askham Bar. We are working closely with First on marketing activity.

Council Plan

49. This report is about the development of York's bus network and therefore has the potential to improve the quality of life for residents and support the delivery of all the outcomes in the Council Plan which are:
 - Well-paid jobs and an inclusive economy
 - A greener and cleaner city
 - Getting around sustainably
 - Good health and wellbeing
 - Safe communities and culture for all
 - Creating homes and world-class infrastructure
 - A better start for children and young people
 - An open and effective council

Implications

Financial Implications

50. All works set out in the report above are covered by existing capital and revenue allocations, the majority of which is grant funded via competitive processes.
51. The external funding that will be utilised from the Bus Service Improvement Plan award is only available for the following two years and therefore cannot fund long term interventions beyond that time.

52. Bus service subsidies will need to be reduced down the budget by 1st April 2025 should alternative funding not be identified.

Equalities

53. The council will need to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). An Equalities Impact Assessment will be carried out for each service as it is reviewed.

Consultation

54. Consultation has been undertaken with Bus Operators and with the York Bus Forum in their response they are keen to support retaining as many services as possible across the City.

Council Plan

55. The proposals in this report contribute to the following key outcomes in the 2019-23 Council Plan:
56. A greener and cleaner city – key BSIP objectives include transferring journeys from car to bus and reducing vehicle emissions.
57. Creating homes and world class infrastructure – BSIP commitments include working with developers to ensure high-quality public transport provision for new developments, and improvements to existing public transport infrastructure.
58. Good health and wellbeing – by moving journeys from car to bus, realising air quality improvements and reducing congestion on the highway network, a secondary effect of the BSIP will be to facilitate complimentary growth in walking and cycling mode shares.
59. A better start for children and young people – BSIP commitments include simpler, lower bus fares for children and young people.

Implications

44. **Equalities** – the consultation will need to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority’s functions). The final EP scheme will be subject to Executive approval and an Equalities Impact Assessment will be carried out at that point.
45. **Legal** – The delivery of the BSIP through either an EP route or a franchise route is mandated by the Transport Act 2000. EP Plans and Schemes are statutory documents. The Bus Services Act 2017 incorporates a duty on local transport authorities to consult on EP Plans and EP Schemes into the Transport Act 2000.

Risk Management

52. The minimal-risk option is to maintain the base network to support the delivery of the BSIP growth targets.

Annexes

Annex A - York Bus Service Improvement Plan Programme

Background Papers

Executive December 2022 Bus Network Review

Contact Details

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**Sustainable Transport
Manager**

Michael Howard

**Head of Active &
Sustainable Transport**

Chief Officer Responsible for the report:

James Gilchrist

**Director Environment, Transport and
Planning**

Report **Date** 8/3/23
Approved

Specialist Implications Officer(s) List information for all

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Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report

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Schedule 5 - BSIP project plan (30th January 2023)

Capital projects

Project / Initiative	EP Plan ref. no.	Duration (weeks)	Start Date	Finish Date	Capital budget (£)
Wigginton Rd at (a) Junction of Wigginton Rd & Crichton Avenue (b) Past York District Hospital (c) On Clarence St. (Total Length: 1km).	A-R3.1	79w	09/12/2022	25/07/2024	1,000,000
Fulford Rd Incl. South of A64/A19 Interchange, Outbound to Crockey Hill, plus other measures on Fulford Rd (Total Length: 1.2km).	A-R3.2	79w	09/12/2022	25/07/2024	1,000,000
Heslington Rd/University Rd - Bus Stop Improvements to Support Garden Village Developments (West of Elvington, west of Wigginton Rd and East of Metcalf Lane). Total Length Approx. 500m.	A-R3.3	72w	09/12/2022	06/06/2024	1,000,000
City Centre & Approaches (Deliver Best Routing for Services through the City e.g Bus Lanes at Blossom St & Clarence St)	A-R3.4	104w	17/10/2022	22/11/2024	2,000,000
Askham Bar - Park & Ride Interchange Package.	A-PR1	95w	09/01/2023	04/12/2024	1,000,000
Monks Cross - Park & Ride Interchange Package.	A-PR1	95w	09/01/2023	04/12/2024	1,000,000
Grimston Bar - Park & Ride Interchange Package.	A-PR1	95w	09/01/2023	04/12/2024	1,000,000
Rawcliffe Bar - Park & Ride Interchange Package.	A-PR1	95w	09/01/2023	04/12/2024	1,000,000
Bus Stop Upgrades (Lighting, Painting, Timetable Case Replacement etc.).	A-S1	108w	23/01/2023	08/03/2025	250,000
Additional Real Time Information Screens (Quick Win).	A-I3	48w	31/10/2022	23/10/2023	1,290,000
Tactical Small Scale Bus Priority Schemes (Small Scales Schemes to Relieve Bottlenecks e.g re-paint yellow box markings, new keep clear signs etc.).	A-R2	110w	09/01/2023	28/03/2025	125,000
				Capital total	10,665,000

Revenue projects

Project / Initiative	EP Plan reference no.	Duration (weeks)	Start Date	Finish Date	Revenue budget (£)
Fares Support - Young Persons Fare Reductions (Target to increase travel by this group by 40% by end March 2025)	A-T2	105w	12/01/2023	28/03/2025	3,360,000
Ticketing Reform - Development of Tap on Tap off Fares (launch for single operators April 2023; for multi-operator October 2023)	A-T1	94w	03/04/2023	28/03/2025	250,000
City Centre Shuttle (Trial July 2023 and Start December 2023) and development of core network	A-BN1.2	-	03/07/2023	01/12/2023	1,535,000
Restart Poppleton Bar Park & Ride	A-BN1.1	-	03/04/2023	03/04/2023	750,000
Marketing - Travel Behaviour Change Campaign	A-M1	102w	06/03/2023	31/03/2025	800,000
EP Delivery	-	-	23/12/2022	23/12/2022	-
				Revenue total (£)	6,695,000



Executive**16 March 2023**

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

Strensall with Towthorpe Neighbourhood Plan – Examiner’s Report and Decision Statement**Summary**

1. The Strensall with Towthorpe Neighbourhood Plan Examiner’s Report is attached at Annex A to this report. Annex B sets out a Decision Statement which includes the Council’s proposed response to the Examiner’s recommended modifications. This report requests that Executive agree the Examiner’s recommendations and the Council’s Decision Statement, to enable the Neighbourhood Plan to proceed to Referendum. This report was considered by the Local Plan Working Group on 6th March 2023.

Recommendations

2. It is recommended that Executive:
 - i) Agrees the Examiner’s modifications set out at Annex B (Decision Statement) to the draft Strensall with Towthorpe Neighbourhood Plan and that subject to those modifications the Neighbourhood Plan meets the Basic Conditions and other legislative requirements.
Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.
 - ii) Agrees that the draft Strensall with Towthorpe Neighbourhood Plan as amended proceeds to a local referendum based on the neighbourhood area outlined in the Examiners Report (Annex A).
Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

- iii) Approves the Decision Statement attached at Annex B to be published on the City of York Council's website.
Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

Background

3. The Localism Act 2011 introduced new powers for community groups to prepare neighbourhood plans for their local areas. The Council has a statutory duty to assist communities in the preparation of Neighbourhood Plans and to take plans through a process of Examination and Referendum. The local authority is required to take decisions at key stages in the process within time limits that apply, as set out in the Neighbourhood Planning (General) Regulations 2012 as amended in 2015 and 2016 ("the Regulations") and within any government guidance in force in relation to the Covid-19 pandemic.
4. The Strensall with Towthorpe Neighbourhood Plan has been prepared by Strensall with Towthorpe Parish Council with the support from Mike Dando at Directions Planning Consultancy, and the on-going engagement with the local community and City of York Council. Prior to Examination it has been through the following stages of preparation:
- Area to be covered by Neighbourhood Plan submitted to City of York Council (27th August 2015);
 - Consultation on Neighbourhood Plan area (16th November -14th December 2015);
 - Designation as a Neighbourhood Area (6th January 2016);
 - Submission of an amended application boundary (to include the whole of Towthorpe Moor Lane and the area around its junction with the A64 (April 2017);
 - Consultation on amended application boundary (28th March – 11th May 2018);
 - Amended application boundary approved by City of York Council (14th June 2018);
 - First Pre-Submission consultation Regulation 14 (1st June – 15th July 2018);
 - Second Pre-Submission consultation – Regulation 14 (1st March – 12th April 2019);
 - Further consultation (1st July – 26th August 2019);
 - Submission of Neighbourhood Plan to City of York Council (June 2021);

- Submission Consultation – Regulation 16 (15th November 2021 – 7th January 2022).

5. Following the close of submission consultation and with the consent of Strensall with Towthorpe Parish Council, Mrs Rosemary Kidd Dip TP, MRTPI was appointed to undertake an Independent Examination of the Neighbourhood Plan. The purpose of the Examination is to consider whether the Plan complies with various legislative requirements and meets a set of “Basic Conditions” set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. The Basic Conditions are:
 - i) To have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - ii) To contribute to the achievement of sustainable development;
 - iii) To be in general conformity with the strategic policies contained in the development plan for the area;
 - iv) To not breach, and be otherwise compatible with, EU and European convention on Human Rights obligations; and
 - v) To be in conformity with the Conservation of Habitats and Species Regulations 2017(3).
6. The Examiner can make one of three overall recommendations on the Neighbourhood Plan namely that it can proceed to referendum (i) with modifications; (ii) without modification; or (iii) that the Neighbourhood Plan cannot be modified in a way that allows it to meet the Basic Conditions or legal requirements and should not proceed to referendum.
7. Modifications can only be those that the Examiner considers are needed to:
 - a) make the plan conform to the Basic Conditions
 - b) make the plan compatible with the Convention rights
 - c) make the plan comply with definition of a neighbourhood plan and the provisions that can be made by a neighbourhood plan or
 - d) to correct errors.
8. If a recommendation to go to a referendum is made, the Examiner must also recommend whether the area for the referendum should go beyond the Neighbourhood Area, and if so what the extended area should be.
9. On the matter of the Referendum area, the Examiner stated: *“I am required to consider whether the referendum area should be extended*

beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by City of York Council on 14 June 2018.”

10. The Regulations presume that Neighbourhood Plans will be examined by way of written evidence only, with a requirement for a hearing only in cases where the Examiner feels the only way to properly assess a particular issue is via a discussion with all parties. The Examiner decided that examination by written representations was appropriate in this case and provided her final report on 13th October 2022.

Examiner’s Recommendations

11. Annex A to this Committee report sets out the Examiner’s Report, including modifications.
12. Overall, the Report concluded that *“I am pleased to recommend to City of York Council that the Strensall with Towthorpe Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.”*
13. Positively the Examiner summarises that:
“The Strensall with Towthorpe Neighbourhood Plan reflects the view held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community. I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
 - *has regard to national policies and advice contained in guidance issued by the Secretary of State;*
 - *contributes to the achievement of sustainable development;*
 - *is in general conformity with the strategic policies contained in the Development Plan for the area; and*
 - *does not breach, and is otherwise compatible with, EU obligations and human rights requirements”*
14. The Examiners Report assesses the policies in the Neighbourhood Plan and makes a series of recommended modifications where necessary, to

ensure that the policies have the necessary precision to meet the Basic Conditions. The Modifications proposed by the Inspector are outlined in Annex B, together with the Council's Consideration / Justification. The Examiner also considered a number of other, consequential changes to the general and specific text in other parts of the Neighbourhood Plan in so far as they are necessary to ensure that the Neighbourhood Plan meets the basic conditions, including sections on policy context, general issues, Community Infrastructure Levy, Appendix 2 (Local Green Space) and Appendix 3 (Local Connections Criteria for Affordable Housing).

15. In summary, the Examiner has proposed modifications to the following policies:

- Policy CP1 (Safeguarding Existing Car Parking);
- Policy CP2 (Increased Public Car Parking);
- Policy CF1 (Protection of Community Facilities and Services);
- Policy CF2 (Local Green Space);
- Policy DH1 (Promotion of Local Distinctiveness);
- Policy DH2 (General Design Principles);
- Policies DH3 (General Shopfront Design) and DH4 (Shopfront Signage) – combined into one policy;
- Policy DG1 (Strensall Park);
- Policy DG2 (Alexandra Road);
- Policy DG3 (Howard Road);
- Policies DG4 (Queen Elizabeth Barracks – Design) and DG5 (Development Brief for the Redevelopment of the Queen Elizabeth Barracks – Master Planning / Planning Principles) – delete DG4 and retitle DG5 to 'Development at Queen Elizabeth Barracks, Strensall and revise policy;
- Policy DG6 (Affordable Housing)

16. The Examiner identified that the main recommendations concern:

- Combining policies DH3 and DH4;
- Combining policies DG4 and DG5;
- The deletion of the Queen Elizabeth Barracks Tennis Courts from Policy CG2 and amalgamation of other sites;
- Clarification of the wording of policies and the supporting text; and
- The improvement of clarity of the Policies Map.

17. Queen Elizabeth Barracks was particularly complex in terms of its reference in the Neighbourhood Plan. The Queen Elizabeth Barracks

was allocated as Strategic Site ST35 and housing site H59 in the Publication Draft City of York Local Plan (February 2018), which was submitted for Examination in May 2018. However, based on evidence from the Local Plan Habitat Regulations Assessment (HRA), City of York Council is proposing that sites SS19/ST35 and H59 are deleted from the plan. The HRA concludes that, in consultation and agreement with Natural England, if these sites were to be developed for housing, it could not rule out the potential for the proposals to have an adverse effect on the integrity of Strensall Common SAC due to increased recreational pressure and urban edge effects. In addition to this deletion, policy GI2a (Strensall Common Special Area of Conservation (SAC)) was proposed as a new policy to provide protection to the SAC in the Composite Modification Schedule April 2021. Detailed discussion of these matters was held at Phase 3 of the Local Plan Examination hearing sessions in July 2022.

18. Consequently, examination on the Neighbourhood Plan was temporarily postponed to align with the Local Plan hearing sessions on this matter and subsequently, a policy for Queen Elizabeth Barracks has been agreed with the Examiner for inclusion in the Neighbourhood Plan (see policy DG4 – Development at Queen Elizabeth Barracks, Strensall). This policy will be applicable should the site come forward for redevelopment as an unallocated ‘windfall’ or if re-instated as an allocation through the Inspectors Report for the Local Plan Examination.
19. In her report, the Examiner also requested that in relation to the Queen Elizabeth Barracks:
 - a diagram is included within the text to show the location of the sports provision and the community hall at the Barracks – these only need to be shown on the Proposals map where they are referenced under other policies.
 - Show the site on the Proposals Map in accordance with that shown on the Updated Proposals Map May 2022, renamed from DG4 & DG5 to Policy DG5.
 - Update paragraph 5.4.22 to reflect the outcome of the Local Plan Examination.
20. The Examiner also recommended that policies DH3 (General Shopfront Design) and DH4 (Shopfront Signage) should be reworded and combined into one policy (Recommendation 13), as the existing policies did not reflect the policies in the emerging Local Plan. The Examiner

also recommended moving the final paragraph of Policy DH3 on historic photographs to the justification.

Next Steps

21. The next stage of the relevant legislation requires the Council to:
 - Consider each of the recommendations made by the Examiner's Report (and the reasons for them), and
 - Decide what action to take in response to each recommendation.

22. If the LPA is satisfied that the Neighbourhood Plan meets the Basic Conditions, is compatible with the Convention rights, and complies with the definition of an NP and the provisions that can be made by a NP or can do so if modified (whether or not recommended by the Examiner), then a referendum must be held.

23. The Council is required to publish its decision and its reasons for it in a 'Decision Statement'. The Decision Statement must be published within 5 weeks beginning with the day following receipt of the Examiner's Report unless an alternative timescale is agreed with the relevant Parish Council and / or its agents. The Executive date (16th March 2023) is more than 5 weeks from the receipt of the examiner's report (13th October 2022) due to logistical issues relating to timescales for reporting the Examiners report, that the referendum must be held within 56 day of publishing the Council's Decision Statement and fitting this around a formal pre-election period, which runs from 29 March to 3 May 2023. Strensall Parish Council and their Planning Agents have both confirmed acceptance of this alternative timescale in writing.

24. The Examiner's recommendations on the Neighbourhood Plan are not binding on the Council, who may choose to make a decision which differs from the Examiner's. However, any significant changes from the Examiner's recommendations would require a further period of public consultation, along with a statement from the Council setting out why it has taken this decision.

25. A decision to refuse the Neighbourhood Plan proposal could only be made on the following grounds:
 - the LPA is not satisfied that the Neighbourhood Plan meets the Basic Conditions;

- the LPA does not believe that with modification Neighbourhood Plan can meet the Basic Conditions;
 - the LPA considers that the Neighbourhood Plan constitutes a repeat proposal; or
 - the LPA does not believe the qualifying body is authorised or
 - that the proposal does not comply with that authorisation.
26. The Examiner's Report concludes that, subject to the modifications proposed in her report, the Neighbourhood Plan meets the Basic Conditions required by legislation and that the Neighbourhood Plan should proceed to a referendum to be held within the Neighbourhood Area. Officers have considered all of the recommendations and the Examiner's reasons for them and have set out the Council's response as part of the Decision Statement in Annex B.
27. It is recommended that all of the Examiner's recommended modifications be made as set out in Table 1 at Annex B. The Officer recommendation is that subject to those modifications the Neighbourhood Plan meets the Basic Conditions, is compatible with the Convention Rights and complies with the provisions that can be made by a neighbourhood plan. Subject to the Executive's agreement of the Decision Statement, the Neighbourhood Plan will be amended accordingly and the Neighbourhood Plan will proceed to local referendum.

Referendum

28. The Council must organise a referendum on any Neighbourhood Plan that meets the legislative requirements. This ensures that the community has the final say on whether a Neighbourhood Plan comes into force.
29. The Examiner considers that the referendum area should be based on the neighbourhood area designated by City of York Council on 14th June 2018.
30. The Neighbourhood Planning (Referendum) Regulations 2012 as amended require the Local Planning Authority to hold the referendum within 56 days of the date that a decision to hold one has been made. Subject to Executive endorsing the recommendations in this report, the referendum will be held on Thursday 4th May 2023, alongside the local elections. This is 49 days from the Decision Statement being agreed at

Executive and is the earliest available date after the formal pre-election period that the referendum could be held. This date is agreed in principle with the Director of Governance at the Council with whom it was agreed that the advantage of the referendum running alongside the elections results in better co-ordination of resources and consequently, a significant cost saving. The date for the referendum and further details will be publicised following Executive's decision.

31. If over 50% of those voting in the referendum vote 'yes' in favour of the Neighbourhood Plan, then under the legislation the Council must bring it into force within 8 weeks of the result of referendum (unless there are unresolved legal challenges). If the referendum results in a "yes" vote a further report will be brought to Executive with regard to the formal adoption of the Neighbourhood Plan as part of the statutory Development Plan.

Decision making

32. As the Neighbourhood Plan is now at an advanced stage, its policies where relevant have legal weight in decision making with regard to any planning applications to be determined within the Strensall with Towthorpe Neighbourhood Plan area. This is reflected in The Neighbourhood Planning Act 2017 which recognises that, when determining an application, a LPA must have regard to "*a post examination draft neighbourhood development plan as far as material to the application*". If a LPA makes a decision to allow a draft neighbourhood plan with modifications to proceed to referendum, then the modifications recommended must also be taken into account.
33. The government have published guidance on the weight of the Neighbourhood Plan policies. The guidance states that '*where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given 'significant weight' in decision-making, so far as the plan is material to the application*'.

Consultation

- 34 Paragraph 4 of this report sets out all of the stages of consultation that the Strensall with Towthorpe Neighbourhood Plan has been through. A Consultation Statement prepared by the Parish Council accompanied the submission version of the Neighbourhood Plan and sets out all the

consultation undertaken in preparation of the plan's submission to the Council.

35. In accordance with Regulation 16, City of York Council carried out consultation on the Submitted version of Strensall with Towthorpe Neighbourhood Plan between 15 November 2021 – 7 January 2022. This consultation was in accordance with the Council's adopted Statement of Community Involvement.

Options

36. Officers request that Members:
- i) endorse the recommendations in paragraph 2 of this report and agree with the Examiner's Recommendations and approve the Decision Statement attached at Annex B to enable the Strensall with Towthorpe Neighbourhood Plan to proceed to Referendum.

Analysis

37. The Examiner has concluded that the modifications will satisfy the Basic Conditions, the Council has an obligation, under Schedule 4B of the 1990 Town and Country Planning Act, to arrange a local referendum, unless the Examiner's recommended modifications and/or conclusions are to be challenged. The Officer recommendation to Members is that the modifications made by the Examiner are well justified and that, with these modifications, the Neighbourhood Plan proposals will meet the legislative requirements. The Council must organise a referendum on any Neighbourhood Plan that meets the legislative requirements. This will give the local community the opportunity to vote on whether they deem the Neighbourhood Plan to meet the needs and aspirations for the future of their neighbourhood.

Alternative Options and Reasons for Rejection

38. The following alternative options have been identified and rejected for the reasons as set out below
- ii) *That the Executive provide modified recommendations to those made by the Examiner and, if considered to be significant, agree that these will be subject to further consultation along with a statement explain why the decision differs from the Examiner's;*

This option is not considered appropriate as the proposed modifications make the Neighbourhood Plan more robust and enable it to meet the Basic Conditions.

iii) That the Executive reject the Examiner's recommendations and refuse the Neighbourhood Plan proposal. This decision can only be justified on the grounds listed under paragraph 46.

This option can only be justified if the Examiner recommends that the Plan should not proceed to a referendum, or the Council is not satisfied that the plan has met the procedural and legal requirements. This option is not considered appropriate.

Financial Implications

39. The responsibility and therefore the costs of the Examination and Referendum stages of the Neighbourhood Plan production lie with the City of York Council. Table 1 below sets out a breakdown of the non-staffing costs of producing the Strensall with Towthorpe Neighbourhood Plan to date and also sets out the estimated costs associated with the Examination and Referendum.

Table 1

Stage	Cost
Designation consultation	£500 (estimate)
Submission consultation	£500 (estimate)
NP grant to Parish Council	£3,000 (paid Jan 2017)
Examination	£6,083 (Examiner costs)
Referendum	£2,000 (estimate)
Total	£12,083 (estimate)

40. There is also a significant level of officer costs required throughout the process to provide the required support to each of the Neighbourhood Planning Bodies. This officer input seeks to ensure legal conformity, appropriate plan content, technical advice, including provision of mapping and assistance with Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA).
41. Financial support from Central Government is available for Local Planning Authorities (LPAs) involved with Neighbourhood Plans. Some LPAs can claim £5,000 for the designation of neighbourhood areas. However, it is no longer available for neighbourhood areas in York as more than 5 neighbourhood areas are designated. Local Planning

Authorities can also claim £20,000 - they apply for this once they have set a date for a referendum following a successful examination. A claim will be able to be made at the point when the local planning authority issues a decision statement (as set out under Regulation 25 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send the plan to referendum (rather than when a referendum date has been set).

42. Strensall with Towthorpe Parish Council was provided with a £3k grant from the Council to support the development of the neighbourhood plan, in January 2017.
43. Communities with Neighbourhood Plans in place can also benefit financially should York adopt a Community Infrastructure Levy (CIL). They can benefit from 25% of the revenues from the CIL arising from the development that takes place in their area. At the Council's Executive meeting on 26th January 2023, the Council made the decision to formally consult on the draft CIL Charging Schedule and associated Instalment Plan, prior to CIL being published and charged, in line with the CIL Regulations 2010 (as amended 2019). It is anticipated that public consultation will take place during February / March 2023, examination summer 2023 and adoption autumn 2023.

Council Plan

44. The Neighbourhood Plan supports the achievement of the following outcome areas of the Council Plan 2019-2023:
 - Well paid jobs and an inclusive economy;
 - A greener and cleaner city;
 - Getting around sustainably;
 - Good health & wellbeing;
 - Safe communities and culture for all;
 - Creating homes and world class infrastructure;
 - A better start for children and young people;
 - An open and effective council.

Implications

45. The following implications have been assessed:
 - **Financial** – The examination and referendum will be funded by City of York Council. A claim by the City of York Council will be able to be made to government for a grant of £20,000 at the point when the City

of York Council issues a decision statement (as set out under Regulation 25 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send the plan to referendum. The government grant of £20,000 can be put towards the costs of the City of York Council's involvement in preparing the Plan (including the costs of the Examination and referendum). Any shortfall will need to be accommodated within existing resource.

- **Human Resources (HR)** - none
- **One Planet Council / Equalities** – see Equalities Impact assessment attached at Annex D.
- **Legal** - The Legal implications are set out within the body of this report. The decision to proceed to referendum is, like all decisions of a public authority, open to challenge by Judicial Review. The risk of any legal challenge to the Neighbourhood Plan being successful has been minimised by the thorough and robust way in which it has been prepared and tested.
- **Crime and Disorder** - None
- **Information Technology (IT)** None
- **Property** - None
- **Other** – None

Risk Management

46. In compliance with the Council's risk management strategy, the main risks associated with the Strensall with Towthorpe Neighbourhood Plan are as follows:

- Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and Strategic Environmental Assessment processes and not exercising local control of developments.

Contact Details

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Neil Ferris
Corporate Director of Place

Report **Date** 3/3/23
Approved

Laura Bartle
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Wards Affected:

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Background Papers:

<https://www.york.gov.uk/planning-policy/strensall-towthorpe-neighbourhood-plan>

Annexes

- Annex A Strensall with Towthorpe Neighbourhood Plan Examiner's Report
- Annex B Decision Statement
- Annex C Strensall with Towthorpe Neighbourhood Plan (Submission Version)
- Annex D Equalities Impact Assessment (EqIA)

List of Abbreviations Used in this Report

BA (Hons) MA, DMS, MRTPI – Bachelor of Arts, Masters, Diploma in Management Studies, Member of the Royal Town Planning Institute.

EU – European Union

LPA – Local Planning Authority

NP – Neighbourhood Plan

SEA – Strategic Environmental Assessment

HRA – Habitats Regulation Assessment

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Annex A

**STRENSALL WITH TOWTHORPE
NEIGHBOURHOOD PLAN
Submission Draft Version**

**A report to City of York Council
into the examination of the
Strensall with Towthorpe Neighbourhood Plan
by Independent Examiner, Rosemary Kidd**

Rosemary Kidd, Dip TP, MRTPI
NPIERS Independent Examiner
13 October 2022

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1.0 Summary

- 1.1 The Strensall with Towthorpe Neighbourhood Development Plan has been prepared to set out the community's wishes for the villages of Strensall and Towthorpe and the surrounding countryside. The parish lies to the north of York and north east of Haxby,
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer, including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
- Combining Policies DH3 and DH4;
 - Combining Policies DG4 and DG5;
 - The deletion of the Queen Elizabeth Barracks Tennis Courts from Policy CF2 and the amalgamation of other sites;
 - Clarification of the wording of policies and the supporting text; and
 - The improvement of clarity of the Policies Map.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Strensall with Towthorpe Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

2.0 Introduction

Background Context

- 2.1 This report sets out the findings of the examination into the Strensall with Towthorpe Neighbourhood Plan.
- 2.2 The plan area covers the parish of Strensall with Towthorpe and a small area of the parish of Stockton on the Forest. Strensall with Towthorpe is situated to the north of the city of York and north east of Haxby. At 2011 the parish had a population of 6,047. The plan area includes Strensall Common which is a Special Area of Conservation, an example of lowland heathland habitat. Part of the area is also a Site of Special Scientific Interest.

Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Strensall with Towthorpe Neighbourhood Plan (STNP) by City of York Council (CYC) with the consent of Strensall with Towthorpe Parish Council in January 2022. I do not have any interest in any land that may be affected by the STNP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Development Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
 - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.

- 2.5 An Independent Examiner must consider whether a neighbourhood plan meets the “Basic Conditions”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:
1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
 3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, as incorporated into UK law; and
 5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

The following prescribed condition relates to neighbourhood plans:

- Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

- 2.6 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.
- 2.7 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

The Examination Process

- 2.8 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.
- 2.9 I have sought clarification on a number of factual matters from the Qualifying Body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.

- 2.10 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the STNP.
- 2.11 I have considered the Basic Conditions Statement and the Consultation Statement as well as the Screening Opinions for the Strategic Environmental Assessment and Habitats Regulation Assessment. In my assessment of each policy, I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.

Legislative Requirements

- 2.12 The neighbourhood plan making process has been led by Strensall with Towthorpe Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process.
- 2.13 Section 1 of the Basic Conditions Statement confirms that Neighbourhood Plan area was designated by CYC on 14 June 2018 and that there are no other neighbourhood plans covering this area.
- 2.14 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that this is up to 2033.
- 2.15 The Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.16 The Neighbourhood Development Plan should only contain policies relating to the development and use of land. I am satisfied that the STNP policies are compliant with this requirement.
- 2.17 The Basic Conditions Statement confirms the above points and I am satisfied therefore that the STNP satisfies all the legal requirements set out in paragraph 2.4 above.

The Basic Conditions

Basic Condition 1 – Has regard to National Policy

- 2.18 The first Basic Condition is for the neighbourhood plan “*to have regard to national policies and advice contained in guidance issued by the Secretary of State*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “*consistent with national policy*”.

- 2.19 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”
- 2.20 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.21 The NPPF of July 2021 is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council after 24 January 2019. Paragraph 3.1.1 of the STNP refers to the NPPF of February 2019. Quotations and paragraph numbers should be checked and updated before the final plan is published.
- 2.22 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the delivery of strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies*” and further states that “*A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.*”
- 2.23 Table 1 of the Basic Conditions Statement includes comments on how the policies of the STNP have taken account of relevant sections of the NPPF. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.

Recommendation 1: Check and update any references to and quotations from NPPF of February 2019 to those of July 2021.

Basic Condition 2 - Contributes to sustainable development

- 2.24 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.25 An informal sustainability assessment has been prepared in order to take account of the need for the Neighbourhood Plan to contribute to the achievement of sustainable development. The sustainability assessment assesses each of the plan’s fourteen policies against twelve benchmark criteria derived from the plan’s aims and objectives and covering the three dimensions of sustainability, namely environmental, social and economic. The assessment ‘scores’ the impact of each policy against the

criteria, on a scale from 'significant positive impact' through 'some positive or negative impact' or 'no overall impact/non-applicability' to 'significant negative impact'. It also records uncertainty as to impact.

2.26 Table 4 in the Basic Conditions Report summarises:-

- The impact/contribution of policies as a whole in relation to the twelve individual benchmark criteria;
- The impact/contribution of individual policies on sustainability/benchmark criteria as a whole.

It shows that there will be positive impacts overall, in terms of policies and benchmark criteria collectively. It further shows no negative impacts in relation to either individual policies or benchmark criteria.

2.27 I am satisfied that the Plan contributes to the delivery of sustainable development and therefore meets this Basic Condition.

Basic Condition 3 – is in general conformity with strategic policies in the development plan

2.28 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area.

2.29 There is currently no adopted Local Plan for the City of York. The City of York Draft Development Control Local Plan incorporating the 4th set of Changes (April 2005) is currently a material consideration for development control decisions. A new Local Plan is in course of preparation. Two public consultations on the Preferred Sites Consultation (2016) and the Pre-Publication Draft Consultation (August 2017) have provided a reference for the strategic policies of the emerging Local Plan. At the time of the examination of the STNP, the Phase 2 Hearings for the new Local Plan had commenced in May 2022.

2.30 In the absence of a formally adopted Local Plan, the City of York Publication Draft Local Plan (2018), together with the Local Plan Proposed Modifications (2019) and the composite Modifications Schedule 2021, define the strategic and detailed policies of the emerging Plan and as such can reasonably be used as the vehicles against which to assess the general conformity of the Strensall with Towthorpe Neighbourhood Plan. Table 3 of the Basic Conditions Statement assesses how the Neighbourhood Plan policies conform to the relevant planning policies in these documents.

2.31 CYC has commented that the STNP should be updated to refer to the latest position in the Local Plan. They have proposed revisions to paragraphs 3.2.1 - 3.2.2 in section 3 to set out the status of the Local Plan; these may need further updating to ensure that the STNP reflects the latest position when the plan is finalised. I have included these as recommendations under later sections of my report.

- 2.32 The LPA has confirmed that the strategic Policies SS1 and SS19 (Queen Elizabeth Barracks site) are relevant to the STNP. The latter policy sets out the key principles for developing the Queen Elizabeth Barracks site. However, due to a proposal to remove the site from the Local Plan, Policy SS19 is proposed to be removed by PM13/PM14 (Proposed Modifications June 2019). The site is proposed to be removed following the outcomes of the Habitat Regulations Assessment (Feb 2019), which has not been able to rule out adverse effects on the integrity of Strensall Common Special Area of Conservation (SAC). The City of York Local Plan is currently at Examination, therefore, the status of the site will only be confirmed once the examination is complete.
- 2.33 The LPA has confirmed that a new Policy GI2a (Strensall Common Special Area of Conservation (SAC)) has been proposed in the Council's Composite Modifications Schedule (April 2021): PM70 – New Policy GI2a and PM71 – New Policy GI2a Justification. This was subject to public consultation from 25 May 2021 to 7 July 2021. The policy is a bespoke one for Strensall Common to ensure that adverse effects as a result of development are mitigated. This proposed modification complies with the outcomes of the HRA (2020) for consistency.
- 2.34 CYC has stated that Policy GI2a may be relevant to a number of policies listed in Table 3 of the Basic Conditions Statement: DH1 (Promotion of Local Distinctiveness), DH2 (General Design Principles), DG1 (Strensall Park), DG2 (Alexandra Road), DG3 (Howard Road), DG4 (Queen Elizabeth Barracks) and DG5 (Development Brief for the redevelopment of Queen Elizabeth Barracks).
- 2.35 Additionally, CYC has proposed to amend the Green Belt boundary along the eastern side of Strensall, so that the proposed Green Belt boundary should follow the edge of the densely developed site. (PM101 / City of York Local Plan Proposed Modifications – April 2021). This proposed boundary change has superseded PM39 (June 2019). A modification to paragraph 3.3.4 is recommended in section 3 of my report to clarify the text concerning this amendment.
- 2.36 I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies.

Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.37 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.38 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment (SEA) is submitted with a Neighbourhood Plan proposal or a determination from the competent authority (CYC) that the plan is not likely to have “significant effects.”

- 2.39 A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) preliminary screening opinion was prepared by the parish council for the draft Pre-Submission Neighbourhood Plan.
- 2.40 The preliminary screening opinion was updated in order to take account of policy wording amendments made in response to comments received during the statutory Regulation 14 consultation period. None of these amendments were considered to be material or to have any implications for the original assessments. The final assessment is set out in the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report January 2021.
- 2.41 It was determined that the Submission draft STNP would not have a significant effect on the environment because the policies were found to have either minor or no impacts on the environmental criteria set out in Schedule 1 to the Environmental Assessment Regulations. Where minor impacts were considered likely these were largely found to be positive. (Table 3.2 of the SEA preliminary screening report)
- 2.42 The assessment in Tables 3.1 and 3.2 indicate a range of possible minor positive environmental effects as a result of the draft plan policies. The report concluded that *"No likely significant environmental effects have been identified."*
- 2.43 Consultation was carried out with the statutory environmental bodies on the SEA Screening Report in July 2019. All three organisations concurred with the findings.
- 2.44 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on a Special Area of Conservation or Special Protection Area, or other ecologically important European site (Ramsar) as a result of the plan's implementation.
- 2.45 Paragraph 7.1 of the screening report concludes that *"The assessment undertaken in section 6 of this report concludes the draft NDP is not likely to have a significant effect on a European site either alone or in combination with other plans or projects. This was the preliminary view reached prior to consulting Natural England. Feedback from the consultees received has resulted in changes and updates to the HRA screening work but the overall conclusions remain the same."*
- 2.46 Consultation with Natural England on the HRA screening opinion was carried out in August 2019. They responded to say that they welcomed the conclusion of the screening opinion.
- 2.47 CYC has commented that they updated the HRA Screening Opinion in June 2021. CYC has stated that the conclusion of the HRA review has found no compelling reason to disagree with the conclusion of the Strensall with Towthorpe Parish Council HRA. The STNP HRA review also concludes: *"There is no credible possibility of the Plan adversely affecting the integrity of any European sites and, consequently, this review is able to recommend that the City Council may give effect to the Plan"*. It is recommended that the HRA screening opinion is updated to reflect the latest position.

- 2.48 I am satisfied that the SEA and HRA assessments have been carried out in accordance with the legal requirements.
- 2.49 Section 6 of the Basic Conditions Statement addresses Human Rights and states that: “*The Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR).*”
- 2.50 From my review of the Consultation Statement, I have concluded that the consultation on the STNP has had appropriate regard to Human Rights.
- 2.51 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre- or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the STNP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

Recommendation 2: Update the HRA Screening Opinion to accord with the latest update in 2021.

Consultation on the Neighbourhood Plan

- 2.52 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.53 The designated area was approved by the Executive for Planning and Transport Decision Session on 7 January 2016 following consultation between 16 November and 14 December 2015.
- 2.54 The Consultation Statement sets out a full account of the consultation process, the method of consultation and the responses received at each stage. Consultation during the preparation the plan was carried out as follows:
- A questionnaire was hand delivered to every residence and business within the designated Neighbourhood Plan Area in March 2016. Responses were required to be returned by 16 April 2016.
 - On 7 November 2016 the Ministry of Defence announced the closure of several military sites to allow the sale of land for development. City of York Council Local Plan Working Group announced a revision to the emerging local plan which recommended the inclusion of sites at Queen Elizabeth Barracks and Towthorpe Lines for housing and commercial use respectively.
 - The City of York Council consulted on their emerging local plan in 2017 which included three sites added to take account of the land available from the MoD disposal.
 - The NP steering group decided to amend the original plan which contained small plots on MoD land in order to include support for the development of the MoD sites as in the emerging local plan. However, the steering group were concerned

about the potential increase in the volume of traffic that might be generated by the developments at both Queen Elizabeth Barracks and Towthorpe Lines.

- It was believed that if the designated neighbourhood plan area were to be extended to include the whole of Towthorpe Moor Lane, plus the junction with the A64 at Hazelbush crossroads, then an alternative safe route to access the A64 could be accommodated.
- An application to amend the designated area for Strensall with Towthorpe Neighbourhood Plan was submitted to City of York Council on 25 March 2017. Consultation was arranged by the local authority to take place between 28 March 2018 and 11 May 2018 with an executive decision taken on 14 June 2018.
- Consultation on a draft neighbourhood plan was the subject of a consultation with residents, statutory and non-statutory consultees between 1 June and 15 July 2018.
- CYC announced on 23 February 2019, a number of modifications to the submitted local plan. The modifications included the removal of the housing sites (H59 at Howard Road, Strensall and ST35 at Queen Elizabeth Barracks, Strensall). The decision to remove the sites came about from a joint initiative between Natural England and CYC as the former were concerned that large developments could have an adverse effect on Strensall Common which is designated as a Special Area for Conservation (SAC) and a Site of Special Scientific Interest (SSSI).
- CYC published the Proposed Modifications to the submitted local plan (May 2018) which also included an amendment to the Green Belt within the designated area.
- Subsequently, amendments to the wording of the neighbourhood plan and its policies were agreed by the steering group. Regulation 14 Consultation on the policies within the Pre-Submission Draft Plan was held between 1 July 2019 and 26 August 2019. An extended period of 8 weeks for this consultation was chosen due to the overlap with school holidays.

- 2.55 The consultation on the Regulation 14 STNP was communicated via the parish magazine to residents within the designated Neighbourhood Plan Area. A questionnaire on the policies was included within the Outreach magazine. Most statutory and non-statutory consultees were advised of the consultation electronically and invited to visit the web site to access the documents. The small number of consultees, without access to electronic means, were sent a questionnaire and a copy of the documents via Royal Mail.
- 2.56 Consultation on the Regulation 16 Submission draft Plan was carried out by CYC from 15 November 2021 and 7 January 2022. In total 14 responses were received.
- 2.57 I am satisfied that from the evidence presented to me in the Consultation Statement that adequate consultation has been carried out during the preparation of the STNP.
- 2.58 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.

3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The PPG states that *“a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area”*. I will consider this requirement as I examine each policy.
- 3.5 The STNP is a reasonably well presented plan that identifies policies on car parking, community facilities, local green spaces, design principles and affordable housing. The introductory sections of the Plan set out the background to the preparation of the plan, a spatial portrait of the area and the planning policy context.
- 3.6 The STNP makes no provision for future housing development other than identifying a site that is under consideration for allocation in the submission draft York Local Plan which is currently at the hearing stage. The PPG states that *“Neighbourhood plans are not obliged to contain policies addressing all types of development.”*
- 3.7 I consider that the lack of policies on housing in the STNP accords with national guidance which does not require neighbourhood plans to include the topic.
- 3.8 I have made recommendations to improve the clarity of the wording of the policies to ensure that they can be interpreted consistently by decision makers.
- 3.9 The policies are clearly distinguishable from the supporting text by surrounding coloured boxes. The justifications to the policies set out the background to the policies and the strategic context.
- 3.10 The Policies Map has been produced at a scale that makes it very difficult to read. I have asked the QB to prepare more detailed map(s) so that the boundaries of sites and properties can be clearly identified so as to enable decision makers to use the map in a consistent manner. The Proposals Map includes a number of Community

Actions. As these sites are not included in the planning policies of the Plan they should not be included on the Proposals Map. They may however be shown on a separate map to be included in the text of the STNP.

- 3.11 There are a number of references in policies and the justification to work undertaken by the consultants “Woodhall Planning and Conservation”. These references to the consultants are unnecessary and should be deleted.

Recommendation 3: Improve the clarity of the Proposals Map so that the boundaries of sites and properties referred to or designated in the Policies of the STNP can be clearly identified. Delete the Community Actions from the Proposals Map and include them on a figure within the text.

The Neighbourhood Plan

Policy Context

- 3.12 CYC has recommended revisions to paragraphs 3.2.1 - 3.2.2 and 3.3.5 to provide greater clarity on the status of the City of York Development Plan. There is no need to include reference within the STNP to other neighbourhood plans as they do not affect the STNP area.
- 3.13 CYC has suggested a revision to paragraph 3.3.4 to improve its clarity. Paragraph 1.4.3 should also be reviewed and updated as necessary. The QB has agreed to the revisions to these paragraphs.

Recommendation 4: Revise paragraphs 3.2.1 – 3.2.2 as follows:

“The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2) which relate to York’s Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt.

“The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the 2021 NPPF, although the weight that can be afforded to them is very limited.

“The Publication Draft City of York Local Plan 2018 (the emerging plan) was submitted for examination on 25 May 2018. In accordance with paragraph 48 of NPPF 2021, the emerging plan policies can be afforded weight according to:

a. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c. the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

“The evidence base underpinning the emerging plan is also capable of being a material consideration in the determination of planning applications.”

“Subsequent to the submission of the Publication Draft Local Plan to the Secretary of State in May 2018, two further consultations were held on proposed modifications to the Publication Draft in June 2019 and May 2021. These consultations included consultation on new evidence base”.

Revise paragraph 3.3.4 to read: “City of York Council are proposing a number of modifications to the submitted Local Plan, which include an amendment to move the *village Green Belt Boundary to follow Ox Carr Lane*. This boundary change was included.....”

Paragraphs 1.4.3 and 3.3.5 - Add further updates on the progress with the emerging Local Plan.

Vision and Objectives

- 3.14 The Plan includes seven aims rather than a Vision statement and five objectives. The objectives of a Plan should be used to drive the development of the policies. There is no information to demonstrate that the objectives underpin the plan’s policies. The first objective refers to the Plan contributing to meeting York’s Objectively Assessed Housing Need. This should be revised to refer to the housing requirement.

Recommendation 5: Revise the first objective to read: “To contribute to meeting York’s housing requirement.”

Policy CP1: Safeguarding Existing Car Parking

- 3.15 The policy seeks to safeguard car parking provision provided in association with places of employment, schools, shops public houses and a range of community facilities. Development that would result in the loss of existing parking should provide alternative provision in the locality or demonstrate that parking is not required.
- 3.16 Following a survey of car parking in the plan area and concerns expressed in the consultations about the limited availability of on-street parking, the plan makers have introduced the policy to ensure that the limited amount of car parking in the village is

maintained so that residents from this rural area can easily access shops, school, workplaces and community facilities.

- 3.17 CYC has suggested revisions to the wording of Policy CP1 to improve its clarity and to ensure that it is unambiguous which the QB has supported.
- 3.18 CYC has suggested that reference should be added to paragraph 5.1.3 to refer to Local Plan Policy T8 and the proposed SPD on Sustainable Transport for Development. However, the latter document has not yet been published for consultation.
- 3.19 CYC has suggested that reference should be added to paragraph 5.1.6 to state that the level of on-street parking is set by the local highway authority through a separate process to planning. I agree that this may be helpful to understanding the process.

Recommendation 6: Revise Policy CP1 to read:

“Existing parking provision supporting places of employment, schools, shops, public houses, churches, community facilities, doctors, dentists or public services will be safeguarded.

“Loss of parking spaces will be considered appropriate where it is demonstrated that the parking spaces are no longer required; or alternative provision in an accessible and comparable location is secured.”

Add the following to the end of paragraph 5.1.6: “The level of on-street parking is set by the local highway authority through a separate process to planning.”

Policy CP2: Increased Public Car Parking

- 3.20 The first part of the policy “requires” development to provide parking to the Council’s parking standards. Whereas the second paragraph “expects” new residential development to provide parking to the Council’s parking standards. The first paragraph relates to all forms of development and therefore includes residential development.
- 3.21 Parking standards in York are maximum and there is some flexibility depending on the local circumstances. The policy should provide some flexibility and should not be worded as a requirement; it should be framed as “Development *should* include provision for...”. CYC has noted that the 2005 parking standards do not make provision for visitor parking. I have not recommended the deletion of visitor parking from the policy as the parking standards may be reviewed in the future and include this type of parking.
- 3.22 The third paragraph of the policy expects development proposals in and around The Village to incorporate additional parking to address any deficiencies in off street parking in the area. The Council’s Parking Standards are framed to set out requirements for the development proposal itself. Developers cannot be asked to

provide parking spaces to meet local shortfalls. As the policy cannot be applied, it is recommended that this paragraph is deleted.

Recommendation 7: Revise Policy CP2 as follows:

Revise the first paragraph to read: “Development *should* include provision”

Delete the second and third paragraphs and site CP2.1. Delete the site from the Proposals Map.

Policy CF1: Protection of Community Facilities and Services

- 3.23 The policy seeks to safeguard community facilities – including the library, the church, community halls, the school and three public houses - for the benefit of the community.
- 3.24 A representation has been made concerning Hurst Hall (site CF1-11). It is stated that it is shown on the Proposals Map in the wrong location; and that it is not necessary or appropriate for the property to be identified as both an Asset of Community Value and a community facility protected under Policy CF1.
- 3.25 The QB has confirmed that Strensall Explore Library, St Wilfred’s Church and Hurst Hall Community Centre have been registered as Assets of Community Value. Designation as an Asset of Community Value does not place any planning policy safeguards on the property. It is considered that the identification of Hurst Hall under Policy CF1 is complementary to its listing as an Asset of Community Value.
- 3.26 The following modifications are recommended to improve the clarity of the policy.
- a. The title should refer to Safeguarding of Community Facilities. Services are usually provided within the buildings.
 - b. The first paragraph should be worded to safeguard the community facilities listed and shown on the Proposals Map. The map needs to be improved so that the boundaries of the properties can be clearly identified.
 - c. The paragraph under the table should be included in the justification as it sets out a definition of the use classes of community facilities and is not a policy.
 - d. The final paragraph should be worded to refer to “Development that would result in the loss of the community facility” and the subsequent clauses should be revised appropriately. The term “unacceptable planning problems” in point 1 is vague and ambiguous.

Recommendation 8: Revise Policy CF1 as follows:

Revise the title of the policy to “Safeguarding of Community Facilities.”

Revise the first paragraph to read: “The community facilities listed below and shown on the Proposals Map should be safeguarded for the benefit of the community.”

Move the paragraph beneath Table F to the justification.

Revise the final paragraph of the policy to read: “Development that would result in the loss of a community facility will only be supported where:

Delete points 1 and 2

Retain points 3 and 4. Delete “Development will only be supported where it can be demonstrated that” from point 3.

Correct the location of CF1-11 on the Proposals Map.

Policy CF2: Local Green Space

- 3.27 The policy seeks to designate 42 sites as Local Green Spaces. An assessment of the areas is included in Appendix 2 to the Plan which identifies the sites in accordance with the Local Plan typology and does not explain why the site is demonstrably special. The QB has provided me with a review of the small areas of Amenity Green Space. As part of this review they have requested that some of the sites should be amalgamated where they are adjacent to other areas. This is particularly the case where children’s play areas sit within areas of amenity green space, e.g. sites CF2-31/2-16, CF2-28/2-22, CF2-29/2-23 and CF2-26/2-24.
- 3.28 Subsequently, the QB has reviewed and updated the Local Green Space Assessment and amalgamated some of the sites to reduce the number to 33 sites in total. As part of the review the QB concluded that the Queen Elizabeth Barracks Tennis Courts (originally referenced CF2-12) did not meet the LGS criteria and they have asked that it should be deleted from the list of sites in the policy. During the review of sites, the QB has identified a number of mapping inaccuracies which require correction on the Proposals Map.
- 3.29 A representation has been made that objects to the designation of the following areas as Local Green Space. It is argued that the assessment does not demonstrate that the areas are demonstrably special to the local community.
- CF2-6: Howard Road Natural / Semi Natural
 - CF2-10: Howard Road Playing Field (Outdoor Sports)
 - CF2-11: Sports Ground (Located QEB)
 - CF2-12 Tennis Courts (Located QEB)
 - CF2-36: St Wilfrid’s Garrison Church, St Wilfrid’s Road.
- 3.30 I am satisfied from my site visit and the revised assessment that the sites (except for the Queen Elizabeth Barracks Tennis Courts) meet the criteria for designation as Local Green Space.
- 3.31 A representation has been made that objects to the designation of site CF2-3 Land between River Foss and Westpit Lane as Local Green Space. It is stated that the area is privately owned land with no public access.

- 3.32 From my site visit it is clear that part of this area is private gardens, most, but not all, are being maintained to enhance their wildlife potential. They provide an attractive backdrop to the riverside footpath walk. Paragraph: 019 Reference ID: 37-019-20140306 of guidance on Local Green Spaces states that Local Green Spaces do not need to be in public ownership. I am satisfied that the revised assessment demonstrates that the designation of the area as a Local Green Space is justified. Its designation will not prevent the residents in the area enjoying their gardens.
- 3.33 The NPPG advises that *“If land is already protected by Green Belt policy, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space. One potential benefit in areas where protection from development is the norm (eg villages included in the green belt) but where there could be exceptions is that the Local Green Space designation could help to identify areas that are of particular importance to the local community.”* Paragraph: 010 Reference ID: 37-010-20140306
- 3.34 The QB has noted that 14 of the proposed sites are within or mainly within the 2005 Green Belt. However, the Green Belt boundary is being reviewed through the emerging Local Plan. Only 3 sites would be within or largely within the revised Green Belt boundary, if this is agreed through the examination.
- 3.35 In view of the uncertainties of the current review of the Green Belt boundary I have not taken this into account in considering whether sites should be designated. I have considered whether the Local Green Space designation could help to identify areas that are of particular importance to the local community.
- 3.36 The policy should be revised to make it clear that development on the LGS should be managed in a way that is consistent with that for Green Belts.

Recommendation 9: Revise Policy CF2 as follows:

“The sites listed in Table G and shown on the Proposals Map are designated as Local Green Space and will be protected from development in a manner consistent with the protection of land within the Green Belt. Inappropriate development on them that would be harmful to the open space should not be approved except in special circumstances.

List of sites: Revised as follows

Delete site CF2-12 Queen Elizabeth Barracks Tennis Courts.

Re-number and rename sites in accordance with the revised LGS Assessment submitted in August 2022 as follows:

CF2-1: *Land at Strensall Bridge*

CF2-2: The Heath

CF2-3: Foss Bank - Westpit Lane

CF2-4: *Wild Haven (Ash Walk/Pasture Close)*

- CF2-5: Lakeside Gardens
- CF2-6: Howard Road
- CF2-7: *Strensall Bowling Green*
- CF2-8: *Strensall Sports and Recreation Ground*
- CF2-9: Robert Wilkinson *Playing Field*
- CF2-10: Queen Elizabeth Barracks Sports Ground
- CF2-11 Strensall Park Playing Fields
- CF2-12: Northfields/The Village 'Green'
- CF2-13: Hallard Way
- CF2-14: Pasture Close
- CF2-15: Land West of Knapton Close
- CF2-16 *Foss Bank/Chaldon Close/Woodleigh Close*
- CF2-17: West Pit Lane
- CF2-18: *South of Lynwood Close*
- CF2-19: *Land at York Road/Toby Court*
- CF2-20: Hollis Crescent
- CF2-21: Strensall Park 'Green'
- CF2-22: Littlethorpe Close
- CF2-23: Northfields Allotments
- CF2-24: New Lane Allotments
- CF2-25: Strensall and Towthorpe Cemetery
- CF2-26: St Mary the Virgin Churchyard
- CF2-27: St Wilfrid's Garrison Churchyard
- CF2-28: Ox Carr Lane/Flaxton Road/Lords Moor Lane Verges
- CF2-29: Newton Way/Knapton Close
- CF2-30: Southfields Road
- CF2-31: South of Middlecroft Drive
- CF2-32: Westpit Lane Hedge

CF2-33: River Foss – South Bank

Revise the second sentence of the policy to read: “*The enhancement of a designated Local Green Space to improve its value for amenity, recreation and / or biodiversity will be supported.*”

Revise the boundaries of the areas and numbering on the Proposals Map.

Update Appendix 2 to include the revised LGS Assessment submitted in August 2022.

Design and Heritage

- 3.37 This section of the Plan contains four policies that set out design principles to be applied throughout the plan area and four area specific policies. The policies build on the Village Design Statement which was approved by CYC in 2015 and the Character Appraisal of the settlements which was prepared by independent consultants in 2018.
- 3.38 There are a number of references in policies and the justification to the Character Appraisal as the “Woodhall Planning and Conservation Character Appraisal”. These references to the consultants are inappropriate and the study should be renamed as the Strensall with Towthorpe Character Appraisal. References to the named consultants should be deleted from the policies and justification.
- 3.39 Representations have been made concerning the robustness of the Character Appraisal and stating that the boundaries of the Character Areas are imprecise. The QB has agreed to update the map to show the boundaries more clearly.
- 3.40 It is noted that CYC has approved Conservation Area Appraisals for the three conservation areas in the plan area which include information on building design and important features in the villages. It would be helpful to plan users to include a reference to them in the introduction to this section of the Plan.
- 3.41 Paragraph 5.3.6 refers to a number of local landmarks identified in the Character Appraisal and states that they are worthy of recognition and protection to ensure the character of the settlements is not undermined. The landmarks identified are the Queen Elizabeth Barracks and the listed buildings of St Mary’s Church and two bridges. The recent pedestrian footbridge adjacent to the historic Strensall Bridge is also identified. The future of the Queen Elizabeth Barracks is addressed in other policies in the plan; national and strategic policies address the conservation of listed buildings. It is suggested that the local landmarks are listed in paragraph 5.3.6. There is no need to show them on the Proposals Map as this paragraph is descriptive only.
- 3.42 Paragraph 5.3.7 states that it is not considered necessary to include a policy on Key Views. However as this matter is included in Policy DH1, the QB has agreed that the last two sentences of paragraph 5.3.7 should be deleted.

Recommendation 10: Revise paragraph 5.3.6 to read:

“In addition, the Character Appraisal identified the following local landmarks: Queen Elizabeth Barracks, the listed buildings of St Marys Church and the two historic bridges over the River Foss. The design of the recent pedestrian bridge is also noted. These landmarks are of interest as they are intrinsic.....”

Delete the last two sentences of paragraph 5.3.7.

Add the following after paragraph 5.3.7:

“Conservation Area Appraisals have been approved by CYC for each of the three conservation areas in the plan area. They provide further information on the significance of the conservation areas, heritage features, landmarks, gateways, views and landscaping.”

Delete reference to “Woodhall Planning and Conservation” throughout the SWTNP.

Update the maps in Appendix 4 to show the boundaries of the Character Areas more clearly.

Policy DH1: Promotion of Local Distinctiveness

- 3.43 The policy includes a mixture of descriptive text that repeats matters in the justification and policy which means that the policy is unclear. The first paragraph is phrased negatively using the phrase “will be resisted”. A modification is proposed to phrase the policy positively.
- 3.44 The second paragraph refers to development “preserving or enhancing” the positive character of the plan area. The NPPF in paragraph 197 uses the term “sustaining and enhancing the significance of heritage assets” in point a) and “new development making a positive contribution to local character and distinctiveness” in point c). A modification is proposed to better reflect the NPPF. Representations have been made about the use of this term.
- 3.45 Representations have been made to the wording of the sections on gardens. I have proposed modifications to the policy to improve the clarity of this section of the policy.
- 3.46 The paragraph on views is considered to be overly restrictive. A modification is proposed that development that may affect the views should be assessed through a Landscape and Visual Impact Assessment.
- 3.47 Those parts of the policy on highways and rights of way are set out as requirements using the word “must”. This can only be applied where there is a legal requirement. It is usually recommended that the word “should” is used to give some flexibility. There is legal provision to divert public rights of way if necessary for development.

- 3.48 The first paragraph on open spaces highlights the importance of open spaces, in particular allotments. It is recommended that a new section on gardens and open spaces is created to combine the sections under Character Areas and Spaces.
- 3.49 It is considered that the policy that relates to the provision of new open space within new development is vague and imprecise. It is recommended that reference should be made to the relevant local plan policies and the types of open space that should be provided, including allotments. Policy DH2 repeats these requirements. It may be more appropriate to place the policy on new open spaces in Policy DH2 which concerns the design of new development.
- 3.50 No changes are proposed to the sections on Signage and Strensall Common SAC/SSSI.

Recommendation 11: Revise Policy DH1 as follows:

“Development proposals should have regard to the Strensall with Towthorpe Village Design Statement and Strensall with Towthorpe Character Appraisal. Development should be laid out and designed to make a positive contribution to the local character and distinctiveness of the character area. It should respect the following matters:

“Gardens and open spaces

“Gardens and open spaces between buildings that contribute to the rural and visual character of the neighbourhood plan area should be retained. Development that would result in the sub-division of gardens should not harm the local character, distinctiveness and visual amenity.”

The loss of front or side gardens areas to hardstanding for vehicle parking should be avoided. Proposals should not impact on rural and visual amenity or road safety.

“The openness of the large gardens in Strensall village along the west side of Moor Lane/Princess Road, both sides of Lords Moor Lane (to the north of York Golf Club) and along the north side of The Village shown on the Proposals Map should be maintained.”

“Open spaces, particularly those designated as Local Green Spaces, should be safeguarded and enhanced.”

“Views

“The impact of development proposals on the key views identified on the Proposals Map should be assessed through a Landscape and Visual Impact Assessment. Development should be designed to incorporate views over adjacent countryside, where appropriate.

Highways and Rights of Way – change “must” to “should”.

Policy DH2: General Design Principles

- 3.51 Paragraph 5.3.11 states that *“the purpose of the policy is to help inform the design of development proposals to ensure the appearance of Strensall and Towthorpe is respected by referencing key design features in order to reinforce the character”*.
- 3.52 The first section refers to development in the conservation areas and adjacent to or within the setting listed buildings. The policies are considered to be vaguely worded and do not reflect national and Local Plan policies on heritage. A modification is proposed to include the setting of a conservation area and other designated and non-designated heritage assets and to refer to national and local plan policies. The Conservation Area Appraisals should be referred to in the justification.
- 3.53 In my response to Policy DH1, I propose that a new section should be added to Policy DH2 on the design on open spaces in new development. Reference should be made to the requirements set out in the City of York Local Plan.
- 3.54 The third paragraph of Scale and Massing refers to development “preserving or enhancing” the positive key characteristics of the plan area. The NPPF in paragraph 197 uses the term *“sustaining and enhancing the significance of heritage assets”* in point a) and *“new development making a positive contribution to local character and distinctiveness”* in point c). A modification is proposed to better reflect the NPPF.
- 3.55 Representations have been made that parts of the policy are prescriptive and propose amendments to the sections on Layout, Boundary Treatment and Roof form to give some flexibility. A suggestion is made that the policy should include support for outstanding contemporary designs. The QB has indicated that they are agreeable to the suggestions proposed.

Recommendation 12: Revise Policy DH2 as follows:

Include a new heading “Heritage Assets” and include the first two points of Scale and Massing revised as follows:

“Development within or affecting the setting of Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas, Listed Buildings and other designated and non-designated heritage assets should respect the significance of the heritage asset and make a positive contribution to the conservation of the heritage asset. Proposals will be considered in accordance with national and Local Plan policies and will take account of the Conservation Area Appraisals and significance of the heritage assets.”

Revise the third paragraph second line of Scale and Massing to read: “...and make a positive contribution to local character and distinctiveness of the character area as identified in the *Strensall with Towthorpe* Character Appraisal. If appropriate....” Add the following to the end of this paragraph: *“Buildings of an outstanding contemporary design will be supported.”*****

Revise the heading “Layout” to “Open Space” and include the following:

“Open spaces shall be provided on site as part of development proposals in accordance with the requirements of the City of York Local Plan. Open spaces should be designed to provide an attractive feature to enhance the appearance of the development as well as provide areas for children’s play, sports and allotments.”

Include the two paragraphs from Layout in the Open Space section. Add “where appropriate” at the beginning of the first paragraph of “Layout”.

Revise the second sentence of “Boundary Treatments” to read: “Where appropriate, front boundaries should be defined....”

Add the following to the end of the first paragraph on “Roof Form”: “.....or modern materials with a similar appearance.”

Replace the second paragraph on Roof Form with “Roof forms and materials are expected to match desirable local characteristics, particularly in conservation areas. Plan depth should be sympathetic to desirable existing village plan forms so as to generate familiar pitched roof geometries and roof heights.”

Add the following to the justification: “Conservation Area Appraisals for the Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas provide an assessment of the character of the conservation areas and identify suggestions for future management improvements.”

Policy DH3: General Shopfront Design

Policy DH4: Shopfront Signage

- 3.56 It is considered that Policy DH3 does not fully reflect the Local Plan policies on Shopfronts. Draft Local Plan (2005) Policy GP16 calls for new and replacement shopfronts to respect the “scale, proportion, materials and architectural style” of the building and area and the publication emerging Local Plan (2018) Policy D12 uses the terms “design, scale, material and colour”. No locally specific details are set out in the policy. The final paragraph of the policy is guidance and should be included in the justification.
- 3.57 It is considered that Policy DH4 does not fully reflect the Local Plan policies on Advertisements in draft Local Plan (2005) Policy GP21 or emerging Local Plan (2018) Policy D13. No locally specific details are set out in the policy.
- 3.58 It is recommended that the policies should be combined and revised. The QB has agreed the following revised wording with CYC

Recommendation 13: Combine Policies DH3 and DH4 as follows:

- “1. Where there is a proposal to alter, replace, or create new shopfronts, it will be supported where:**

a. the design enhances the scale, qualities and appearance of the building and is in keeping with its surrounding area, in respect to its design, scale, materials and colour;

b. Shopfront signage is of a scale, design, material, finish and position within the fascia, to match and be tailored to the building and streetscene, with hand painted signage applied directly to the fascia board particularly encouraged where it achieves this; and

c. Lighting is fitted externally and without the use of internal box lighting.

2. Within Strensall and Towthorpe Conservation Areas, and on buildings identified as heritage assets:

a. Restoration of original shopfronts will be supported. Proposals which set out to remove, replace or substantially harm shop fronts of historic merit will not be supported.

b. Illumination of signage will be supported where the fittings, wiring and level of illumination is designed to enhance the historic character and appearance of the building and conservation area.”

Move the final paragraph of Policy DH3 on historic photographs to the justification.

Policy DG1: Strensall Park

Policy DG2: Alexandra Road

Policy DG3: Howard Road

3.59 The three areas of housing have retained their original design and character and reflect typical housing designs of their period of the 20th century as they have been in the single ownership of the MOD.

3.60 These policies expect development within the areas of the MOD housing to respect the character and layout of the existing housing in the area. A description of the features is included in each policy. The descriptions draw on the Character Appraisal; and identify key design and layout features for each estate which should be considered in the framing of proposals for new development. The QB has proposed revisions to the wording of Policy DG3 to state that development proposals should demonstrate how they will reinforce the locally distinctive features as defined in the remainder of the policy. I am recommending that Policies DG1 and DG2 should be revised in a similar manner.

3.61 The area of Policy DG3 is not shown on the Proposals Map.

- 3.62 Paragraphs 5.4.19 – 20 refer to a potential housing allocation in the emerging Local Plan which at the time of this examination had been considered unsuitable due to its proximity to Strensall Common SAC/SSSI. The proposal has been discussed at the Local Plan hearing in July 2022, however, at the time of the STNP examination, no decision had been made on the proposal. It is recommended that the text should be updated to reflect the latest position when the plan is finalised.
- 3.63 I have taken into account a number of representations concerning the detail of these policies.

Recommendation 14:

Revise Policy DG1 as follows:

“To be supported, development within the Strensall Park area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:

- a. Buildings of two storeys;
- b. Houses laid out around a narrow highway, with grass verges and trees. The central grassed area with mature trees provides a focal point to the estate and is a key feature;
- c. Housing set in generous gardens;
- d. Roofs pitched parallel to street. Flanking walls incorporated with mono-pitched flat roof garage;
- e. Multiple flue chimneys located on ridge line and at gable ends;
- f. Constructed of red brick, rendered and painted white, with roofs of modern clay pantiles;
- g. Upvc doors and window frames;
- h. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;
- i. Low brick boundary walls and gate piers with stone coping detail. Metal gates at driveway and footpath entrances.

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise Policy DG2 as follows:

“To be supported, development within the Alexandra Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:

- a. Buildings of two storeys and semi-detached;
- b. Houses on the south side of the street with principal facades to the south (rear);
- c. Housing set in generous gardens;

- d. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet;
- e. Multiple flue chimneys located on ridge line or located centrally within roof slope;
- f. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;
- g. Upvc doors and window frames;
- h. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;
- i. Variety of post and wire fencing and hedge boundary treatments;

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise Policy DG3 as follows:

“To be supported, development within the Howard Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:

- a. Buildings of two storeys;
- b. Houses on the south side of the street with principal facades to the south (rear);
- c. Housing set in generous gardens with mature trees;
- d. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet.
- e. Multiple flue chimneys located on ridge line or located centrally within roof slope;
- f. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;
- g. Upvc doors and window frames;
- h. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;
- i. Variety of post and wire fencing and hedge boundary treatments;

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise paragraphs 5.4.19 – 5.4.20 to reflect the latest position agreed at the Local Plan Examination on these sites.

Policy DG4: Queen Elizabeth Barracks – Design

Policy DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks – Master Planning / Planning Principles

- 3.64 Queen Elizabeth Barracks is a significant site within the plan area and the policies seek to set out design and masterplan principles to govern the redevelopment of the site if this is approved in the Local Plan.
- 3.65 A representation from the MOD's agents states that it is proposed that the site should close in 2024 and that they are promoting the site for housing development through the Local Plan. The suitability of the site for housing development is being tested at the Local Plan examination.
- 3.66 CYC has informed me that a new Policy GI2a has been proposed in Proposed Modification 70 on Strensall Common Area of Conservation (SAC) and has been included in the Composite Modifications Schedule (April 2021). This policy proposes an exclusion area set at 400m and a zone of influence between 400m and 5.5km linear distance from the SAC boundary. The exclusion zone covers almost all of the Queen Elizabeth Barracks. If the policy is adopted, it would mean that permission would not be granted for a development that would result in a net increase in residential units. Non-residential development would be required to undertake a Habitats Regulation Assessment to demonstrate that proposal would not harm the integrity of the SAC.
- 3.67 CYC has commented that paragraph 5.4.22 should be updated to refer to Proposed Modification 70 and the latest position on proposals for the site. I agree that this would be helpful in clarifying the background to the site.
- 3.68 Representations on behalf of the MOD have made a number of points on the policies. In summary they are concerned that:
- There should be flexibility in the policies if the site is allocated in the Local Plan or a planning permission is granted.
 - The site is not shown on the Proposals Map.
 - The site has no special historic or architectural value; no background evidence has been submitted to support the assertions that there is any.
 - It is inappropriate and unjustified to require future redevelopment to respect the existing character and layout of the site; that would result in inappropriate low density development; restriction to 2 storey building height is not justified as there are higher buildings on site at present.
 - The objective should be to facilitate the most beneficial use of the site to support sustainable growth objectives.
- 3.69 The QB has commented that they would be agreeable to the preparation of a heritage assessment as part of any redevelopment proposals to provide a historical record of the site prior to redevelopment and to identify any buildings that could be retained as landmark or gateway features to help reflect the previous use of the site.
- 3.70 The City of York Local Plan is currently in the middle of the Local Plan Examination. At the Phase 3 Examination hearing sessions (July 2022) the site was discussed in detail. The Council has proposed the deletion of the allocation and associated policy (ST35 and SS19 respectively) of the Queen Elizabeth Barracks, due primarily to

issues of adverse impacts on Strensall Common SSSI, as highlighted in the Habitat Regulations Assessment (February 2019).

- 3.71 However, at the time of the examination on the neighbourhood plan, there was no clear indication of the likely outcomes at the hearing sessions and of the future of the Barracks site. CYC and the QB have put a proposal to me of a way forward to combine Policies DG4 and DG5 into a more generic policy which would set out design considerations for the development of the site, if it were to come forward.
- 3.72 The QB have asked for additional matters to be included in the revised policy on:
- a. consideration of an axial road layout;
 - b. building heights of generally 2 storeys but with inclusion of 2+ storey buildings subject to detailed design analysis of the site and intended locations in order to create 'a look' back/reference to the historical barracks layout.
- 3.73 I have concerns that stipulating an axial road layout and prescribing building heights would be overly prescriptive and would not reflect the design and layout of the existing development on the site. It would introduce new elements to the policy that were not part of the policies in the submission plan. The revised policy requires a Heritage Assessment and a photographic record to be made which will be available to inform the design and layout of any future development.

Recommendation 15: Delete Policy DG4.

Retitle Policy DG5: Development at Queen Elizabeth Barracks, Strensall

Revise the Policy to read:

"1. Development at Queen Elizabeth Barracks will be permitted where:

A. It can be demonstrated that it will not have an adverse effect on the integrity of the Strensall Common SAC as justified by an appropriate residential assessment; and

B. Residential development, if proposed as part of development at QEB:

(i) Does not result in a net increase in the current number of units, in order to manage and minimise impacts associated with recreation on the SAC; and

(ii) Reflects the housing need identified in City of York Council's latest strategic housing needs assessment and, where viable, includes appropriate provision of smaller properties suitable for older residents and for first time buyers to meet particular neighbourhood housing needs.

C. Integration and connection with the existing community at Strensall is maintained through retention of the existing sports and community hall provision (shown in figure X) or re-provision of sports and community

floorspace at the site, with provision for wider community access to the newly provided facilities.

- D. The wider impacts of the development on social and community infrastructure in the locality, including education and local retail/services provision, have been assessed and mitigation secured through conditions or planning obligations.*
- E. Transport impacts associated with any development can be appropriately managed and mitigated, with priority given to the design of the development to include more sustainable modes of travel, in particular cycling and walking, to be secured through a travel plan.*
- F. It can be demonstrated that development has had regard to the following design principles:
 - i. the incorporation of landscaped areas; and*
 - ii. the retention of mature trees where possible and supplemented by new tree planting where appropriate.**

- 2. A masterplan should be developed for the site reflecting the principles set out in revised Policies DG 1 -3 and should be informed by a Heritage Assessment, including a photographic record of the site and buildings. This must identify any buildings of historic or architectural interest and demonstrate how proposals would respond to and where appropriate incorporate these into the design of the development.”*

Include a diagram within the text to show the location of sports provision and the community hall at the Barracks. These only need to be shown on the Proposals Map where they are referenced under other policies.

Show the site on the Proposals Map in accordance with that shown on the Updated Proposals Maps May 2022, renamed from DG4 & DG5 to Policy DG5.

Update paragraph 5.4.22 to reflect the outcome of Local Plan examination.

Policy DG6: Affordable Housing

- 3.74 This policy is a general statement that the mix of housing types and tenures should be made in accordance with national and local planning policy. It seeks to apply a local connections policy which is set out in Appendix 3. The justification refers to the affordable housing needs assessment which was carried out in 2008 and the CYC's Strategic Housing Market Assessment and Addendum of 2016. Reference to these in paragraph 5.5.1 should be deleted and reference should be made instead to the latest findings from the City of York's Local Housing Needs Assessment (2021). It is recommended that the policy should make reference to "the latest housing needs assessment". In addition, reference to "private housing" should be amended to "market housing".

- 3.75 CYC has commented that they do not recognise that the three properties in the rear gardens of 5/6 Northfields referred to in paragraph 5.5.6 as being “affordable housing”. It is recommended that this reference should be deleted.
- 3.76 A representation has been made that the policy is unnecessary as provision will be made in accordance with emerging Local Plan policy. It is considered acceptable for neighbourhood plans to set out a policy on affordable housing for their community where there is no adopted strategic policy.
- 3.77 A local connections policy is a housing policy and not a planning policy. It is recommended that reference to it should be included as a community action.

Recommendation 16: Revise Policy DG6 as follows:

Revise the first paragraph of the policy to read: “.....a mix of affordable and market housingunderstanding of local housing need within the Parish in accordance with the latest strategic or local housing needs assessment.”

Delete the second paragraph. Add a new Community Actions: “The Parish Council will seek to ensure that affordable housing is made available to those with a local connection to the Parish in the first instance, in accordance with the local connections criteria set out in Appendix Three.”

Revise paragraph 5.5.5 to refer to latest data on housing need. Delete paragraph 5.5.1.

“5.5.5: The City of York Council’s Local Housing Needs Assessment (2022) sets out the latest evidence of the property size and tenure needs across the City. It confirms, for example, that the focus of affordable home ownership and affordable rented provision should be on 2-bed properties. However, the mix applied to individual development sites should also be informed by the nature and character of the area, along with understanding of the existing mix and turnover of properties within the Parish.”

Delete “and 3 properties in the rear gardens of 5/6 Northfields” from paragraph 5.5.6.

COMMUNITY ACTIONS

- 3.78 This section sets out three community actions concerning highway improvements, the designation of rights of way and the designation of assets of Community Value. The introduction to the section explains that they are matters not related to planning policy.
- 3.79 CYC has commented that CA1 should refer to Policies Local Plan T1 and T5. This is a Community Action setting out the community’s aspirations for highway improvements. It is not a planning policy. It is not necessary to cross reference to the emerging policies but may be included if it is considered that it would be helpful to plan users.

- 3.80 A representation has been received that supports the creation of a public right of way by the River Foss between Haxby Moor Road and Towthorpe Road. (CA1-5).
- 3.81 A representation has been received objecting to CA2-7 stating that the land is privately owned with no permission for public access. The QB has commented that this is an aspiration to pursue formal public right of way of this route.
- 3.82 A representation states that CA3 needs to be corrected as Hurst Hall is already an Asset of Community Value.

COMMUNITY INFRASTRUCTURE LEVY

- 3.83 This section sets out suggestions of projects that may be funded through CIL in the Plan area. It is recommended that the text is updated.

Recommendation 17: Revise the text in section 7 to read:

***“7.1 The Community Infrastructure Levy (CIL) Regulations were introduced in 2010 by the government to help pay for infrastructure to support development. In June 2022, the City of York Executive agreed to move forward with a CIL for York.*”**

Paragraph 7.2 unchanged

***“7.3 The Community Infrastructure Levy Regulations 2010 (as amended) makes clear that 15%, or up to a maximum of £100 per new house, of any CIL collected by a local planning authority must be paid to the Parish Council in the area in which development takes place. Following adoption of a neighbourhood plan, the amount to be paid to the Parish Council increases to 25% (uncapped) of the levy revenues.*”**

***“7.4 This money can be spent more widely than on infrastructure – but must be used to address the demands that development places on the area. This means Strensall with Towthorpe Parish Council is free to spend the money on projects that will directly benefit the neighbourhood area as long as the money supports growth of the settlements.*”**

Delete first sentence of paragraph 7.5 and add the second sentence: “Through the current consultation, the Parish Council would like to understand priorities for improvements to infrastructure and what community priorities exist for improvements to the village.” to paragraph 7.4.

Delete paragraphs 7.6, 7.7 and 7.71.

7.8 and 7.8.1 unchanged.

Appendix 2 Local Green Space

Recommendation 18: Replace with the revised Local Green Space Assessment submitted in August 2022. The Appendix should also include clear maps to show the boundary of each site and photographs where available.

Appendix 3 Local Connections Criteria For Affordable Housing

3.84 The Local Connections Criteria is not a planning policy and is not therefore part of Policy DG6. CYC has suggested a number of amendments to the text in the Appendix which the QB has agreed to. I include them here for completeness.

Recommendation 19: Revise Appendix 3 as follows:

“Remaining in perpetuity for local people *notwithstanding any statutory provisions such as the Right to Buy or Right to Acquire.*”

“In support of meeting local affordable housing requirements, any new affordable housing is expected to be allocated to those with *an assessed housing need* and local connection to Strensall or Towthorpe in the first instance.”

Make the family connection more explicit: “Has a close family member (mother, father, adult son, adult daughter, adult brother, adult sister): currently residing in the partnership area and who has been a resident for the last 5 years and with whom they have an established close relationship.”

Make ‘other special circumstances more explicit: “Have an essential need to live close to another person, who currently lives in the area, and who has been resident for the last 5 years, to provide or receive essential daily care or support.”

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4.0 Referendum

- 4.1 The Strensall with Towthorpe Neighbourhood Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies contained in the Development Plan for the area; and
 - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to City of York Council that the Strensall with Towthorpe Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by City of York Council on 14 June 2018.

5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Strensall with Towthorpe Neighbourhood Plan up to 2033 Submission Draft Version including Appendices, June 2021
- Strensall with Towthorpe Neighbourhood Plan Basic Conditions Statement January 2021
- Strensall with Towthorpe Neighbourhood Plan Consultation Statement January 2021
- Strensall with Towthorpe Neighbourhood Plan SEA and HRA Screening Opinions January 2021
- Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas Conservation Area Appraisals 2011
- Strensall with Towthorpe Character Appraisal 2018
- Strensall with Towthorpe Village Design Statement 2015
- Strensall with Towthorpe Local Green Space Assessment revised July 2022
- National Planning Policy Framework July 2021
- Planning Practice Guidance (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- The City of York Local Plan Publication Draft 2018, together with the Local Plan Proposed Modifications (2019),
- The City of York Draft Development Control Local Plan incorporating the 4th set of Changes (April 2005)

6.0 Summary of Recommendations

Recommendation 1: Check and update any references to and quotations from NPPF of February 2019 to those of July 2021.

Recommendation 2: Update the HRA Screening Opinion to accord with the latest update in 2021.

Recommendation 3: Improve the clarity of the Proposals Map so that the boundaries of sites and properties referred to or designated in the Policies of the STNP can be clearly identified. Delete the Community Actions from the Proposals Map and include them on a figure within the text.

Recommendation 4: Revise paragraphs 3.2.1 – 3.2.2 as follows:

“The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These are policies YH9(C) and Y1 (C1 and C2) which relate to York’s Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt.

“The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the 2021 NPPF, although the weight that can be afforded to them is very limited.

“The Publication Draft City of York Local Plan 2018 (the emerging plan) was submitted for examination on 25 May 2018. In accordance with paragraph 48 of NPPF 2021, the emerging plan policies can be afforded weight according to:

a. the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c. the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

“The evidence base underpinning the emerging plan is also capable of being a material consideration in the determination of planning applications.”

“Subsequent to the submission of the Publication Draft Local Plan to the Secretary of State in May 2018, two further consultations were held on proposed modifications to the Publication Draft in June 2019 and May 2021. These consultations included consultation on new evidence base”.

Revise paragraph 3.3.4 to read: **“City of York Council are proposing a number of modifications to the submitted Local Plan, which include an amendment to move the *village Green Belt Boundary to follow Ox Carr Lane*. This boundary change was included.....”**

Paragraphs 1.4.3 and 3.3.5 - Add further updates on the progress with the emerging Local Plan.

Recommendation 5: Revise the first objective to read: “To contribute to meeting York’s housing requirement.”

Recommendation 6: Revise Policy CP1 to read:

“Existing parking provision supporting places of employment, schools, shops, public houses, churches, community facilities, doctors, dentists or public services will be safeguarded.

Loss of parking spaces will be considered appropriate where it is demonstrated that the parking spaces are no longer required; or alternative provision in an accessible and comparable location is secured.”

Add the following to the end of paragraph 5.1.6: ***“The level of on-street parking is set by the local highway authority through a separate process to planning.”***

Recommendation 7: Revise Policy CP2 as follows:

Revise the first paragraph to read: **“Development *should* include provision**”

Delete the second and third paragraphs and site CP2.1. Delete the site from the Proposals Map.

Recommendation 8: Revise Policy CF1 as follows:

Revise the title of the policy to **“Safeguarding of Community Facilities.”**

Revise the first paragraph to read: **“The community facilities listed below and shown on the Proposals Map should be safeguarded for the benefit of the community.”**

Move the paragraph beneath Table F to the justification.

Revise the final paragraph of the policy to read: **“Development that would result in the loss of a community facility will only be supported where:**

Delete points 1 and 2

Retain points 3 and 4. Delete “Development will only be supported where it can be demonstrated that” from point 3.

Correct the location of CF1-11 on the Proposals Map.

Recommendation 9: Revise Policy CF2 as follows:

“The sites listed in Table G and shown on the Proposals Map are designated as Local Green Space and will be protected from development in a manner consistent with the protection of land within the Green Belt. Inappropriate development on them that would be harmful to the open space should not be approved except in special circumstances.

List of sites: Revised as follows

Delete site CF2-12 Queen Elizabeth Barracks Tennis Courts.

Renumber and rename sites in accordance with the revised LGS Assessment submitted in August 2022 as follows:

CF2-1: *Land at Strensall Bridge*

CF2-2: The Heath

CF2-3: Foss Bank - Westpit Lane

CF2-4: *Wild Haven (Ash Walk/Pasture Close)*

CF2-5: Lakeside Gardens

CF2-6: Howard Road

CF2-7: *Strensall Bowling Green*

CF2-8: *Strensall Sports and Recreation Ground*

CF2-9: Robert Wilkinson *Playing Field*

CF2-10: Queen Elizabeth Barracks Sports Ground

CF2-11 Strensall Park Playing Fields

CF2-12: Northfields/The Village ‘Green’

CF2-13: Hallard Way

CF2-14: Pasture Close

CF2-15: Land West of Knapton Close

CF2-16 *Foss Bank/Chaldon Close/Woodleigh Close*

CF2-17: West Pit Lane

CF2-18: *South of Lynwood Close*

CF2-19: *Land at York Road/Toby Court*

CF2-20: *Hollis Crescent*

CF2-21: *Strensall Park 'Green'*

CF2-22: *Littlethorpe Close*

CF2-23: *Northfields Allotments*

CF2-24: *New Lane Allotments*

CF2-25: *Strensall and Towthorpe Cemetery*

CF2-26: *St Mary the Virgin Churchyard*

CF2-27: *St Wilfrid's Garrison Churchyard*

CF2-28: *Ox Carr Lane/Flaxton Road/Lords Moor Lane Verges*

CF2-29: *Newton Way/Knapton Close*

CF2-30: *Southfields Road*

CF2-31: *South of Middlecroft Drive*

CF2-32: *Westpit Lane Hedge*

CF2-33: *River Foss – South Bank*

Revise the second sentence of the policy to read: *"The enhancement of a designated Local Green Space to improve its value for amenity, recreation and / or biodiversity will be supported."*

Revise the boundaries of the areas and numbering on the Proposals Map.

Update Appendix 2 to include the revised LGS Assessment submitted in August 2022.

Recommendation 10: Revise paragraph 5.3.6 to read:

"In addition, the Character Appraisal identified the following local landmarks: Queen Elizabeth Barracks, the listed buildings of St Marys Church and the two historic bridges over the River Foss. The design of the recent pedestrian bridge is also noted. These landmarks are of interest as they are intrinsic....."

Delete the last two sentences of paragraph 5.3.7.

Add the following after paragraph 5.3.7:

"Conservation Area Appraisals have been approved by CYC for each of the three conservation areas in the plan area. They provide further information on

the significance of the conservation areas, heritage features, landmarks, gateways, views and landscaping.”

Delete reference to “Woodhall Planning and Conservation” throughout the SWTNP.

Update the maps in Appendix 4 to show the boundaries of the Character Areas more clearly.

Recommendation 11: Revise Policy DH1 as follows:

“Development proposals should have regard to the Strensall with Towthorpe Village Design Statement and Strensall with Towthorpe Character Appraisal. Development should be laid out and designed to make a positive contribution to the local character and distinctiveness of the character area. It should respect the following matters:

“Gardens and open spaces

“Gardens and open spaces between buildings that contribute to the rural and visual character of the neighbourhood plan area should be retained. Development that would result in the sub-division of gardens should not harm the local character, distinctiveness and visual amenity.”

The loss of front or side gardens areas to hardstanding for vehicle parking should be avoided. *Proposals should not impact on rural and visual amenity or road safety.*

“The openness of the large gardens in Strensall village along the west side of Moor Lane/Princess Road, both sides of Lords Moor Lane (to the north of York Golf Club) and along the north side of The Village shown on the Proposals Map should be maintained.”

“Open spaces, particularly those designated as Local Green Spaces, should be safeguarded and enhanced.”

“Views

“The impact of development proposals on the key views identified on the Proposals Map should be assessed through a Landscape and Visual Impact Assessment. Development should be designed to incorporate views over adjacent countryside, where appropriate.

Highways and Rights of Way – change “must” to “should”.

Recommendation 12: Revise Policy DH2 as follows:

Include a new heading “Heritage Assets” and include the first two points of Scale and Massing revised as follows:

“Development within or affecting the setting of Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas, Listed Buildings and other designated and non-designated heritage assets should respect the significance of the heritage asset and make a positive contribution to the conservation of the heritage asset. Proposals will be considered in accordance with national and Local Plan policies and will take account of the Conservation Area Appraisals and significance of the heritage assets.”

Revise the third paragraph second line of Scale and Massing to read: **“...and make a positive contribution to local character and distinctiveness of the character area as identified in the Strensall with Towthorpe Character Appraisal. If appropriate....”** Add the following to the end of this paragraph: **“Buildings of an outstanding contemporary design will be supported.”**

Revise the heading “Layout” to “Open Space” and include the following:

“Open spaces shall be provided on site as part of development proposals in accordance with the requirements of the City of York Local Plan. Open spaces should be designed to provide an attractive feature to enhance the appearance of the development as well as provide areas for children’s play, sports and allotments.

Include the two paragraphs from Layout in the Open Space section. Add **“where appropriate”** at the beginning of the first paragraph of “Layout”.

Revise the second sentence of “Boundary Treatments” to read: **“Where appropriate, front boundaries should be defined....”**

Add the following to the end of the first paragraph on “Roof Form”: **“.....or modern materials with a similar appearance.”**

Replace the second paragraph on Roof Form with **“Roof forms and materials are expected to match desirable local characteristics, particularly in conservation areas. Plan depth should be sympathetic to desirable existing village plan forms so as to generate familiar pitched roof geometries and roof heights.”**

Add the following to the justification: **“Conservation Area Appraisals for the Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas provide an assessment of the character of the conservation areas and identify suggestions for future management improvements.”**

Recommendation 13: Combine Policies DH3 and DH4 as follows:

- “1. Where there is a proposal to alter, replace, or create new shopfronts, it will be supported where:
 - a. the design enhances the scale, qualities and appearance of the building and is in keeping with its surrounding area, in respect to its design, scale, materials and colour;****

b. Shopfront signage is of a scale, design, material, finish and position within the fascia, to match and be tailored to the building and streetscene, with hand painted signage applied directly to the fascia board particularly encouraged where it achieves this; and

c. Lighting is fitted externally and without the use of internal box lighting.

2. Within Strensall and Towthorpe Conservation Areas, and on buildings identified as heritage assets:

a. Restoration of original shopfronts will be supported. Proposals which set out to remove, replace or substantially harm shop fronts of historic merit will not be supported.

b. Illumination of signage will be supported where the fittings, wiring and level of illumination is designed to enhance the historic character and appearance of the building and conservation area.”

Move the final paragraph of Policy DH3 on historic photographs to the justification.

Recommendation 14:

Revise Policy DG1 as follows:

“To be supported, development within the Strensall Park area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:

- j. Buildings of two storeys;**
- k. Houses laid out around a narrow highway, with grass verges and trees. The central grassed area with mature trees provides a focal point to the estate and is a key feature;**
- l. Housing set in generous gardens;**
- m. Roofs pitched parallel to street. Flanking walls incorporated with mono-pitched flat roof garage;**
- n. Multiple flue chimneys located on ridge line and at gable ends;**
- o. Constructed of red brick, rendered and painted white, with roofs of modern clay pantiles;**
- p. Upvc doors and window frames;**
- q. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;**
- r. Low brick boundary walls and gate piers with stone coping detail. Metal gates at driveway and footpath entrances.**

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise Policy DG2 as follows:

“To be supported, development within the Alexandra Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:

- j. Buildings of two storeys and semi-detached;**
- k. Houses on the south side of the street with principal facades to the south (rear);**
- l. Housing set in generous gardens;**
- m. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet;**
- n. Multiple flue chimneys located on ridge line or located centrally within roof slope;**
- o. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;**
- p. Upvc doors and window frames;**
- q. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;**
- r. Variety of post and wire fencing and hedge boundary treatments;**

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise Policy DG3 as follows:

“To be supported, development within the Howard Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:

- j. Buildings of two storeys;**
- k. Houses on the south side of the street with principal facades to the south (rear);**
- l. Housing set in generous gardens with mature trees;**
- m. Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet.**
- n. Multiple flue chimneys located on ridge line or located centrally within roof slope;**
- o. Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles;**
- p. Upvc doors and window frames;**
- q. Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion;**
- r. Variety of post and wire fencing and hedge boundary treatments;**

Any proposal should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”

Revise paragraphs 5.4.19 – 5.4.20 to reflect the latest position agreed at the Local Plan Examination on these sites.

Recommendation 15: Delete Policy DG4.

Retitle Policy DG5: Development at Queen Elizabeth Barracks, Strensall

Revise the Policy to read:

“1. Development at Queen Elizabeth Barracks will be permitted where:

C. It can be demonstrated that it will not have an adverse effect on the integrity of the Strensall Common SAC as justified by an appropriate residential assessment; and

D. Residential development, if proposed as part of development at QEB:

(i) Does not result in a net increase in the current number of units, in order to manage and minimise impacts associated with recreation on the SAC; and

(ii) Reflects the housing need identified in City of York Council’s latest strategic housing needs assessment and, where viable, includes appropriate provision of smaller properties suitable for older residents and for first time buyers to meet particular neighbourhood housing needs.

G. Integration and connection with the existing community at Strensall is maintained through retention of the existing sports and community hall provision (shown in figure X) or reprovision of sports and community floorspace at the site, with provision for wider community access to the newly provided facilities.

H. The wider impacts of the development on social and community infrastructure in the locality, including education and local retail/services provision, have been assessed and mitigation secured through conditions or planning obligations.

I. Transport impacts associated with any development can be appropriately managed and mitigated, with priority given to the design of the development to include more sustainable modes of travel, in particular cycling and walking, to be secured through a travel plan.

J. It can be demonstrated that development has had regard to the following design principles:

iii. the incorporation of landscaped areas; and

iv. the retention of mature trees where possible and supplemented by new tree planting where appropriate.

2. A masterplan should be developed for the site reflecting the principles set out in revised Policies DG 1 -3 and should be informed by a Heritage Assessment, including a photographic record of the site and buildings. This must identify any buildings of historic or architectural interest and

demonstrate how proposals would respond to and where appropriate incorporate these into the design of the development.”

Include a diagram within the text to show the location of sports provision and the community hall at the Barracks. These only need to be shown on the Proposals Map where they are referenced under other policies.

Show the site on the Proposals Map in accordance with that shown on the Updated Proposals Maps May 2022, renamed from DG4 & DG5 to Policy DG5.

Update paragraph 5.4.22 to reflect the outcome of Local Plan examination.

Recommendation 16: Revise Policy DG6 as follows:

Revise the first paragraph of the policy to read: “.....a mix of affordable and market housingunderstanding of local housing need within the Parish *in accordance with the latest strategic or local housing needs assessment.*”

Delete the second paragraph. Add a new Community Actions: “*The Parish Council will seek to ensure that affordable housing is made available to those with a local connection to the Parish in the first instance, in accordance with the local connections criteria set out in Appendix Three.*”

Revise paragraph 5.5.5 to refer to latest data on housing need. Delete paragraph 5.5.1.

“5.5.5: The City of York Council’s Local Housing Needs Assessment (2022) sets out the latest evidence of the property size and tenure needs across the City. It confirms, for example, that the focus of affordable home ownership and affordable rented provision should be on 2-bed properties. However, the mix applied to individual development sites should also be informed by the nature and character of the area, along with understanding of the existing mix and turnover of properties within the Parish.”

Delete “and 3 properties in the rear gardens of 5/6 Northfields” from paragraph 5.5.6.

Recommendation 17: Revise the text in section 7 to read:

“7.1 The Community Infrastructure Levy (CIL) Regulations were introduced in 2010 by the government to help pay for infrastructure to support development. In June 2022, the City of York Executive agreed to move forward with a CIL for York.

Paragraph 7.2 unchanged

“7.3 The Community Infrastructure Levy Regulations 2010 (as amended) makes clear that 15%, or up to a maximum of £100 per new house, of any CIL collected by a local planning authority must be paid to the Parish Council in the area in which development takes place. Following adoption of a

neighbourhood plan, the amount to be paid to the Parish Council increases to 25% (*uncapped*) of the levy revenues.

“7.4 This money can be spent more widely than on infrastructure – but must be used to address the demands that development places on the area. This means Strensall with Towthorpe Parish Council is free to spend the money on projects that will directly benefit the neighbourhood area as long as the money supports growth of the settlements.

Delete first sentence of paragraph 7.5 and add the second sentence: “Through the current consultation, the Parish Council would like to understand priorities for improvements to infrastructure and what community priorities exist for improvements to the village.” to paragraph 7.4.

Delete paragraphs 7.6, 7.7 and 7.71.

7.8 and 7.8.1 unchanged.

Recommendation 18: Replace with the revised Local Green Space Assessment submitted in August 2022. The Appendix should also include clear maps to show the boundary of each site and photographs where available.

Recommendation 19: Revise Appendix 3 as follows:

“Remaining in perpetuity for local people notwithstanding any statutory provisions such as the Right to Buy or Right to Acquire.”

“In support of meeting local affordable housing requirements, any new affordable housing is expected to be allocated to those with an assessed housing need and local connection to Strensall or Towthorpe in the first instance.”

Make the family connection more explicit such as: “Has a close family member (mother, father, adult son, adult daughter, adult brother, adult sister): currently residing in the partnership area and who has been a resident for the last 5 years and with whom they have an established close relationship.”

Make ‘other special circumstances more explicit such as: “Have an essential need to live close to another person, who currently lives in the area, and who has been resident for the last 5 years, to provide or receive essential daily care or support.”

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City of York Council**STRENSALL WITH TOWTHORPE NEIGHBOURHOOD PLAN:
POST- EXAMINATION DECISION STATEMENT****Regulation 18 of the Neighbourhood Planning
(General) Regulations 2012 (as amended)**

This document is the decision statement required to be prepared under Regulation 18(2) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's response to each of the recommendations contained within the Report to City of York Council of the independent examination of the Strensall with Towthorpe Neighbourhood Plan ("the Plan") by independent Examiner Mrs Rosemary Kidd, which was submitted to the Council on 13th October 2022.

This decision statement, the independent Examiner's Report and the submission version of the Strensall with Towthorpe Neighbourhood Plan and supporting documents can be viewed on the Council's website: www.york.gov.uk/neighbourhoodplanning in line with the current arrangements in the Council's update Statement of Community Involvement.¹

1.0 BACKGROUND

- 1.1 Under the Town and Country Planning Act 1990 (as amended), City of York Council ("the Council") has a statutory duty to assist communities in the preparation of neighbourhood (development) plans and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities under neighbourhood planning.
- 1.2 This statement confirms that the modifications proposed by the Examiner's Report have been considered and accepted and that subject to making the recommended modifications (and other minor modifications) the Plan may now be submitted to referendum.
- 1.3 The Strensall with Towthorpe Neighbourhood Plan was designated by the Council as a Neighbourhood Area on 6th January 2016. The Plan covers the parish of Strensall with Towthorpe and a small area of the parish of Stockton on the Forest. Strensall with Towthorpe is situated to the north of the City of York, and north east of Haxby. At 2011, the parish had a population of 6,047. The plan area includes Strensall Common which is a Special Area of Conservation, an example of lowland heath

¹ [statement-of-community-involvement \(york.gov.uk\)](http://statement-of-community-involvement.york.gov.uk)

habitat. Part of the area is also a Site of Special Scientific Interest. It is entirely within the Local Planning Authority's area.

- 1.4 Strensall with Towthorpe Parish Council undertook pre-submission consultations on the draft Plan in accordance with Regulation 14. Consultation on the Pre-Submission Version took place between 1st June and 15th July 2018. A second Pre-Submission consultation took place between 1st March and 12th April 2019.
- 1.5 Following the submission of the Strensall with Towthorpe Neighbourhood Plan to the Council in June 2021, the Council publicised the draft Plan for an eight-week period and representations were invited in accordance with Regulation 16. The Submission consultation took place between 15th November 2021 and 7th January 2022.

2.0 INDEPENDENT EXAMINATION

- 2.1 The Council appointed Mrs Rosemary Kidd, Dip TP, MRTPI, with the consent of Strensall with Towthorpe Parish Council, to undertake the independent examination of the Strensall with Towthorpe Neighbourhood Plan and to prepare a report of the independent examination.
- 2.2 The Examiner examined the Plan by way of written representations supported by an unaccompanied site visit of the Neighbourhood Plan Area. Clarification on a number of issues was sought from the Qualifying Body, their Planning Agents and the City of York Council during the Examination process.
- 2.3 One of the key policy issues to be addressed through the examination was the future of Queen Elizabeth Barracks at Strensall. The issue was being discussed through the City of York Local Plan Examination, which was also being held in 3 phases, between May and September 2022. As the Barracks site was due to be discussed in detail in Phase 2 of the Local Plan Examination, in July 2022, the Qualifying Body, their planning agents and the City of York Council asked for the Neighbourhood Plan examination to be temporarily postponed for a period of approximately 6 weeks until the outcomes of the discussions regarding the future of the Barracks were considered at the Local Plan Examination. The Examiner agreed this was an appropriate course of action to take, given the circumstances and agreed to the temporary postponement of the Neighbourhood Plan examination.
- 2.4 The Examiner's Report was formally submitted to the Council on 13th October 2022. The Report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to referendum.
- 2.5 Following receipt of the Examiner's Report, legislation requires that the Council consider each of the modifications recommended, the reasons for them, and decide

what action to take. The Council is also required to consider whether to extend the area to which the referendum is to take place.

3.0 DECISION AND REASONS

- 3.1 Having considered each of the recommendations made in the Examiner's Report and the reasons for them, the Council, has decided to accept all of the Examiner's recommended modifications to the draft Plan. These are set out in Table 1 below.
- 3.2 The Council considers that, subject to the modifications being made to the Plan as set out in Table 1 below, the Strensall with Towthorpe Neighbourhood Plan meets the basic conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) is compatible with the Convention rights and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 3.3 As a consequence of the required modifications, the submitted version of the Strensall with Towthorpe Neighbourhood Plan will be modified accordingly, for it then to proceed to referendum.
- 3.4 The Examiner recommended that the Neighbourhood Plan should proceed to referendum based on the boundary of the Neighbourhood Plan, as designated by the City of York Council on 14th June 2018.
- 3.5 This decision was made at a meeting of the Council's Executive on 16th March 2023.
- 3.6 This decision statement is dated 16th March 2023.

Other information:

The Neighbourhood Plan document will be updated to incorporate all the modifications required and re-titled Referendum Version. The date for the referendum and further details will be publicised shortly once a date is set by the Council.

Table 1: Examiner’s Recommended Modifications

Strensall with Towthorpe Neighbourhood Plan Policy	Examiner’s Report Reference	Recommended Modification	CYC Consideration/ Justification
Basic Condition 1 – Has regard to National Policy	Recommendation 1	Check and update any references to and quotations from NPPF of February 2019 to those of July 2021.	Agree with the modifications for the reasons set out in the Examiners Report.
Basic Condition 4 – Compatible with EU obligations and human rights requirements	Recommendation 2	Update the HRA Screening Opinion to accord with the latest update in 2021	Agree with the modifications for the reasons set out in the Examiners Report.
Neighbourhood Plan – As a whole	Recommendation 3	Improve the clarity of the Proposals Map so that the boundaries of sites and properties referred to or designated in the Policies of the STNP can clearly identified. Delete the Community Actions from the Proposals map and include them on a figure within the text.	Agree with the modifications for the reasons set out in the Examiners Report.
Local Planning Policy	Recommendation 4	Revise paragraphs 3.2.1 – 3.2.2 as follows: <u>“The development plan for York comprises the saved policies of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the general extent of the York Green Belt. These policies YH9(C) and Y1 (C1 and C2) which relate to York’s Green Belt and the key diagram insofar as it illustrates general extent of the Green Belt.</u> <u>“The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst</u>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p><u>the DCLP does not form part of the statutory development plan, its policies are considered capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the 2021 NPPF, although the weight that can be afforded to them is very limited.</u></p> <p><u>“The Publication Draft City of York Local Plan 2018 (the emerging plan) was submitted for examination on 25 May 2018. In accordance with paragraph 48 of NPPF 2021, the emerging plan policies can be afforded weight according to:</u></p> <ul style="list-style-type: none"> a) <u>the stage of preparation of the emerging plan (the more advanced the preparation the greater the weight that may be given);</u> b) <u>the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</u> c) <u>the degree of consistency of the relevant policies in the emerging plan to the policies in the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).</u> <p><u>“The evidence base underpinning the emerging plan is also capable of being a material consideration in the determination of planning applications.”</u></p> <p><u>“Subsequent to the submission of the Publication Draft Local Plan to the Secretary of State in 2018, two further consultations were held on proposed modifications to the Publication Draft in June 2019 and May 2021. These consultations included consultation on new evidence base”.</u></p> <p>Revise paragraph 3.3.4 to read: “City of York Council are proposing a number of modifications to the submitted Local Plan, which include an amendment to move the <u>village Green Belt boundary to follow</u> Ox Carr Lane. This boundary change was included.....”</p>	
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		Paragraphs 1.4.3 and 3.3.5 – Add further updates on the progress of the emerging Local Plan.	
4.2 Objectives of the Plan	Recommendation 5	Revise the first objective to read: “To contribute to meeting York’s <u>housing requirement</u> ”	Agree with the modifications for the reasons set out in the Examiners Report.
Policy CP1: Safeguarding Existing Car Parking	Recommendation 6	Revise Policy CP1 to read: <u>“Existing parking provision supporting places of employment, schools, shops, public houses, churches, community facilities, doctors, dentists or public services will be safeguarded.</u> <u>“Loss of parking spaces will be considered appropriate where it is demonstrated that the parking spaces are no longer required; or alternative provision in an accessible and comparable location is secured.”</u> Add the following to the end of paragraph 5.1.6: <u>“The level of on-street parking is set by the local highway authority through a separate process to planning.”</u>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy CP2: Increased Public Car Parking	Recommendation 7	Revise policy CP2 as follows: Revise the first paragraph to read: “Development <u>should</u> include provision.....” Delete the second and third paragraphs and site CP2.1. Delete the site from the Proposals Map.	Agree with the modifications for the reasons set out in the Examiners Report.
Policy CF1: Protection of Community Facilities and Services	Recommendation 8	Revise Policy CF1 as follows: Revise the title of the Policy to “Safeguarding of Community Facilities.” Revise the first paragraph to read: “The community facilities listed below and shown on the Proposals Map should be safeguarded for the benefit of the	Agree with the modifications for the reasons set out in the Examiners Report.

		<p>community.”</p> <p>Move the paragraph beneath Table F to the justification.</p> <p>Revise the final paragraph of the policy to read: “Development that would result in the loss of a community facility will only be supported where:</p> <p>Delete point 1 and 2</p> <p>Retain points 3 and 4. Delete “Development will only be supported where it can be demonstrated that” from point 3.</p> <p>Correct the location of CF1-11 on the Proposals Map.</p>	
<p>Policy CF2: Local Green Space</p>	<p>Recommendation 9</p>	<p>Revise Policy CF2 as follows:</p> <p>“The sites listed in Table G and shown on the Proposals Map are designated as Local Green Space and will be protected from development in a manner consistent with the protection of land within the Green Belt. Inappropriate development on them that would be harmful to the open space should not be approved except in special circumstances.</p> <p>List of sites: Revised as follows</p> <p>Delete site CF2-12 Queen Elizabeth Barracks Tennis Courts.</p> <p>Renumber and rename sites in accordance with the revised LGS Assessment submitted in August 2022 as follows:</p> <p>CF2-1: <u>Land at Strensall Bridge</u> CF2-2: The Heath CF2-3: Foss Bank – Westpit Lane CF2-4: <u>Wild Haven</u> (Ash Walk/Pasture Close)</p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

	<p>CF2-5: Lakeside Gardens CF2-6: Howard Road CF2-7: <u>Strensall</u> Bowling Green CF2-8: <u>Strensall Sports and Recreation Ground</u> CF2-9: Robert Wilkinson <u>Playing Field</u> CF2-10: Queen Elizabeth Barracks Sports Ground CF2-11: Strensall Park Playing Fields CF2-12: Northfields/The Village 'Green' CF2-13: Hallard Way CF2-14: Pasture Close CF2-15: Land West of Knapton Close CF2-16: <u>Foss Bank/Chaldon Close/Woodleigh Close</u> CF2-17: West Pit Lane CF2-18: <u>South of</u> Lynwood Close CF2-19: <u>Land at</u> York Road/<u>Toby Court</u> CF2-20: Hollis Crescent CF2-21: Strensall Park '<u>Green</u>' CF2-22: Littlethorpe Close CF2-23: Northfields Allotments CF2-24: New Lane Allotments CF2-25: Strensall and Towthorpe Cemetery CF2-26: St Mary the Virgin Churchyard CF2-27: St Wilfrid's Garrison Churchyard CF2-28: Ox Carr Lane/Flaxton Road/Lords Moor Lane Verges CF2-29: Newton Way/Knapton Close CF2-30: Southfields Road CF2-31: South of Middlecroft Drive CF2-32: Westpit Lane Hedge CF2-33: River Foss – South Bank</p> <p>Revise the second sentence of the policy to read: <u>"The enhancement of a designated Local Green Space to improve its value for amenity, recreation and</u></p>	
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		<p><u>/ or biodiversity will be supported.”</u></p> <p>Revise the boundaries of the areas and numbering on the Proposals Map.</p> <p>Update Appendix 2 to include the revised LGS Assessment submitted in August 2022.</p>	
Heritage & Design	Recommendation 10	<p>Revise paragraph 5.3.6 to read:</p> <p><u>“In addition, the Character Appraisal identified <i>the following local landmarks: Queen Elizabeth Barracks, the listed buildings of St Mary’s Church and the two historic bridges over the River Foss. The design of the recent pedestrian bridge is also noted.</i> These landmarks are of interest as they are intrinsic…….”</u></p> <p>Delete the last two sentences of paragraph 5.3.7.</p> <p>Add the following after paragraph 5.3.7:</p> <p><u>“<i>Conservation Area Appraisals have been approved by CYC for each of the three conservation areas in the plan area. They provide further information on the significance of the conservation areas, heritage features, landmarks, gateways, views and landscaping.</i>”</u></p> <p>Delete reference to “Woodhall Planning and Conservation” throughout the SWTNP.</p> <p>Update the maps in Appendix 4 to show the boundaries of the Character Areas more clearly.</p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy DH1: Promotion of Local Distinctiveness	Recommendation 11	<p>Revise Policy DH1 as follows:</p> <p><u>“<i>Development proposals should have regard to the Strensall with Towthorpe Village Design Statement and Strensall with Towthorpe Character Appraisal. Development should be laid out and designed to make a positive contribution</i>”</u></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p><i>to the local character and distinctiveness of the character area.</i> It should respect the following matters:</p> <p><u><i>“Gardens and open spaces</i></u></p> <p><i>“Gardens and open spaces between buildings that contribute <u>to the rural and visual character</u> of the neighbourhood plan area should be retained. Development that would result in the sub-division of gardens should not harm the <u>local character, distinctiveness</u> and visual amenity.”</i></p> <p>The loss of front or side gardens areas to hardstanding for vehicle parking should be avoided. <u><i>Proposals should not impact on rural and visual amenity or road safety.</i></u></p> <p><u><i>“The openness of the large gardens in Strensall village along the west side of Moor Lane/Princess Road, both sides of Lords Moor Lane (to the north of York Golf Club) and along the north side of The Village shown on the Proposals Map should be maintained.”</i></u></p> <p><u><i>“Open spaces, particularly those designated as Local Green Spaces, should be safeguarded and enhanced.”</i></u></p> <p>“Views</p> <p><u><i>“The impact of development proposals on the key views identified on the Proposals Map should be assessed through a Landscape and Visual Impact Assessment. Development should be designed to incorporate views over adjacent countryside, where appropriate.</i></u></p> <p>Highways and Rights of Way – change “must” to “should”</p>	
<p>Policy DH2: General Design</p>	<p>Recommendation 12</p>	<p>Revise Policy DH2 as follows:</p>	<p>Agree with the modifications for the</p>

<p>Principles</p>	<p>Include a new heading “Heritage Assets” and include the first two points of Scale and Massing revised as follows:</p> <p><u>“Development within or affecting the setting of Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas, Listed Buildings <i>and other designated and non-designated heritage assets should respect the significance of the heritage asset and make a positive contribution to the conservation of the heritage asset. Proposals will be considered in accordance with national and Local Plan policies and will take account of the Conservation Area Appraisals and significance of the heritage assets.</i>”</u></p> <p>Revise the third paragraph second line of Scale and Massing to read: “.....and <u><i>make a positive contribution to local character and distinctiveness of the character area as identified in the <u>Strensall with Towthorpe</u> Character Appraisal. If appropriate</i></u>” Add the following to the end of this paragraph: <u><i>“Buildings of an outstanding contemporary design will be supported.”</i></u></p> <p>Revise the heading “Layout” to “Open Space” and include the following:</p> <p><u><i>“Open spaces shall be provided on site as part of development proposals in accordance with the requirements of the City of York Local Plan. Open spaces should be designed to provide an attractive feature to enhance the appearance of the development a well as provide areas for children’s play, sports and allotments.</i></u></p> <p>Include the two paragraphs from Layout in the Open Space section. Add <u><i>“where appropriate”</i></u> at the beginning of the first paragraph of “Layout”.</p> <p>Revise the second sentence of “Boundary Treatments” to read: <u><i>“Where appropriate, front boundaries should be defined.....”</i></u></p> <p>Add the following to the end of the first paragraph on “Roof Form”: “.....<u><i>or</i></u></p>	<p>reasons set out in the Examiners Report.</p>
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		<p><u>modern materials with a similar appearance.”</u></p> <p>Replace the second paragraph on Roof Form with <u>“Roof forms and materials are expected to match desirable local characteristics, particularly in conservation areas. Plan depth should be sympathetic to desirable existing village plan forms so as to generate familiar pitched roof geometries and roof heights.”</u></p> <p>Add the following to the justification: <u>“Conservation Area Appraisals for the Strensall Village, Strensall Railway Buildings and Towthorpe Conservation Areas provide an assessment of the character of the conservation areas and identify suggestions for future management improvements.”</u></p>	
<p>Policy DH3: General Shop Front Design and Policy D4: Shopfront Signage</p>	<p>Recommendation 13</p>	<p>Combine Policies DH3 and DH4 as follows:</p> <p><u>“1. Where there is a proposal to alter, replace, or create new shopfronts, it will be supported where:</u></p> <ul style="list-style-type: none"> a) <u>the design enhances the scale, qualities and appearance of the building and is in keeping with its surrounding area, in respect to its design, scale, materials and colour;</u> b) <u>Shopfront signage is of a scale, design, materials, finish and position within the fascia to match and be tailored to the building and streetscene, with hand painted signage applied directly to the fascia board particularly encouraged where it achieves this; and</u> c) <u>Lighting is fitted externally and without the use of internal box lighting.</u> <p><u>2. Within Strensall with Towthorpe Conservation Areas, and on buildings identified as heritage assets:</u></p> <ul style="list-style-type: none"> a) <u>Restoration of original shopfronts will be supported. Proposals which set out to remove, replace or substantially harm shop fronts of historic merit will not be supported.</u> 	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

		<p>b) <u>Illumination of signage will be supported where the fittings, wiring and level of illumination is designed to enhance the historic character and appearance of the building and conservation area.</u></p> <p>Move the final paragraph of Policy DH3 on historic photographs to the justification.</p>	
<p>Policy DG1: Strensall Park, Policy DG2: Alexandra Road, Policy DG3: Howard Road</p>	<p>Recommendation 14</p>	<p>Revise Policy DG1 as follows:</p> <p><u>“To be supported, development within the Strensall Park area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:</u></p> <ul style="list-style-type: none"> a) Buildings of two storeys; b) Houses laid out around a narrow highway, with grass verges and trees. The central grassed area with mature trees provides a focal point to the estate and is a key feature; c) Housing set in generous gardens; d) Roofs pitched parallel to street. Flanking walls incorporated with mono-pitched flat roof garage; e) Multiple flue chimneys located on ridge line and at gable ends; f) Constructed of red brick, rendered and painted white, with roofs of modern clay pantiles; g) Upvc doors and window frames; h) Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion; i) Low brick boundary walls and gate piers with stone coping detail. Metal gates at driveway and footpath entrances. <p>Any proposals should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”</p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p> <p>NB: In relation to the Examiners final point (Revise paragraphs 5.4.19 - 5.4.29 to reflect the latest position agreed at the Local Plan Examination on these sites), it was decided to delete these paragraphs as they are now superseded, and add a new sentence to paragraph 5.4.18 to reflect the open space provision at Howard Road, in the</p>

		<p>Revise Policy DG2 as follows:</p> <p><u><i>“To be supported, development within the Alexandra Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:</i></u></p> <ul style="list-style-type: none"> a) Buildings of two storeys and semi-detached; b) Houses on the south side of the street with principal facades to the south (rear); c) Housing set in generous gardens; d) Roofs pitched parallel to street or hipped. Mono-pitched garage roof hidden by small parapet; e) Multiple flue chimneys located on ridge line or located centrally within roof slope; f) Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles; g) Upvc doors and window frames; h) Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion; i) Variety of post and wire fencing and hedge boundary treatments; <p>Any proposals should ascertain that there will be no adverse effects on the integrity of the Strensall Common SAC or SSSI.”</p> <p>Revise Policy DG3 as follows:</p> <p><u><i>“To be supported, development within the Howard Road area, as defined on the Proposals Map, should demonstrate it reinforces the following locally distinctive features:</i></u></p>	<p>City of York Local Plan Proposed Policy Map Modifications January 2023 document.</p>
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		<ul style="list-style-type: none"> a) Buildings of two storeys; b) Houses on south side of the street with principal facades to the south (rear); c) Housing set in generous gardens with mature trees; d) Roofs pitched parallel to street or hipped. Mono-pitched garage hidden by small parapet; e) Multiple flue chimneys located on ridge line or located centrally within roof slope; f) Glazed red brick or red brick, with roofs of modern concrete tiles or pantiles; g) Upvc doors and window frames; h) Large square openings on ground floor with vertical proportioned elements. Remaining openings generally vertical in proportion; i) Variety of post and wire fencing and hedge boundary treatments; <p>Any proposals should ascertain that there will be no adverse effects on the integrity of Strensall Common SAC or SSSI.”</p> <p>Revise paragraphs 5.4.19 – 5.4.20 to reflect the latest position agreed at the Local Plan Examination on these sites.</p>	
<p>Policy DG4: Queen Elizabeth Barracks – Design, Policy DG5: Development Brief for the Redevelopment of the Queen Elizabeth Barracks –</p>	<p>Recommendation 15</p>	<p>Delete Policy DG4.</p> <p>Retitle Policy DG5: Development at Queen Elizabeth Barracks, Strensall</p> <p>Revise the Policy to read:</p> <p>“1. <u>Development at Queen Elizabeth Barracks will be permitted where:</u></p> <ul style="list-style-type: none"> a) <u>It can be demonstrated that it will not have an adverse effect on the integrity of the Strensall Common SAC as justified by an appropriate residential assessment; and</u> b) <u>Residential development, if proposed as part of development at QEB;</u> 	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

Master Planning /
Planning
Principles

- (i) Does not result in a net increase in the current number of units, in order to manage and minimise impacts associated with recreation on the SAC; and
- (ii) Reflects the housing need identified in the City of York Council's latest strategic housing needs assessment and, where viable, includes appropriate provision of smaller properties suitable for older residents and for first time buyers to meet particular neighbourhood housing needs.

- c) Integration and connection with the existing community at Strensall is maintained through retention of the existing sports and community hall provision (shown in figure X) or reprovision of the sports and community floorspace at the site, with provision for wider community access to the newly provided facilities.
- d) The wider impacts of the development on social and community infrastructure in the locality, including education and local retail / services provision, have been assessed and mitigation secured through conditions or planning obligations.
- e) Transport impacts associated with any development can be appropriately managed and mitigated, with priority given to the design of the development to include more sustainable modes of travel, in particular cycling and walking, to be secured through a travel plan.
- f) It can be demonstrated that development has had regard to the following design principles:
 - (i) the incorporation of landscaped areas; and
 - (ii) the retention of mature trees where possible and supplemented by new tree planting where appropriate.

2. A masterplan should be developed for the site reflecting the principles set out in revised Policies DG1-3 and should be informed by a Heritage Assessment, including a photographic record of the site and buildings. This must identify any buildings of historic or architectural interest and demonstrate how proposals would respond to, and where appropriate incorporate these into

		<p><u>the design of the development.”</u></p> <p>Include a diagram within the text to show the location of sports provision and the community hall at the Barracks. These only need to be shown on the Proposals Map where they are referenced under other policies.</p> <p>Show the site on the Proposals Map in accordance with that shown on the updated Proposals Map May 2022, renamed from DG4 & DG5 to policy DG5.</p> <p>Update paragraph 5.4.22 to reflect the outcomes of the Local Plan Examination.</p>	
<p>Policy DG6: Affordable Housing</p>	<p>Recommendation 16</p>	<p>Revise Policy DG6 as follows:</p> <p>Revise the first paragraph of the policy to read: “.....a mix of affordable and <u>market</u> housing..... understanding of local housing need within the Parish <u>in accordance with the latest strategic or local housing needs assessment.”</u></p> <p>Delete the second paragraph. Add new Community Actions: <u>“The Parish Council will seek to ensure that affordable housing is made available to those with a local connection to the Parish in the first instance, in accordance with the local connections criteria set out in Appendix Three.”</u></p> <p>Revise paragraph 5.5.5 to refer to the latest data on housing need. Delete paragraph 5.5.1.</p> <p><u>“5.5.5: The City of York Council’s Local Housing Needs Assessment (2022) sets out the latest evidence of the property size and tenure needs across the City. It confirms, for example, that the focus of affordable home ownership and affordable rented provision should be on 2-bed properties. However, the mix applied to individual development sites should also be informed by the nature and character of the area, along with understanding of the existing mix and</u></p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

		<p><u>turnover of properties within the Parish.”</u></p> <p>Delete “and 3 properties in the rear gardens of 5/6 Northfields” from paragraph 5.5.6.</p>	
<p>Community Infrastructure Levy</p>	<p>Recommendation 17</p>	<p>Revise the text in section 7 to read:</p> <p><u>“7.1 The Community Infrastructure Levy (CIL) Regulations were introduced in 2010 by the government to help pay for infrastructure to support development. In June 2022, the City of York Executive agreed to move forward with a CIL for York.</u></p> <p>Paragraph 7.2 unchanged.</p> <p>“7.3 The Community Infrastructure Levy Regulations 2010 <u>(as amended)</u> makes clear that 15%, or up to a maximum of £100 per new house, of any CIL collected by a local planning authority must be paid to the Parish Council in the area in which development takes place. Following adoption of a neighbourhood plan, the amount to be paid to the Parish Council increases to 25% <u>(uncapped)</u> of the levy revenues.</p> <p><u>“7.4 This money can be spent more widely than on infrastructure – but must be used to address the demands that development places on the area.</u> This means Strensall with Towthorpe Parish Council is free to spend the money on projects that will directly benefit the neighbourhood area as long as the money supports growth of the settlements.</p> <p>Delete first sentence of paragraph 7.5 and add the second sentence: “Through the current consultation, the Parish Council would like to understand priorities for improvements to infrastructure and what community priorities exist for improvements to the village.” to paragraph 7.4.</p> <p>Delete paragraphs 7.6. 7.7 and 7.7.1.</p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

		7.8 and 7.8.1 unchanged.	
Appendix 2: Local Green Space	Recommendation 18	Replace with the revised Local Green Space Assessment submitted in August 2022. The Appendix should also include clear maps to show the boundary of each site and photographs where available.	Agree with the modifications for the reasons set out in the Examiners Report.
Appendix 3: Local Connections Criteria For Affordable Housing	Recommendation 19	<p>Revise Appendix 3 as follows:</p> <p><u>“Remaining in perpetuity for local people <i>notwithstanding any statutory provisions such as the Right to Buy or Right to Acquire.</i>”</u></p> <p>“In support of meeting local affordable housing requirements, any new affordable housing is expected to be allocated to those with <u><i>an assessed housing need</i></u> and local connection to Strensall or Towthorpe in the first instance.”</p> <p>Make the family connection more explicit: <u><i>“Has a close family member (mother, father, adult son, adult daughter, adult brother, adult sister): currently residing in the partnership area and who has been a resident for the last 5 years and with whom they have an established close relationship.”</i></u></p> <p>Make ‘other special circumstances more explicit: <u><i>“Have an essential need to live close to another person, who currently lives in the area, and who has been resident for the last 5 years, to provide or receive essential daily care or support.”</i></u></p>	Agree with the modifications for the reasons set out in the Examiners Report.

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City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Economy and Place		
Service Area:	Strategic Planning Policy		
Name of the proposal :	Strensall with Towthorpe Neighbourhood Plan – Examiner’s Report		
Lead officer:	John Roberts, Strategic Planning Policy Officer		
Date assessment completed:	13/2/23		
Names of those who contributed to the assessment:			
Name	Job title	Organisation	Area of expertise
Sandra Branigan	Senior Solicitor	City of York Council	Legal

Step 1 – Aims and intended outcomes

1.1	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p><i>The proposal is brought forward by the Strategic Planning Policy team on behalf of Strensall with Towthorpe Parish Council in conformity with Neighbourhood Planning (2012) Regulation 18. The Strensall with Towthorpe Neighbourhood Plan Area was designated (to include the whole Parish area) following consultation, in January 2016, but was extended in June 2018 to include the length of Towthorpe Moor Lane (outside the Parish area) to its junction with Malton Road. The neighbourhood plan area was designated to enable a Neighbourhood Plan to progress for the Strensall with Towthorpe Parish Area. The Neighbourhood Plan has been developed, consulted on and examined by an independent examiner and found to meet the legislation requirements. This proposal is for the Neighbourhood Plan to proceed to referendum in line with the Examiner's modifications and Neighbourhood Planning Regulations. The referendum will determine in the Neighbourhood Plan is made part of the City of York's development plan. Where more than 50% of those taking part in the referendum vote in favour of the plan, it will become part of the development plan. Those who are invited to take part in the referendum, live in the planning area.</i></p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p><i>The council's duties under the Equalities Act 2010 and the Human Rights Act 1998 are key considerations. The proposals also need to be considered in light of Neighbourhood Planning Regulations (2012).</i></p>
1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p><i>Stakeholders include people who live, work or undertake business in the Strensall with Towthorpe Neighbourhood Planning area, alongside consultation bodies referred to in paragraph 1 of Schedule 1 of the Neighbourhood Planning Regulations (2012).</i></p>

1.4	<p>What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.</p>
	<p><i>The Strensall with Towthorpe Neighbourhood Plan is required to be in conformity with the National Planning Policy Framework (NPPF) and the local Development Plan which comprises of the emerging Local Plan (Publication Draft Local Plan 2018). The proposals seek to support the Council Plan (2019-2023) with respect to:</i></p> <ul style="list-style-type: none"> • <i>Well-paid jobs and an inclusive economy</i> • <i>A greener and cleaner city</i> • <i>Getting around sustainably</i> • <i>Good health and wellbeing</i> • <i>Safe Communities and culture for all</i> <p><i>With respect to the emerging Local Plan, the proposal seeks to support:</i></p> <ul style="list-style-type: none"> • Policy DP2: Sustainable Development • Policy DP3: Sustainable Communities • Policy SS1: Delivering Sustainable Growth for York • H10: Affordable Housing • Policy HW2: New Community Facilities • Policy ED6: Preschool, Primary and Secondary Education • Policy D1: Placemaking Policy • D11: Extensions and Alterations to Existing Buildings • Policy D12: Shop fronts • Policy CC1: Renewable and Low Carbon Energy Generation and Storage • Policy CC2: Sustainable Design and Construction of New Development • Policy T1: Sustainable Access • Policy T5: Strategic Cycle and Pedestrian Network Links and Improvements • Policy T8: Demand Management

Step 2 – Gathering the information and feedback

2.1	<p>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>
<p>Source of data/supporting evidence</p>	<p>Reason for using</p>
<p>Regulation 19 Local Plan and Local Plan Evidence Base</p>	<p>The Regulation 19 Local Plan was assessed under an Equalities Impact Assessment (EqIA) and the Neighbourhood Plan has been developed to comply with the Regulation 19 Local Plan.</p>
<p>National Planning Policy Framework: Equality Impact Assessment, July 2018</p>	<p>The updated NPPF was assessed under an Equalities Impact Assessment (EqIA) and the Neighbourhood Plan has been developed to comply with the National Planning Policy Framework.</p>
<p>Strensall with Towthorpe Neighbourhood Plan Consultation Statement</p>	<p>Details the extensive consultation undertaken with the community, including people who live, work, and visit within the Plan area, including comments and responses to all stages of consultation undertaken. The consultation has informed the development of the Neighbourhood Plan.</p>
<p>Strensall with Towthorpe Neighbourhood Plan Evidence Base</p>	<p>These documents have informed the consultation that has taken place with the community.</p>

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.		
Gaps in data or knowledge		Action to deal with this	
n/a		n/a	

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	No impacts identified	0	n/a
Disability	Policy DH1 ‘Promotion of Local Distinctiveness’ aims to promote accessibility and connectivity through public rights of way.	+	M

Gender	No impacts identified	0	n/a
Gender Reassignment	No impacts identified	0	n/a
Marriage and civil partnership	No impacts identified	0	n/a
Pregnancy and maternity	No impacts identified	0	n/a
Race	No impacts identified	0	n/a
Religion and belief	No impacts identified	0	n/a
Sexual orientation	No impacts identified	0	n/a
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	No impacts identified	0	n/a
Low income groups	No impacts identified	0	n/a
Veterans, Armed Forces Community	Whilst the neighbourhood plan recognises the potential for redevelopment of the MOD site at Strensall, following the Defence Infrastructure Review (2016), the closure of sites and any impact on the armed forces community is beyond the remit of the neighbourhood plan.	0	n/a
Other	n/a, no other groups identified	n/a	n/a

Impact on human rights:		
List any human rights impacted.	<p>The Convention rights applicable are:</p> <ul style="list-style-type: none"> • Article 8 - protects the right of the individual to respect for their private and family life, their home and their correspondence. The private life part of this right covers things like wellbeing, autonomy, forming relationships with others and taking part in our community. • Article 14 - protects the right to be free from discrimination when enjoying other rights, such as Article 8. <p>The equalities impact assessment identifies some positive impacts as a result of the aspirations set out within the neighbourhood plan.</p>	

Use the following guidance to inform your responses:

Indicate:

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

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

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

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
The neighbourhood plan supports some positive impact measures contained with the Local Plan. These positive impacts will be optimised through the community actions identified in the neighbourhood plan alongside policies in the plan which stipulate further public consultation. The plan will also be subject to annual monitoring and periodic review.	

Step 6 – Recommendations and conclusions of the assessment

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

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

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

Option selected	Conclusions/justification
No major change to the proposal	The EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impacts. Opportunities to advance equality and foster good relations will be applied throughout the Strensall with Towthorpe Neighbourhood Plan.

Step 7 – Summary of agreed actions resulting from the assessment

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

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	It is anticipated that Strensall with Towthorpe Parish Council will annually monitor the Neighbourhood Plan with periodic review.

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Executive**16 March 2023**

Report of the Corporate Director of Adult Social Care and Integration

Children's Mental Health – Review**Purpose**

1. This is an update report following a member scrutiny review (Annex 1) that was presented to the CEC scrutiny meeting in May 2022. The Scrutiny Task Group highlighted several areas for consideration and improvement.

Background

2. Following the recent CQC Inspection and subsequent discussion at Scrutiny in May 2022, the council has worked closely with health and wellbeing partners to put in place several different interventions that support children and young people's mental health – with a focus on early intervention to prevent crisis later.
3. Commissioners across Health and Social Care have been working with providers to continuously improve Mental health services across children and young people's services.
4. We have embedded the i-thrive model across mental health commissioning ensuring that services that are commissioned support early intervention approaches, focussing on emotional and psychological wellbeing approaches that are evidenced based.
5. To better understand how children and younger people's mental health post-covid, during 2022 Public Health colleagues completed a schools survey asking children and young people about how they were feeling and specific questions around mental health as well as emotional and psychological wellbeing.
6. Using evidence gained through this survey and recommendations put forward from a CQC inspection, TEWV have completed an improvement plan alongside a clear action plan – including

- Improved early intervention and prevention services,
 - Improve and extending access to mental health services joining up commissioning to reduce duplication
 - System approach to trauma informed care
 - Effective management of risk
 - Improve levels of engagement and co-production with Children and young people
 - Workforce development and integrated delivery where possible
7. TEWV have recruited a new Operations Director for York and surroundings areas who is working closely with health and social care commissioners as well as other providers and operational teams to continuously improve mental health services, specifically CAMHs.
 8. A Children's and Young People Mental Health Leadership Delivery Group (CYPMHLG) comprises of several partners including the Integrated Care Partnership (ICS), Community and Voluntary Sector and Public Health involved in commissioning, assessment, and delivery has been established. This group is specifically overseeing the delivery of the Children and Young People (CYP) Long-Term Plan and mental health pathways and a clear communication plan. The group will also ensure services being delivered in York continually improve.
 9. The ICS are working with TEWV through its contractual processes to reduce assessment waiting times in CAMHs as well as ensuring referrals into services are sign posted to the right service. Work is ongoing with schools and primary care around right referral pathways into the right services.
 10. Following evidence collected through the school's survey as well as data from the population hub, commissioners can get a better understanding of need. Data clearly showed gaps in access to services for children seeking psychological support from the ages of 12yrs upwards.
 11. As a result of identifying this gap, from September 2022 the Council working closely with the ICS at Place level and community voluntary sector providers commissioned counselling and wellbeing services

for 12yrs-19yrs and 19yrs -25yrs. This service has been received well and more than 60 children have accessed counselling hours with others accessing digital online modules. These services enable young people to access the right service at the right time reducing inappropriate referrals in CAMHs, whilst providing essential services for younger people seeking psychological support.

12. Work is ongoing to deliver the CYP Mental Health Plan and the Council has appointed an All-age Head of Commissioning and Contracting with significant experience of commissioning across children's, transitions (through school and into adulthood) and adults to ensure timescales for delivery is met.
13. Further work with Nimbus Care to provide a digital offer for GPs to refer families to if there are concerns regarding a young person's mental health is ongoing.
14. The CYPMHLG is also working with key partners to develop joined up performance dashboards, this will enable a whole system approach to delivery and have early sight of the evidence and data to understand gaps in delivery.
15. Through the i-thrive model, Health and Social care commissioners are looking to continue to invest in early intervention and prevention services, enabling young people and families to access getting help and getting more services at the right time and the right place to reduce deterioration in the younger person's mental health and wellbeing. The i-thrive model specifically builds on early support to reduce the need for crisis intervention.
16. In May 2022 the CEC scrutiny made several recommendations and the following provides an update on each recommendation together with achievements over the last 9 months:

Update on Scrutiny Recommendations

Recommendation 1

Completion of a joined-up data set of information for Children and Young People within SEND and Mental health services.

- The Council continues to work closely with partners, we now have a joint SEND dashboard in place that captures information on children and young people across health and care service.

- There is a dynamic support register across adults and children's and ongoing conversations are being had to ensure a seamless approach to the dynamic support register, specifically around transitions. This is led by ICS colleagues and further work will progress to ensure whole system access.
- Through the CYPMHLG partners are exploring building joined up mental health performance dashboards enabling sharing of information around service delivery as well as informing future commissioning decisions.

Recommendation 2

Executive Members work with the newly formed ICB and ICS, TEWV, CAMHS and council officers in public health as well as any other relevant bodies to implement a common child reference number system across all services in York.

- NHS numbers are frequently used to identify a young person across the health and social care system.
- Work is ongoing regarding a single care record that will support the system across primary care secondary care and the local authority. This work is being led on a HNY level through the ICB digital programme.

Recommendation 3

The Executive Member for Children, Young People and Education explores investing in early help, prevention services and peer support interventions, as recommended by participants at the joint scrutiny review such as the York Mind Project to develop a website for good self-help.

- There has been further investment into early help and prevention services with York Mind.
- Further work is ongoing to support the further enhancement of peer support.
- Work has also begun to build on the current York Mind web? project. There are a range of digital guides available on the website for young people to access as well as face to face meeting.

Recommendation 4

The Executive Member for Children, Young People and Education works with commissioners to support enhancing and redesigning pathways, investing in opportunities to commission services that would reduce the 'bottle neck' when children report mental ill-health and have to wait for long periods without support before it is made available to them. (This could be done by providing financial support to CAMHS, School Wellbeing Service and York Mind Counselling services.)

- Commissioners have worked closely with the Portfolio Lead Member for children services and the Portfolio Lead Member for adults to ensure early intervention mental health services are commissioned to support children and young people.
- Due to gaps in available provision additional referrals into CAMHs resulted in some of the delays on waiting list. Following this analysis and building on the Public Health schools survey, health and social care commissioners have commissioned a 12ys-19yrs and 19-25yrs service to support children and young people to access the right support at the right time. This service supports children and young people access services for psychological and emotional wellbeing. The service assesses young people's needs and offers a bespoke service.
- Since September this service has provided over 485hrs of counselling to 60 young people. The service will run for two years, and we will continue to monitor on a quarterly basis. Feedback from young people using the service has been positive and many referrals into the system have been through friends and family. the council is committed to support early intervention and prevention services that result in improve outcomes for our children and young people
- The ICS continues to work with TEWV regarding waiting list reduction, and have been successful in additional bids to support more schools with the mental health in schools' service
- The Council continues to work closely with the ICB commissioning leads both regionally and through the York Place Partnership to support joined up commissioning and delivery approaches.

Recommendation 5

That CYC's representative on the ICB makes the case for significant investment in Children's Mental Health Services in York building on the i-thrive Model.

- The Head of All-age Commissioning is part of the Joint Commissioning Board that's supports the Commissioning of Health Services locally. He will be leading on the implementation of the CYPMH plan alongside the ICS children and young people ICS commissioner. This plan builds on the i-thrive Model which focuses on early intervention to prevent crisis later on.
- The Corporate Director of Adults and Integration and Corporate Director of Children and Education met with the TEVW Director of Operations to ensure that services are delivered using population data and which are relevant to the needs of York.
- We continue to work with regional ICS partners to ensure that the population of York are clearly sighted within future investment planning based on informed data.

Recommendation 6

In partnership with relevant stakeholders, CYC will develop a Children's Mental Health Plan for York, as part of the development of an All-Age Mental Health Strategy for York. The All-Age Mental Health Strategy recognises the importance of parental mental health on the well-being of the child.

- A Mental Health Delivery Plan is being finalised and will be agreed through the CYPMHLG. This plan will cover an All-age Mental Health Strategy.
- The strategy will be co-produced with children and young people and their families as well as adults. Work will begin on this in the new financial year with updates presented in line with governance process

Council Plan 2019 - 2023

17. The update on the recommendations put forward in the May 2022 report will meet the aims of the Council Plan which are to improve the quality of life for residents by supporting good health and well-

being and by providing a better start for Children and Young People in York.

Implications – None at this stage.

Human Resources (HR) – None

Equalities - An EIA (Equalities Impact Assessment) to follow.

Legal – None

Information Technology (IT) – None

Crime & Disorder – None

Sustainability – None

Risk Management – None at this stage.

Recommendations

The Executive is asked to consider the Scrutiny Committee's recommendations (set out in Annex 1), taking into account the update given against those recommendations in this report and noting the progress made so far. The council will continue to further develop joint partnerships and seamless services to ensure early intervention and prevention is embedded in practice as well as commissioning strategies.

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Report Approved ✓ **Date** 07/03/2023

Wards Affected:

All

For further information please contact the author of the report.

Background Papers

none

Annexes

Annex 1 Children, Education and Communities Policy and Scrutiny
Committee Scrutiny Report: Children's Mental Health –
Review of Referral System

Abbreviations:

CYP	Children and Young People
CAMHS	Children and Adolescent Mental Health Service
TEWV	Tees Esk Wear Valley
VCS	Voluntary and Community Sector
ICS	Integrated Care System
CYPMHLG	Children and Young People Mental Health Leadership Group

**Children, Education and Communities Policy
and Scrutiny Committee****3 May 2022****Children's Mental Health – Review of Referral System****Purpose**

1. This is the final report of the Scrutiny Task Group appointed to review the above with the aim of acquiring a better understanding of the current mental health referral system for young people in York. The primary objectives being to assess how it worked and recommend any appropriate improvement to outcomes for young people and their families.
2. The report makes recommendations to this Committee to put forward to the Executive.

Background to the topic

3. One in six school-age children in the UK has a diagnosable mental health problem. This is an alarming rise from one in ten in 2004 and one in nine in 2017 (NHS Digital 2020.) Two thirds of children with a mental health problem have had contact with professional services with teachers being the most commonly cited source, 48.5 % (NHS Digital, 2018).

[CYP mental health fact sheet 2021.pdf \(centreformentalhealth.org.uk\)](#)

4. Councils have a range of duties and responsibilities to promote the health and wellbeing of children and young people (CYP) in their area. These include the prevention of mental illness via reducing known risk factors, the promotion of mental health and its protective factors and where appropriate, assessment and treatment under the Mental Health Act 1983.
[A whole household approach to young people's mental health: A 'must know' guide for local councillors | Local Government Association](#)

5. The Local Government Association held an online national workshop on 22 March 2021 where the voice of young people was captured by the following question:

‘What would be your ‘top ask’ of local councillors / decision-makers?’

The answers were as follows:

- Invest in youth services.
- To have a holistic approach to include CYP’s academic / employability needs.
- Provide 1:1 counselling.
- Highlight positive role models / mental health advocates / local champions.
- Make services inclusive for all.

Background to the review

6. In February 2020 scrutiny officers wrote a scoping report to agree the terms of reference for a review into youth mental health focussed on issues surrounding self-harm.
7. The scrutiny topic was then put on hold due to the covid-19 pandemic and revisited in the summer of 2021 with a renewed focus on the effect of the covid-19 pandemic as well as the referral process for children and their families for issues around mental health.
8. It became clear that part of the problem around the referral process was the difficulty in collecting relevant and comparable data from the numerous different agencies involved in supporting children and young people. This difficulty makes it more complex to spot where limited resources need to be placed at any one time by the different agencies involved.
9. The scrutiny sub-committee interviewed a range of individuals and groups to gain information around the areas outlined above. Interviewees included the following:
- A young person from Show Me That I Matter (the Children and Young People in Care council).
 - The manager of the Clinical Commissioning Group (CCG).
 - The council’s senior Educational Psychologist.
 - The School Well-Being Service.
 - Children and Adolescent Mental Health Service (CAMHS)

- City of York Council's Inclusion Officer.
 - The 'Not in Education, Employment or Training' (NEET) report was used for information as well.
10. The Chair of Children, Education and Communities (CEC) Policy and Scrutiny Committee approached the Chair of Health and Adult Social Care (HASC) Policy and Scrutiny Committee, who agreed to put the suggestion of a Joint Scrutiny to his committee. This resulted in Cllr. Vassie and Cllr. Heaton joining the review group.
11. A Joint Committee of the CEC and HASC Policy and Scrutiny Committees was therefore commissioned and took place on 28 February 2022 to highlight the findings of the group and receive reports from council officers regarding the mental health provision for young people in the City. This meeting was also addressed by York Mind and young people working with York Mind.
12. This work has led to the following findings:
- There is a surge of demand for mental health services mainly affecting Primary Care and the Voluntary Sector.
 - Eating disorders are on the rise amongst children in York.
 - Complexity and acuity of referrals has increased and this is putting a lot of pressure on secondary care clinical staff.
 - The impact of covid-19 will last for a long time.
 - Data is not yet available: public health data hub is working on a health dataset across the City with the intention of demonstrating data at ward level.
 - Data on numbers of referrals/ types of cases across York is not routinely available from the specialist CAMHS provider.
 - Pressure to achieve academically can have a detrimental impact on young people's mental health in York.
 - Young people feel that waiting times for services are too long and that this in itself has a negative impact on their mental health.
 - Social media impacts on young people's perceptions of themselves and others and this can have a negative impact on their mental health.

- Children and Young People in Care felt that their situation led to additional stress and that a lack of consistency of social workers exacerbated this problem.
- Mental Health provision is not provided by one body but by multiple in different ways and as such there is little clarity over which bodies are responsible for delivering what service and this can lead to children being passed between different services without a clear plan or understanding as to why.
- There is a paucity of data. The current arrangements for data collection and analysis by with Tees, Esk and Wear Valley NHS Foundation Trust (TEWV) means it is difficult to see the patient improvement journey and this could be important to attract more funding to the area.
- There is no common data set – NHS/CCG, CYC and VCS sectors all have their own – again this could be important to attract more funding to an area.
- The school-wellbeing service is supporting a lot of low level cases and is now working over-capacity.

Options

13. In terms of this review, the Committee can:
- A. choose to accept all of the recommendations presented to it; or
 - B. amend or remove any of the recommendations it wishes; or
 - C. decide to reject all of the recommendations if it wishes.

Analysis

14. Option A represents a plan to provide additional support to the mental wellbeing of children in York, option B could add to the original recommendations and not detract from them, whereas option C would achieve nothing.

Council Plan 2019-2023

15. The recommendations contained within this report will meet the aims of the Council Plan which are to improve the quality of life for residents by supporting good health and well-being and by providing a better start for Children and Young People in York.

Implications

16. **Financial** - There are several opportunities to provide funding to support children and young people outlined below, this could be done by CYC alone or with the help of NHS or other relevant bodies.
- Additional investment in the school well-being service: the Schools Forum will be asked in May to reinvest £105K into the service (their funding contribution ends in March 2023), and there is scope for further broadening of the offer as a pathway with the well-being in mind team
 - Supporting CAMHS and Occupational Therapy support with the aim to reach into community setting/schools – with the aim of developing stronger relationships around mental health and developing a community offer. One post would cost around £37K plus 30% oncosts.
 - Increasing investment in York Mind counselling to make it sustainable (~£60k): currently they are funded for 16-23, short term funds have been put into the service to expand this to the 13-15 age group.
 - Development of a website for good self-help – York Mind is currently funding this, in co-production with children and young people. This will need oncosts servicing and it would be worth working with York Mind to explore what is needed to make this sustainable.

Human Resources (HR) None

Equalities - An EIA (Equalities Impact Assessment) will be developed for the Executive Report.

Legal None

Information Technology (IT) None

Crime & disorder None

Sustainability None

Other implications - The more investment in place for prevention services the more likely it is that CYC and partners will save money in the long term.

Risk Management

17. Whilst there are no direct risks associated with the recommendations of this review, it would be fair to say without early intervention to address the mental health issues identified in the course of this review, there is a risk that young people will continue to feel overwhelmed, anxious and stressed. This may impact on their educational achievements, lifestyle choices and future outcomes.

Recommendations

18. Members are asked to consider the recommendations below and provide any necessary feedback or comments to support the outcomes of the Joint Scrutiny.
 - i. That the Executive Members for Health and Adult Social Care and Children, Young People and Education work with the newly formed Integrated Care Board (ICB) as the responsible commissioning body, Integrated Care Partnership and the City of York Health and Care Alliance which has been operating in shadow form for 2 years in anticipation of the ICB setting up (and should have powers and a budget delegated from the ICB) ,TEWV, CAMHS and council officers in public health, as well as any other relevant bodies, to produce an appropriate data set including key performance indicators and key risks on Children's mental health in the York area. This data set should then be reported to the Executive Members and the members of the Children, Education and Communities Scrutiny Committee on a quarterly basis.
 - ii. That the Executive Members, identified above, work with the newly formed ICB and ICS, TEWV, CAMHS and council officers in public health as well as any other relevant bodies to implement a common child reference number system across all services in York.
 - iii. That the Executive member for Children, Young People and Education looks to invest in early help, prevention services and peer support interventions, as recommended by participants at the joint scrutiny review such as the York Mind Project to develop a website for good self-help
 - iv. That the Executive member for Children, Young People and Education works with commissioners to support enhancing and redesigning pathways. To invest in opportunities to commission services that would reduce the 'bottle neck' when children report

mental ill-health and have to wait for long periods without support before it is made available to them. This could be done by providing financial support to CAMHS, School Wellbeing Service and York Mind Counselling services.

- v. That CYC's representative on the ICB makes the case for significant investment in Children's Mental Health Services in York building on the iThrive model.
- vi. That CYC, in partnership with relevant stakeholders, develop a Children's Mental Health Plan for York, as part of the development of an All Age Mental Health Strategy for York. The All Age Mental Health Strategy recognises the importance of parental mental health on the well-being of the child.

Reason: To support the mental health and wellbeing of children and young people in York and to meet the aims of the Council Plan.

Contact Details

Authors:

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Cllr D Heaton
Cllr C Vassie
Cllr R Webb

Chief Officer Responsible for the report:

Not applicable - Member Scrutiny Review

**Report
Approved**

n/a

Date 03 May 2022

Wards Affected:

All

For further information please contact Democratic Services.

Background Papers None

Abbreviations

CYP	Children and Young People
CAMHS	Children and Adolescent Mental Health Service
CCG	Clinical Commissioning Group
NEET	Not in Education, Employment or Training
CEC	Children, Education and Communities Policy and Scrutiny Committee
HASC	Health and Adult Social Care Policy and Scrutiny Committee
TEWV	Tees Esk Wear Valley
CYC	City of York Council
VCS	Voluntary and Community Sector
ICS	Integrated Care System
ICB	Integrated Care Board



Executive**16 March 2023**

Report of the Director of Public Health

Portfolio of the Executive Member for Adult Social Care and Public Health

Re-procurement of Sexual Health and Contraception Services**Summary**

1. Since 1st April 2013, local authorities have been mandated to ensure that free comprehensive, open access and confidential sexual health and contraception services are available to all people in their area. The requirement for Genito-Urinary Medicine (GUM) and Contraception and Sexual Health (CaSH) services to be provided on a free, open access basis is stipulated in the Health and Social Care Act 2012 and associated regulations. Since 2020/2021 local authorities are also required to ensure access to Pre-Exposure Prophylaxis (PrEP) to reduce the risk of HIV.
2. Sexual health and contraception services are funded out of the Local Authority Public Health Grant Allocation.
3. During 2013/14 and again in 2018/19 the council's public health team, together with colleagues in finance, legal and procurement, invested considerable time and effort on the redesign and re-procurement of an integrated sexual health service with the contract being offered to the sole bidder on each occasion, York and Scarborough Hospital NHS Trust (the "Trust"). The current Integrated Sexual Health Services ("ISHS") contract is in place until 30th June 2024.
4. In addition, the council's public health team jointly commission Long Acting Reversible Contraception ("LARC") in GP Practices with the NHS Humber and North Yorkshire Integrated Care Board (formerly NHS Vale of York Clinical Commissioning Group) under a Section 75 Partnership Agreement. The Council is the lead

commissioner under this agreement. The Council currently hold a contract with Nimbuscare Ltd for the provision of these LARC services. This contract is in place until 30th June 2024.

5. Under the proposals set out in this report, the Council will give notice to the NHS Humber and North Yorkshire Integrated Care Board to end the Section 75 Partnership Agreement for provision of LARC and not renew the contract with Nimbuscare Ltd when it is set to end on 30th June 2024. The Council's ongoing LARC responsibilities will then be integrated into a single Integrated Sexual Health Services contract for the provision of a full range of contraception.
6. The report sets out three options for Executive Members to consider with the preferred option the Council entering into a Section 75 Partnership Agreement with York and Scarborough Hospital NHS Trust as the current provider. This is considered to be the best option that will lead to the Council obtaining best value for money whilst meeting its statutory duties and securing a sustainable, clinically safe and effective sexual health and contraceptive service across the York health and public health system for the future. It will also allow for efficiencies by having just one contract for the Council to manage.
7. Whichever option for re-procurement Members choose the proposal is to enter into new contractual arrangements for up to 10 years to ensure stability and sustainability of this crucial public health service. Annual reviews of performance and delivery of outcomes will be built into the contract to ensure that the service continues to offer the council value for money. The contract will also have appropriate clauses in place to end the contract early if there are significant concerns about performance or other reasons.
8. Local authorities have a statutory responsibility to commission specialist sexual health services for their population. This includes HIV prevention, sexual health promotion, open access genitourinary medicine and contraception services.
9. The proposal is for the Council to enter into a contractual agreement with the Trust for an initial 4 year term with the option to extend for 4 years and an option to extend for a further 2 years up to a maximum of 10 years. Extensions will be based on

performance related quality measures and delivery of key health outcomes. This is considered the option which will lead to the Council obtaining best value for money whilst meeting its statutory obligations and provide a clinically safe and effective service for its residents.

Recommendations

10. Executive Members are asked to:
 - a) Approve Option Three to commence negotiations and enter into a Section 75 Partnership Agreement with York and Scarborough Hospital NHS Trust under Section 75 of the National Health Services Act 2006 and to delegate to the Director of Public Health (in consultation with the Director of Governance or his delegated officers) the authority to take such steps as are necessary to agree, award and enter the resulting agreement to commence from 1st July 2024.
 - b) In the event that the Section 75 arrangements at (a) cannot be agreed or are not viable, in consultation with the Executive Member for Adult Social Care and Public Health, to approve the carrying out of an appropriate procurement process and to delegate to the Director of Public Health (in consultation with the Director of Governance or his delegated officers) the authority to take such steps as are necessary to procure, award and enter into the resulting contract.
 - c) Approve the establishment of a Joint Management Board between the Council and the Trust to oversee the development of the Section 75 Partnership Agreement and develop a joint accountability framework.
 - d) Delegate authority to the Director of Public Health to manage the contract, monitor performance and outcomes including any variations and planned extensions in consultation with appropriate council officers and the Executive Member with the portfolio for Public Health as per City of York Council policy and procedures.
11. Reason: Entering into a Section 75 Partnership Agreement with York and Scarborough Hospital NHS Foundation Trust will allow the Council to continue to work collaboratively to deliver a high quality and trusted sexual health service that meets the needs of

residents. This approach will secure the future of the service provision at a time of constrained budgets and workforce challenges and ensure that the service is sustainable over the next 10 years.

Background

12. City of York Council became responsible for commissioning sexual health and contraception services when responsibilities for public health functions were transferred to the council in April 2013.
13. Sexual health and contraception services are funded by the local authority ring-fenced Public Health Grant Allocation. The Department of Health sets out a number of conditions for use of the public health grant. Local authorities are required to submit performance monitoring reports on sexual health outcomes as part of the Public Health Outcomes Framework.
14. Sexual health is an important area of public health. Most of the adult population are sexually active, including many young people, so access to high quality, safe and effective sexual health services improves the health and wellbeing of individuals, families and communities, for example by the prevention and management of sexually transmitted infections.
15. Access to safe and effective contraception provides people with a choice when it comes to their reproductive health and family planning and again helps to promote good health and wellbeing.
16. Sexual ill-health is not equally distributed within the population. Strong links exist between deprivation and sexually transmitted infections, teenage conceptions and terminations of pregnancy with the highest burden borne by women, men who have sex with men (MSM), young adults and black and minority ethnic groups. Some groups at higher risk of poor sexual health may experience stigma and discrimination which can affect their ability to access services.
17. An integrated sexual health and contraception service aims to improve sexual health by providing non-judgemental and confidential services, to people of all genders and sexuality, through open access and in settings where sexual health and contraception needs can be met at a single site, often by one health professional in a single visit.

18. The national guidance for sexual health services that local authorities are mandated to provide include:
- Promotion of good sexual health through primary prevention
 - The provision of a full range of contraceptives
 - Rapid access to open access testing, treatment and management of sexually transmitted infections
 - Reducing late diagnosis of HIV
 - System leadership across the sexual health economy

Long Acting Reversible Contraception (“LARC”)

19. The responsibility for LARC is complex with local authorities responsible for the fitting of LARC for contraception purposes and the NHS responsible for fitting LARC for gynaecological reasons i.e. heavy menstrual bleeding.
20. The Council currently has a Section 75 Partnership Agreement with NHS Humber and North Yorkshire Integrated Care Board (ICB), formerly the NHS Vale of York CCG, by which the Director of Public Health acts as the lead commissioner for LARC. The Council holds a contract with Nimbuscare Ltd for this service, this is set to end on 30th June 2004.
21. Under the proposals set out in this report, the council will give notice to the ICB on the Section 75 Partnership Agreement for LARC and the ICB will take back responsibility for LARC for gynaecological reasons. This will allow the Council to enter into a Section 75 arrangement for all integrated sexual health and LARC statutory duties and simplify the process for collaboration with the Trust for a fully integrated sexual health and contraception service.

Consultation

22. Extensive consultation has been undertaken during the period September 2022 to January 2023 involving service users, the public, soft market testing with potential service providers and wider stakeholders. This includes:
- Local Sexual Health Needs Assessment
 - Engagement event held on 25 October 2022 with potential providers together with a market survey

- A service user survey
 - Stakeholder survey
 - Health and Social Care Policy and Scrutiny Committee
23. The key findings show overall support for an integrated sexual health and contraception service and support for commissioning the service through putting in place a Section 75 Partnership Agreement. Stakeholders have also highlighted the advantages of a system wide partnership approach across primary care, community pharmacies, schools and the hospital etc on the development of shared care pathways and referral to improve access to and uptake of the service.

Options

24. There are three options for Members to consider:

Option 1: Do not approve either a re-procurement process or Section 75 approach.

Option 2: Approach the market to re-procure sexual health services for York through competitive tender.

Option 3: Give approval for City of York Council to enter into a Section 75 Partnership Agreement with York and Scarborough Hospital NHS Trust for provision of an integrated sexual health and contraception service, with approval to run a procurement in the event a Section 75 agreement is unable to be concluded with the Trust.

Analysis

25. **Option 1:** Do not approve the re-procurement process or a Section 75 approach.

This option would mean that the Council will not fulfil its statutory duty as set out in the Health and Social Care Act (2012). Failure to ensure that the York has safe and effective sexual health and contraception services would have negative consequences for the health of residents. Some of the consequences include increasing levels of sexually transmitted infections, increasing numbers of unplanned and unwanted pregnancies including teenage pregnancies, increase in long-term preventable health conditions and preventable deaths.

Therefore, this option is not recommended.

26. Option 2: Approach the market to re-procure sexual health services through competitive tender.
27. The advantage of this option is that it will allow the Council to assess the market and seek to ensure that the sexual health and contraception service is value for money through the tender process.
28. However, this option also has a number of disadvantages and risks. The Council has gone out to the market to re-procure an integrated sexual health service on two occasions, in 2013/2014 and 2018/2019 since the commissioning responsibility transferred to local authorities in April 2013. On both occasions York and Scarborough Hospital NHS Trust has been the only provider to submit a bid to deliver the service. Although other potential providers expressed an interest initially, they pulled out of the process stating that the budget available was insufficient. The budget has not increased since the last time the market was approached. The feedback from the most recent engagement with the market indicated the same concerns about the budget and so the same situation is highly likely to occur.
29. There is a significant risk that the process could result in the council being unable to award a contract thus preventing the council from delivering its statutory duties.
Therefore, this option is not recommended.
30. Option Three: Give approval for City of York Council to enter into a Section 75 Partnership Agreement with York and Scarborough Hospital NHS Trust for an integrated sexual health and contraception service, with a fall back approval to conduct a procurement process in the event a Section 75 is unable to be concluded with the Trust.
31. There are a number of advantages to this option. The Trust has been a trusted provider of sexual health services in York for more than 10 years and has an excellent track record for performance delivery and positive health outcomes within the budget envelope available. There is a great deal of confidence that the current service delivers value for money.
32. Entering into a Section 75 Partnership Agreement with the Trust will allow the Council to build on the collaborative arrangements we already have across partners in the York health and care system and enable the delivery of a high quality, effective and

sustainable sexual health and contraception service for the next decade.

33. The establishment of a Joint Management Board between the council and the Trust, involving other partners as appropriate, to oversee the development of the partnership agreement and a joint accountability framework will allow for the council to be assured about ongoing performance, quality and value for money.
34. Finally, it is useful to note that the Trust has been the provider of sexual health services in North Yorkshire over the same time period as York and North Yorkshire County Council have had a Section 75 Partnership Agreement with the Trust since 2020 which is reported to be working well.
35. In conclusion there are no perceived disadvantages to this option and so it is the recommended option being put forward for Executive decision.

Council Plan

36. The proposal directly relates to the Council Plan 2019-2023 priorities and will particularly support the aspirations for good health and wellbeing.

Specialist Implications

Financial

37. York is one of the lowest funded local authorities in the Country (£37 per head compared to £55 per head average of population) and, like other authorities, the Public Health Grant received from the Government reduced by approximately 2.6% each year from 2016/17 through to 2019/20 and these grant reductions have not been restored. In these circumstances, the Council is facing difficult decisions when service contracts are renewed.
38. A benchmarking exercise has shown that York spends just under 24% of our Public Health Grant allocation on sexual health services compared with the England average of 16.44%. It should be recognised, however, that York has one of the largest proportions of 15 to 24 year olds in its population who are the highest users of sexual health services and so it is reasonable that York spends a higher proportion than the national average.
39. The total spend on sexual health and contraception services in 2002/23 was £1.89 million which includes £330,000 for LARC delivered in GP surgeries. There are no savings agreed for sexual

health services as part of council budget proposals. However, it is not anticipated that the local Public Health Grant will be increased and so efficiencies will need to be found against the sexual health services because of inflationary pressures on other areas of public health.

40. Overall, the proposed budget available to commission sexual health and contraception services and award a contract from 1st July 2024 onwards will be in the region of £1.8 million per annum rising to a maximum of around £18 million over the proposed 10 years of the contract. At the time of writing the actual amount of the Local Authority Grant Allocation for 2023/24 and for future years has not been announced. However, the Director of Public Health has received verbal assurances that the grant allocation will be sustained at the current value. Any contractual inflationary uplifts will be indexed to the Public Health Grant annual inflationary uplifts to minimise the financial risk of awarding the contract for ten years.
41. Given the importance of sexual health and contraception services provision it is not currently proposed to seek further service reductions to be made over the contract term.

Human Resources (HR)

42. The implications for employers will be determined by the results of the procurement process and could potentially have Human Resources impacts for the Provider delivering services. This will be for the Provider to manage. There are no Human Resources impact for the Council.

Equalities

43. The Council needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment and 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 those who share a relevant protected characteristic and those who do not share it).
44. It is crucial that the differing needs of men and women and people of all genders are considered when planning sexual health services and interventions. An Equality Impact Assessment has

been completed and is annexed to this report at Annex A which shows that the overall impact on equalities is positive.

Legal

Proposed s75 Agreement for ISHS and LARC arrangements with York and Scarborough Teaching Hospitals NHS Foundation Trust

45. Section 75 arrangements are subject to the requirements of the NHS Act 2006, the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 and related law.
46. Section 75 of the NHS Act 2006 can enable partners (certain NHS bodies and Councils) to collaborate in respect of defined “Prescribed Functions”. This can (subject to also meeting other criteria) enable partners to collaborate including as below:
 - a) *by contributing to a common fund which can be used to commission health or social care related services;*
 - b) *for a local authority to commission health services and NHS commissioners to commission social care; and*
 - c) *for joint commissioning and commissioning of integrated services.*
47. The power to enter into section 75 agreements is also conditional on meeting the following:
 - i. *The arrangements are likely to lead to an improvement in the way in which those functions are exercised; and*
 - ii. *The partners have jointly consulted people likely to be affected by such arrangements.*
48. If a section 75 route is approved, CYC and the Trust will need to agree arrangements and jointly consult people likely to be affected by the proposals.
49. Legal, finance, procurement and other officers where necessary will support and advise the Public Health Team in relation to any section 75 agreement process and format.

Procurement legal considerations

50. Any ISHS and LARC services are subject to the Public Contracts Regulations 2015 (“PCRs”) and the Council’s Contract Procedure Rules (“CPRs”).
51. Any elements of section 75 arrangements that would attract competition under the PCR and CPR will also be subject to competition rules.
52. For the purposes of the PCRs, the ISHS and LARC services are subject to the PCR Light Touch Regime (“LTR”). LTR services are subject to a threshold of £663,540 inclusive of VAT (as at February 2023). The proposed ISHS and LARC arrangements will be above threshold.
53. Regulation 12(7) of the PCRs provides an exemption to PCR competition requirements for “Contracts which establish or implement co-operation between contracting authorities”. This is known as the “Horizontal Exemption”. It is subject to any contractual arrangements meeting the tests at Regulation 12(7) and Regulation 12(8) of the PCRs. Any s75 arrangements between CYC and the Trust will need to meet these tests.
54. In the event the section 75 process was not to conclude and a procurement process were to be conducted instead an above threshold competition would be required in compliance with the PCRs (or any successor laws) and CPRs.

Existing LARC s75 with the Integrated Care Board (“ICB”)

55. CYC has an existing Section 75 agreement with the Integrated Care Board (“ICB”) (that transferred to the ICB for the Vale of York CCG on 1st July 2022). Under this S75 agreement, CYC currently has an obligation to commission a LARC service that covers both NHS Gynaecological LARC and CYC’s Contraceptive LARC services until 31st March 2026.
56. This ICB section 75 agreement will need to end before the commencement of a new section 75 agreement with the Trust. Legal officers will support Public Health officers accordingly with this process and termination provisions in the section 75 agreement.

Crime and Disorder

57. There are some shared links to crime and disorder, the service offer will include occasional contact with victims of sex crime, domestic violence as well as illegal sex working, modern slavery and child sexual exploitation cases.

Information Technology (IT)

58. There are no IT implications.

Property

59. There are no property implications.

Other – Procurement

60. The Council must comply with the Public Contracts Regulations 2015 (“PCRs”) and the Council’s Contract Procedure Rules (“CPRs”) The focus for Procurement is to ensure we engage with the market of providers of Sexual Health Services and ensure we obtain Value for Money for the council and deliver the best outcomes for our customers with the right quality services through a suitable contract/agreement with a suitable provider(s) for a statutory function of the council. The Sexual Health Service and LARC would be subject to the PCRs Light Touch Regime (“LTR”). LTR services are subject to a threshold of £663,540 (as at October 2022). It is understood these services will be above this threshold.
61. The proposed budget for the commissioning of the Sexual Health Service and LARC (Long-Acting Reversible Contraception) from 1st July 2024 would be in the region of £1.8 million per annum and therefore for the proposed 10 years of the contract would total around £18 million. This contract value requires, as per the CPR’s and PCR’s, a full Invitation to Tender to be advertised and Contract Notice published to invite suitable, interested provider(s) to bid for this contract.
62. The project team consisting of representatives from Public Health, Legal, Finance, Procurement for these commissioned services established a twin track approach to developing the strategies, timetables for the options for an advertised competitive tender exercise or to establish a Section 75 partnership agreement with the current provider of this service, York Teaching Hospital Trust without advertising a competitive tender. It should be noted that

North Yorkshire County Council have previously entered into a Section 75 agreement with their Hospital Trust for provision of their sexual health service.

63. The Public Contracts Regulations 2015 Clause 12 stipulates the conditions for the establishment of public contract between entities within the public sector. A Section 75 partnership agreement would establish a co-operation between the participating contracting authorities, City of York Council and York Teaching Hospital Trust, with the aim of ensuring that public services they have to perform are provided with a view to achieving objectives they have in common. Therefore, this would be a legally permitted method to commission this service, subject to certain tests and conditions being met.
64. It is anticipated efficiencies will need to be found against the sexual health services because of uncertainty over the total value of the future local Public Health Grants and inflationary pressures. Therefore, it is imperative that for the option that is approved for the commissioning of the Sexual Health Service and LARC that Value for Money for the council is embedded and received and that the right quality of services are commissioned services as part of the contract/agreement awarded.
65. The council has a statutory obligation to commission specialist sexual health services including HIV prevention, sexual health promotion and contraception services for our citizens. It is therefore key that an appropriate contract/agreement is awarded through a legally compliant route. There should also be the consideration to include other benefits, in addition to Value for Money and ensuring the right quality of services, that could be derived through the award of this contract/agreement i.e. Social Value, Environmental considerations, Carbon reduction, Employment and Skills opportunities, paying the Living Wage.

Risk Management

66. There are risks associated with securing a safe and effective service within the budget available. These key risks and mitigations are set out below:
 - Failed tender procedure
 - Inability to provide mandated sexual health service

- Poor sexual health outcomes for the population of York including -
 - Reduced clinical safety leading to an increased risk of uncontrolled sexually transmitted infection outbreaks including a rise in HIV and late diagnosis of HIV
 - Increased risk of drug resistant gonorrhoea
 - Future negative financial impact on CYC through increase in demand on social care
 - Negative social impact on the population of York e.g. a rise in under 18 conception rates leading to an increased demand on children's services
 - Increase in morbidity and premature mortality rates
 - Reputational damage to the Council for not meeting its statutory duty to ensure free and open access to sexual health services for its residents
- 67. These risks are being mitigated through partnership working and system wide public health leadership and ongoing clinical engagement with partners. Identifying areas of joint working and seeking to establish shared care pathways.
- 68. The risk of a failed tender procedure is being mitigated by the proposal to enter into a Section 75 Partnership Agreement between the council and York and Scarborough Hospital NHS Trust as the current services provider
- 69. With these mitigations in place the overall risk is assessed as being low.

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**Report
Approved**

Date 23/02/2023

Sharon Stoltz
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Specialist Implications Officer(s)

Finance – Steve Tait, Finance Manager

Legal – Ryan Bell, Solicitor

Procurement – Mark Woolford, Category Manager

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

All

For further information please contact the authors of the report

Glossary of Terms

CYC – City of York Council

CCG – Clinical Commissioning Group

EU – European Union

HIV – Human Immunodeficiency Virus

ICB – Integrated Care Board

MSM – Men who have sex with Men

NYCC – North Yorkshire County Council

PrEP – Pre-exposure prophylaxis to reduce risk of HIV

STI – Sexually transmitted infection

SW – Sex worker

TUPE – Transfer of Undertakings (Protection of Employment)

Background Papers:

None

Annexes:

Annex A - Equality Impact Assessment

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City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Public Health		
Service Area:	Public Health		
Name of the proposal :	Commissioning of Sexual Health Services from 2024		
Lead officer:	Anita Dobson		
Date assessment completed:	November 2022		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Philippa Press	Public Health Specialist	City of York Council	Public Health
Anita Dobson	Nurse Consultant in Public health	City of York Council	Public Health
Feedback from Service user, potential provider and	Community Pharmacists, GP's Voluntary and statutory organisations, Health Watch	ICB, CYC. Colleges, Universities, Community Pharmacies. Potential providers who provide sexual	A total of 9 potential providers, 24 stakeholders and 125 service users answered the survey's

stakeholder survey included.		health services across the region.	
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Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	The purpose is to re-commission Sexual Health Services in York. An integrated sexual health service provides patients with open access to confidential, non-judgemental services including STI (Sexually Transmitted Infections) and BBV (Blood Borne Viruses e.g. HIV) testing, treatment and management; the full range of contraceptive provision; health promotion and prevention. This EIA is to ensure that the service continues to provide services to those most in need without any detrimental impact.
1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	Local authorities are mandated to commission comprehensive open access sexual health services, including free STI testing and treatment, notification of sexual partners of infected persons and advice on, and reasonable access to, a broad range of contraception; and advice on preventing unplanned pregnancy, DHSC has produced guidance to assist local authorities to commission these and other sexual health interventions. Reproductive health services that are mandatory and the commissioning responsibility that sits with Local Authorities is set out in the Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 .

1.3	Who are the stakeholders and what are their interests?
1.4	What results/outcomes do we want to achieve and for whom? This section should explain what
	outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019-2023) and other corporate strategies and plans. Sexual health is not provided by one service alone but is regarded as being a system wide service. GP's, Pharmacists, terminations providers, PSHS coordinators in schools, University welfare services, Sexual Assault Referral Centres (SARC's), domestic violence support providers are all stakeholders in the provision of sexual health services as they are likely to refer clients to services for support. We also know that LGBTQ, ethnic minorities and those with disabilities are likely to experience poor sexual health either through stigma, barriers to access, etc.
	The EIA is to ensure that the recommissioning of the service will not be of any detriment to those already accessing the service and those who want to access the service.
	<p>Good Health and Wellbeing and A better start for children and young people are a core components of the Council Plan. The service will support delivery against the three main sexual health Public Health Outcomes Frameworks measures:</p> <ul style="list-style-type: none"> • Under 18 conceptions • Chlamydia detection (15-24 year olds) • People presenting with HIV at a late stage of infection. <p>These measures are important across all residents but are particularly high amongst those with protected characteristics, those that live in the more deprived areas and young people, creating further inequality.</p> <p>In addition, it will deliver the following outcomes to improve the sexual health in the local population as a whole but based on local needs assessments to recognise risk changes in the population.</p> <p>Sexual and Reproductive Health (SRH) services:</p> <ul style="list-style-type: none"> • Clear accessible and up to date information about services providing contraception and sexual health services for the whole population including preventative information targeted at those at highest risk of sexual ill health. Increased uptake of effective methods of contraception, including rapid access to the full range of contraceptive methods including Long Acting Reversible Contraceptive (LARC) for all age groups. • A reduction in unplanned pregnancies in all ages as evidenced by teenage conception and abortion rates. <p>Sexually Transmitted Infection (STI) services:</p> <ul style="list-style-type: none"> • Improved access to services amongst those at highest risk of sexual ill health. • Reduced sexual health inequalities amongst young people and young adults. • Increased timely diagnosis and effective management of sexually transmitted infections and blood borne viruses.

	<ul style="list-style-type: none"> • Repeat and frequent testing of these that remain at risk. • Increased uptake of HIV testing with particular emphasis on first time service users and repeat testing of those that remain at risk. • Monitor uptake of late diagnosis and partner notification. • Increase availability of condoms and safer sex practices. <p>Overarching:</p> <ul style="list-style-type: none"> • Increased development of evidence-based practice and ensure patient consultation, involvement and development. • Maintenance of research governance and other necessary arrangements to participate in trials e.g. PrEP impact trial. • Ensure that participants receive continued support to be able to access trials through the commissioned service in the event of the service being re-tendered.
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Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data/supporting evidence	Reason for using
	Sexual Health Needs Assessment	This looks at the current and emerging sexual health needs of the population of York. The primary intended outcome of this needs assessment is to inform future sexual health strategies and commissioning decisions over the next three years.
	Service User Survey	Disseminated late September with a closing date of 11 November this survey captured the views and experiences of people using our sexual health services. Key points from the survey indicated that most service users preferred to access sexual health services from the Specialist Service rather than from the GP and were more likely to recommend it to friends and family.

	<p>The majority used the specialist service for contraceptive advice but pregnancy, abortion, sexuality advice was all cited.</p> <p>The majority of testing for STIs was done in clinic (45%) compared to on-line (35%). Other service user respondents would like to see Cervical Screening and young people's services as part of the service provision. The survey also provided useful information on how service users would like to access the service and when. Most responses said they had no barriers to access and were happy with how this was managed.</p> <p>Most responders were aged 16 to 24years old with only a few not answering the question. The only age group not represented was 56-59. Females were the largest group of respondents (55%), followed by males (27%) and non-binary (16%).</p>
<p>Stakeholders Survey</p>	<p>Stakeholders from a variety of occupations, service and organisations were invited to take part and include respondents from: statutory organisations – CYC and ICB, voluntary organisations MESNAC, IDAS, primary care (GP's, nurses and pharmacies), education, students union and termination providers. As expected, the majority of responders signposted to other sources of sexual health support as well as providing some specialist support themselves.</p> <p>The majority signposted to the YorSexualHealth website, other websites were mentioned – BASHH and the Faculty being the most common alternatives. 80% of referrals were for sexual health information and advice with 66% signposting for Sexual assault/abuse, 60% for contraception and 47% for emergency contraception. In terms of gap identified lack of drop-in was cited the most, school and community provision (in pharmacy) and more outreach rather than clinical provision was needed.</p> <p>Some of the barriers to access included: its not well known about by young people and that its on a busy street so not very confidential. However, in another question the location of the service was seen as a strength. Training requirements ranged from refresher on what services are offered and where to specifics regarding LARC</p>

<p>Potential Providers – event and survey</p>	<p>On 25 October a potential providers event was held online via MS Teams – all the providers from across the region were invited to attend and approximately 7 different providers attended. The event had input from the Director of Public Health, Nurse Consultant in Public Health, and procurement category manager. A mixture of providers responded some could provide the whole service and others would enter into a consortium. None of the respondents thought there was anything that could be omitted from the service spec but some suggestions included a review of the on-line offer, the importance of a collaborative approach, a review of the KPI's and suggestions on staff utilization.</p> <p>Identified cost pressures included – staffing and pay increases as the main issue.</p>
<p>Engagement report</p>	<p>Following completion of the above an engagement report will be written outlining key themes and feedback with no references to individuals or organisations.</p> <p>This will inform future commissioning options, service specification development and feedback on current service provision.</p>
<p>Development of the Service Specification</p>	<p>Following the completion of the engagement phase of this process a service specification will be developed and consulted on. Again, key stakeholders and service users will be able to comment on the impact of this on their service and user groups. This will further inform this EIA.</p>
<p>Sexual health Needs Assessment</p>	<p>A comprehensive SHNA has been written using the most up to date data from a variety of sources. A separate document is available in full but the main findings where:</p> <ul style="list-style-type: none"> • As a response to the COVID-19 pandemic, the Government implemented national and regional lockdowns and social and physical distancing measures since March 2020. These measures affected sexual behaviour and health service provision. Interpreting data from 2020 should consider these factors, especially when comparing with data from pre-pandemic years. • Overall, the number of new sexually transmitted infections (STIs) diagnosed among residents of York in 2020 was 960. The rate was 455 per 100,000 residents, lower than the rate

of 562 per 100,000 in England, and higher than the average of 412 per 100,000 among its nearest neighbours.

- York ranked 116th highest out of 149 upper tier local authorities (UTLAs) and unitary authorities (UAs) for new STI diagnoses excluding chlamydia among young people aged 15 to 24 years in 2020, with a rate of 378 per 100,000 residents aged 15 to 64, better than the rate of 619 per 100,000 for England.
- The chlamydia detection rate per 100,000 young people aged 15 to 24 years in York was 1,107 in 2020, worse than the rate of 1,408 for England.
- The rank for gonorrhoea diagnoses (a marker of high levels of risky sexual activity) in York was 117th highest (out of 149 UTLAs/UAs) in 2020. The rate per 100,000 was 40.3, better than the rate of 101 in England.
- Among specialist sexual health service (SHS) patients from York who were eligible to be tested for HIV, the percentage tested in 2020 was 59.8%, better than the 46.0% in England.
- The number of new HIV diagnoses among people aged 15 years and above in York was 6 in 2020. The prevalence of diagnosed HIV per 1,000 people aged 15 to 59 years in 2020 was 0.8, better than the rate of 2.3 in England. The rank for HIV prevalence in York was 140th highest (out of 148 UTLAs/UAs).
- In York, in the three year period between 2018 - 20, the percentage of HIV diagnoses made at a late stage of infection (all individuals with CD4 count \leq 350 cells/mm³ within 3 months of diagnosis) was 53.3%, similar to 42.4% in England.
- The total rate of long-acting reversible contraception (LARC) (excluding injections) prescribed in primary care, specialist and non-specialist SHS per 1,000 women aged 15 to 44 years living in York was 46.6 in 2020, higher than the rate of 34.6 per 1,000 women in England. The rate prescribed in primary care was 29.7 in York, higher than the rate of 21.1 in England. The rate prescribed in the other settings was 17.0 in York, higher than the rate of 13.4 in England.
- The total abortion rate per 1,000 women aged 15 to 44 years in 2020 was 11.4 in York, lower than the England rate of 18.9 per 1,000. Of those women under 25 years who had an abortion in 2020, the proportion who had had a previous abortion was 19.1%, lower than 29.2% in England.

	<ul style="list-style-type: none"> • In 2019, the conception rate for under-18s in York was 16.4 per 1,000 girls aged 15 to 17 years, similar to the rate of 15.7 in England. • In 2019/20, the percentage of births to mothers under 18 years was 0.9%, similar to 0.7% in England overall. ^[1]
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Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	What sexual health service can be commissioned within a financially restricted environment.	<p>As part of the stakeholder and potential provider feedback questions have been asked about gaps in the current provision, what could be omitted from the National Sexual Health Service Specification and the impact of this. What potential providers see as the cost pressures and the impact of these on delivering the service, and any other challenges that we as commissioners may not be aware of.</p> <p>The feedback included a review of the on-line offer, the importance of a collaborative approach, a review of the KPI's and suggestions on staff utilization, as support for reducing costs. The biggest cost pressures are staffing and challenges were noted as being succession planning, more understanding of services in the community and rethinking the digital offer. The majority who answered the question thought that a longer</p>

^[1] [SPLASH Report](#)
EIA 02/2021

	contract term would support cost effectiveness as it would support long term planning, development and motivation of staff and collaborative working.
Understanding of current need and analysis of the most recent data.	A comprehensive Sexual Health Needs Assessment has been completed. This is available to view here: https://www.healthYork.org/what-is-a-joint-strategic-needs-assessment/list-of-topic-specific-needs-assessments.aspx

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	Likely to be positive as the service focuses on young people who are at risk from poor outcomes if their sexual health needs are not addressed	+	L
Disability	Likely to be positive as the service focuses ensuring that those with a disability are at risk from poor outcomes if their sexual health needs are not addressed	+	L
Gender	The service is open to all regardless of gender reassignment.	0	L
Gender Reassignment	The service is open to all regardless of gender.	0	L

Marriage and civil partnership	The service is open to all regardless of gender reassignment.	0	L
Pregnancy and maternity	The service is open to all regardless of partnership status.	0	L
Race	The service is open to all women and those with a womb, but it is not a pregnancy or maternity service. Access to terminations is available via the service.	0	L
Religion and belief	The service is open to all regardless of race.	0	L
Sexual orientation	The specialist service makes specialist provision for all sexual orientations including Men who have sex with men, heterosexual, Homosexual and LGBTQ+ groups.	+	L
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	The service is open to all regardless of caring responsibilities and includes both virtual and f2f appointments and a wide variety of opening hours.	0	L
Low income groups	The service is free to all.	+	L
Veterans, Armed Forces Community	There has been no specific provision made for veterans and the armed forces but if this is highlighted as a need in the Needs assessment or via any of the consultations this would be addressed. All service personnel can access any of the sexual health services.	0	L
Other			
Impact on human rights:			
List any human rights impacted.		0	L

Use the following guidance to inform your responses:

Indicate:

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

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>

<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>
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It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

Step 5 - Mitigating adverse impacts and maximising positive impacts

<p>5.1</p>	<p>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</p>
<p>Inequalities exist across a range of dimensions, including ethnicity, gender, sexuality and having a disability. The underlying causes of these inequalities often cluster together, with people experiencing ‘multiple disadvantage’. The service specification and quarterly monitoring of the KPI’s ensures that the service is being accessed by those who experience poor sexual health and specific service provision is made for them, specially around gender, gender reassignment and sexuality.</p> <p>Working as a system wide approach requires all key stakeholders to work together to provide an efficient and effective service this include those who may be vulnerable to sexual exploitation due to their age, race or gender. Prior to the pandemic a Sexual Health Expert Advisory Partnership Group (SHEP) which included all key stakeholders met regularly to ensure that a system wide approach worked for all – it is anticipated that this will be re-established.</p> <p>A comprehensive Sexual Health Needs Assessment will also inform us of our populations needs. Together with the Service Specification and the engagement report it is the ambition of the Public health team that we will co-produce the</p>	

final service specification indicating targeted areas for specialist work and where people can access sexual health advice information, treatment and management.

Step 6 – Recommendations and conclusions of the assessment

6.1	<p>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</p>
<p>- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	
<p>- Adjust the proposal – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.</p>	
<p>- Continue with the proposal (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty</p>	
<p>- Stop and remove the proposal – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.</p>	
<p>Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
Option selected	Conclusions/justification

No major change to the proposal	<p>The proposal forms part of the Specialist Sexual Health Service in York. This service is closely monitored at local authority level throughout the procurement process, the contract award process and the quarterly contract monitoring meetings which take place throughout the life of the contract.</p> <p>SHEP will also act as monitoring body and enable the positive relations across all stakeholders.</p>
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Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
To complete the procurement process in accordance with CYC and legislative requirements.	Work with the successful provider to ensure, through contract monitoring, that there is equitable access.	Project steering group	To complete the procurement process in accordance with CYC and legislative requirements.

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	Any considerations identified via the Sexual Health Needs Assessment, the consultation and engagement phases of the procurement process will be reviewed and considered. Whilst writing the service specification the protected characteristics will be considered and consulted on. Feedback for the engagement process will also be considered if any impacts on those with a protected characteristic are identified.

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Executive**16 March 2023**

Report of Director of Customer & Communities &
Director of Housing, Economy & Regeneration

Homes for Ukraine Budget**Introduction**

1. This paper provides an update on use of the Homes for Ukraine Scheme (HfU) funding. The background to the scheme and initial partnership and funding arrangements were outlined in a report to the Executive Member for Culture, Leisure and Communities on 19 April 2022 here:

[Agenda for Decision Session - Executive Member for Culture, Leisure and Communities on Tuesday, 19 April 2022, 9.00 am \(york.gov.uk\)](#)

2. An initial three year budget and allocations were set down in response and reflected the known requirements at that time just to meet the requirements of the Government's HfU scheme in securing resources to welcome and host guests.
3. This report now reflects the experience and reality of working closely with the Ukrainian community and the known housing impacts and longer-term support arrangements needed. Given this experience, the report outlines spend to date and planned spend over the three-year period 2022/25 for approval.

Recommendations

4. Executive is asked to:
 - a. note activities and how the funding has been allocated to date;
 - b. approve plans for further significant expenditure to March 2025;

- c. allocate budget to the respective Housing and Customer & Community teams as set out in the report for the purposes identified;
- d. maintain the delegated authority to the Assistant Director/Director of Customer and Communities to make grants to partner organisations to support the programme in consultation with the Executive Member for Culture, Leisure and Communities (as granted in the decision of that Executive Member made on 19 April 2022).

Background and changes to the HfU Scheme

- 5. Over 100,000 Ukrainians have sought sanctuary in the UK through the Homes for Ukraine scheme, one of the fastest and biggest, visa programmes in British history.
- 6. On 14th December 2022 the government announced measures to update the Homes for Ukraine Scheme.
- 7. In recognition of their ongoing support amidst the rising cost-of-living, all sponsors will receive an increased 'thank you' payment of £500 a month for guests who have been in the country for over a year.
- 8. 'Thank you' payments will also be extended from 12 months to 2 years, so that guests who may not yet be ready to move into independent accommodation can stay in sponsorship for longer - where sponsors are willing to extend arrangements.
- 9. In some cases, where guests 'rematch' with new sponsors, these sponsors will be eligible for the increased payment if the guest is in their second year here in the UK.
- 10. In cases where sponsorships can no longer continue, councils in all parts of the UK will receive help to house Ukrainians through a one-off pot of government funding worth £150 million, as well as a new £500 million Local Authority Housing Fund in England.
- 11. The government have also taken the decision to reduce the council tariff to £5,900 (from £10,500) per person for arrivals entering the UK from 1 January 2023. Councils will continue to receive the previous year one amount for any Ukrainian already in the UK.

12. Local authorities will continue to receive separate funding in 2022-23 for the Ukraine education tariff under the rates and terms previously set out (a per child tariff of £3,000 for early years, £6,580 for primary and £8,755 for secondary and payments calculated on a pro-rata basis); and the Ukrainians families will also continue to receive government support on skills training, job centre access and welfare payments.
13. The financial estimates in the tables below are based on the figures available at the time of drafting i.e., 323 guests split across 114 host households.
14. The totality of activity in York under the scheme is as follows
 - Total Ukrainians joining HfU York scheme – **323**
 - Current number of Ukrainians within HfU York - **213**
 - Current number of host households - **114**
 - Total Host households who have hosted – **181**
 - Awaited sponsored guests currently due to York – **21** across 12 host households
 - Guests have left HfU York scheme – **110 guests** [from 58 host households]
 - Reasons for guest leaving (number/% of 110 individuals):
 - *Guests have moved in to own/private property – **78 / 71%***
[Note: **69 / 63%** into a York property, **9 / 8%** moved out of area in UK],
 - *Guests returned to Ukraine – **28 / 25%***
 - *Guests presented as emergency homeless – **4%***
15. The support provided since the service moved to the Housing Team it has had a focus on supporting hosts and guests to maintain hosting arrangements for as long as this is appropriate and helping to facilitate planned moves into private rented housing as needed. This approach has been very effective to date in reducing the need for guests to approach the housing options service for emergency help. Where guests have needed to seek emergency assistance due to unforeseen circumstances, this has been provided through the normal routes with tailored support provided according to the needs of the household. The private rented incentives set out below have

been devised to ensure that the service is able to continue to support guests with planned moves and reduce the need for emergency assistance. In addition, a 0.5 Full Time Equivalent (FTE) housing options worker has been allocated over the next two years, in order to ensure that dedicated and specialist advice is available as required.

Management Arrangements

16. Management of the core staffing team moved from the Communities Team to Housing with effect from 12 August 2022, reflecting the shifting nature of the focus of work that was required.
17. Customer and Communities staff have continued to provide community liaison and integration support functions and to convene the partnership coordinating group. City of Sanctuary and the housing team continue to support arrivals to source appropriate, affordable accommodation in the private rented sector, which as expected is proving a challenge.
18. From January 2023 the Ukraine Response Group, which included external partners, will be folded into the wider Refugee and Asylum Coordination Group, as the city is no longer operating on a response footing. This reflects mutual desire to look at resettlement holistically and not separate out cohorts, particularly given the 450 recent arrivals currently living in Home Office Contingency Accommodation in the city.

Income from the Tariff

19. Based on the 323 guests to York this attracted un-ringfenced funding of £3.4m. To date we have received £2.7m representing 258 guests as of 30 November 2022.
20. As described earlier, any guests arriving after 1 January will bring the council funding of £5.9k per person, rather than the previous £10.5k. The number of arrivals since January 2023 has not yet been validated.

Spend to date

21. There has been a spend of £554k (to January 2023), to cover cost of the Community & Voluntary Sector Partners and council costs in

welcoming and settling guests with host families, including the relevant security and property checks required.

22. Current staffing includes a full-time administrative assistant, two full time support workers, and four part time support workers (a total of 3.7 FTE support workers). Three of the support workers are Ukrainian speakers. A full-time supervisor is being recruited to manage the team and support the service.
23. None of the grant funding has been used to provide emergency or temporary accommodation, as this is provided through the homeless/housing options route.
24. Spend to date is lower than originally anticipated, as some of the management and administrative functions have initially been met through existing posts. This will not continue in the longer term as a dedicated resource will be needed to ensure that there is full coordination of services as increasing numbers of guests move on from their host placements. Spend on repairs and work to property was lower than anticipated, due to the good condition of properties brought forwards.

Breakdown of spend to date and forecast for year

	Spend to date	2022/23 Forecast spend
	£'000	£'000
Grant funding to charity/community groups	134	236
Variable costs: Host property checks, repairs, DBS	171	200
Top up payments to hosts	24	48
Internal costs – business intelligence, adult ed, communities, overheads	114 (of which £39k for ESOL*)	250
staffing	111	140
Total	554	874

* English for Speakers of Other Languages

25. There are several areas where the Homes for Ukraine team have underspent on projected costs such as host checks and repairs. However, given that at this point not many guests have moved into private accommodation, the repair costs will almost certainly increase.
26. There are still staffing appointments to be accounted for and re-charges to be made for other work which has taken place to support the scheme. For this reason, it is assumed the existing spend for non-variable spend 2022/23 stands and any re-evaluation of forecasts made at year-end. The variable spend has been amended as per the detailed table and summary table below, and in line with revised numbers of guests.

Additional expenditure

27. Since the report in April last year the position in relation to both the Ukrainian cohort, and wider asylum resettlement has changed significantly.
28. In addition to the funding changes outlined above, it is clear York will continue to host Ukrainian guests for some time. This means either another 12 to 18 months with willing hosts, or a move into Private Rented Sector (PRS) accommodation. Either way a level of support will be needed for both guests and hosts.
29. Using host arrangements to accommodate refugees is a new approach which York has no experience of from previous refugee settlement schemes. A number of hosts have raised concerns that they believed they were signing up to a six month offer of accommodation. Due to the ongoing war in Ukraine and the lack of readily accessible move-on accommodation in York these arrangements have gone on longer than hosts expected, and there is pressure for CYC to support hosts by helping guests to move on to more permanent accommodation.
30. In response to the cost-of-living crisis and increased energy bills the Homes for Ukraine Team have been making a payment of £100 per month to top up host 'goodwill' payments to £450 since November 2022. This is in line with several other councils, as hosts were suggesting they may leave the scheme due to the cost of bills increasing.

31. From 1 December 2022 to date CYC have made payments to hosts at the increased amount of £450. This amounts to £24,300 additional spend to date.
32. As the government have announced that host payments will increase to £500 for those who have had a guest for 12 months, this leaves a difficult situation where some hosts with newer guests will still only get £350. This may mean some hosts will need this additional £100 payment until the end of winter. This is a situation that will require sensitive ongoing support for both hosts and guests. A sum has been included for this cost for 2023/24, however exact funding required for this will be dependent on a range of factors including the rate at which guests move out to more permanent accommodation. A cost has not yet been factored in for 2024/5 due to the lack of information about how many hosts there will be or the level of government support that will be provided for hosts. Any costs can be met from the contingency if this support is still required.
33. The private rented market in York is extremely competitive, with market rates well above the Local Housing Allowance (LHA) rate. In addition, the wider economic situation means that many private landlords do not feel in a financial position to agree to lower rents. For example, the LHA rate for a two-bedroom property is £544.98 per month, whilst market rent for such a property is likely to be between £900 -1200 per month.
34. To ensure a planned move on to stable accommodation, a set of incentives for private landlords is planned. This includes:

Bond guarantee scheme	£900
Rent in advance	£800
Golden hello (for landlords offering a 12-month tenancy through YorHome)	£500
Rent reconciliation up to £3000 per property over a 12-month tenancy	£3000 (maximum)

35. The bond guarantee, rent in advance and golden hello are already schemes in existence which are used to help local residents access private rented accommodation. These are all means tested and are only used where the resident does not have savings or income sufficient to fund this themselves, but the property will be affordable for them if they have assistance with bond and rent in advance. The same approach will be used in supporting Ukrainian guests to access private rented accommodation.
36. Given the number of Ukrainian guests needing to access private rented housing, and challenges in the sector, an additional incentive is being offered of 'rent reconciliation'. This is a financial contribution of up to £3k to meet the difference between LHA levels and the private rented level. This financial assistance will only be offered for the first 12 months, allowing time for the individual to improve their English (if needed) and find employment, so that they are able to afford the rent in the longer term. This will likewise be means tested based on any income or savings the individual has, and the focus will be on long term affordability and sustainable solutions. For example, whether the individual has a realistic prospect of gaining employment that will be sufficient to cover the rent in the longer term.
37. The alternative to assisting Ukrainian guests into private rented accommodation is that most households would be classed as priority need (due to, for example, dependent children), and therefore the council would have a duty to provide emergency temporary accommodation, and then permanent accommodation, (which is usually in social housing) if host placements should come to an end. Temporary accommodation is already under pressure due to high demand, and social housing is likewise in high demand, which is expected to remain high given the ongoing cost of living crisis.
38. Supporting hosts to continue arrangements and supporting guests to find private rented accommodation has been a focus of the support provided to date. So far only 4% (low single numbers) of Ukrainian families have been housed in temporary accommodation, due to unforeseen changes in circumstances with the host family.
39. The 0.5 FTE Housing Option worker will be funded in order to provide specialist advice and prevention services to ensure that the number of families are able to make planned moves when required, and do not need to be housed in temporary accommodation.

Other pressures

40. In December 2022 the Home Office opened a 'contingency' asylum accommodation site in York. The hotel is now at capacity with 450 guests. The guests are a mix of nationalities and mostly small families, with some couples. It will remain open for a minimum of 12 months. These additional guests to the city mean that supporting partners and the council are under pressure on a range of fronts, without commensurate funding and this has been raised with Local Members of Parliament and key government contacts on an ongoing basis to raise with Ministers.
41. There is also a significant unmet demand from all the new residents for ESOL (English for Speakers of Other Languages) and conversation English classes available through York Learning. This will have an impact on the number of individuals who are able to move into employment and afford their own accommodation.
42. CYC and York Explore have successfully run the 'Our City Hub' for migrant communities for the last 18 months. The attendance on a Saturday is well over 100 and is particularly well used by the Ukrainian community. It is so popular that they intend to move out into Acomb Explore for an additional session. This was previously funded with European Union exit contingency funding. This funding has now come to an end and therefore to continue needs additional funding for the next year. This will cover staffing and a small operational budget. After this the intention is to develop proposals to set the hub up as a Community Involvement Company and apply for external funding.
43. The CYC Minority Communities Officer has also been involved in setting up the 'Long Spoon Forum' for refugees, asylum seekers and migrant communities to share their experiences, raise issues and provide an opportunity to get their voices heard by services across the city. They have asked for £20k which will pay for staffing and a childcare provider to run a session for children while parents attend the forum. This will also be held at York Explore on a Sunday.
44. York City Church have been running a Ukrainian Café which is very popular and have asked for an additional £1k to keep this running until Easter 2023.

Anticipated Expenditure and revised three-year budget based on current number of guests

Variable Costs:

Over 3 years -	
<ul style="list-style-type: none"> • Total costs associated with setting up placements for 300 Guests: home checks, additional welcome payments, DBS checks, initial cash, equipment, etc. 	£644k
<ul style="list-style-type: none"> • Landlord Incentives to include: <ul style="list-style-type: none"> ○ Bond guarantee scheme ○ Rent in advance ○ Golden hello (£500) ○ Rent reconciliation up to £3000 per property. 	£65k £117k £104k £390k
<ul style="list-style-type: none"> • Training/Qualification Conversion 	£150k
	Total £1,470

Homes for Ukraine Team (Housing) Staffing Costs:

To 2023/24:	
<ul style="list-style-type: none"> • Management phase. <p>Homes for Ukraine Team (in housing)</p> <ul style="list-style-type: none"> ○ 1 Manager (Grade 9) ○ 3 Support workers (Grade 8) ○ 1 Admin worker (Grade 5) ○ 0.5 FTE housing options worker (Grade 7) 	£220k
2024/25	
<ul style="list-style-type: none"> • Management phase (It may be possible to reduce to a smaller staff depending on how many families have moved into PRS accommodation) 	£169k

Other Internal Costs:

To 2023/24:	
• Recharges to Business Intelligence, Business Support	£50k
• ESOL room hire, translation services, Refugee Outreach Worker, training, etc.	£110k
• Additional ESOL staff	
○ Lead Tutor 3 days £25,300 - full year post Grade 8	Max
○ Lead ESOL co-ordinator Grade 8 or Grade 7 [£15,000 for 2 days and £22,000 for 3 days]	£50k
• Additional Room Hire for ESOL classes	£10k
• Funding for the continued operation of 'Our City Hub'	£45k
• Top up payments for hosts	£70k
2024/25:	
• Salary costs for Minority Communities Officer & Refugee Outreach officer (Grade 8/7)	£80k
• Recharges to Business Support and Business Intelligence	£50k

Grants to / purchasing from partner organisations:

To 2023/24:	
○ City of Sanctuary supporting the provision of accommodation (a report on work to date is attached at Annex B)	£210k
○ Trauma / wellbeing support	
○ Youth / children's activities	
○ Other integration including through community hubs	
• Additional caseworker at Refugee Action York to support with foodbanks, set up additional	£45k

provision of drop ins, support with form filling, job application etc. (2022-23)	
<ul style="list-style-type: none"> Long Spoon Forum – set up, staffing, creche and operational budget (2022-23) 	£20k
<ul style="list-style-type: none"> Funding York City Church for the Ukrainian/Asylum café 4hrs pw until April. (2022-23) 	£1k
2024/25:	
<ul style="list-style-type: none"> Some residual need 	£100k

Financial Implications:

45. The total of the anticipated expenditure set out above is £3.4m which is funded by a Department for Levelling Up, Housing and Communities (DLUHC) grant of £3.4m.
46. As the numbers of refugees continues to change the variable costs will change and so the budget will need to be adjusted over time however it is anticipated that expenditure will be contained within the overall grant.
47. A contingency is included within the overall budgets of £331k across the three years, which can fund other potential services and contracts not currently identified. It is also necessary to ensure that the grant funds the additional resourcing across the council that has been incurred in supporting this important workstream.
48. The position is summarised by year as follows:

All figs £'000's	2022/23 Forecast	2023/24	2024/25	Total
	£k	£k	£k	£k
Variable Costs	248	612	610	1,470
Staffing Costs	140	220	169	529
Internal Costs	250	155	130	535
Grants / Partner	236	190	100	526

Contingency	100	125	106	331
Grand total	974	1,302	1,115	£3,391
Income				£-3,391

49. The table above shows that the costs of the scheme will be contained within the current level of assumed income based on the current number of arrivals. Guests who arrive after 1 January 2023 attract a lower level of grant and is assumed that the costs directly relating to further arrivals will be contained within further grant. however

Consultation

50. CYC have worked closely with partners to evaluate spend to date and to ensure that additional spend is targeted in the right places and will have maximum benefit for the guests being supported with this funding.

Options

51. It is open to the Executive to accept the recommendation to approve the additional expenditure in this report or decline to do so.

Council Plan

52. Supporting our Ukrainian guests to settle into their new homes meets the Council Plan priorities of 'good health and wellbeing', 'well paid jobs and an inclusive economy', 'a better start for children and young people' and 'safe communities and culture for all'.

Implications

53.

- **Financial**
Included in the main body of the report
- **Human Resources (HR)**
As per report
- **Equalities**
Executive Members are not being asked to make a decision which requires a full EIA, as this is government funding targeted at welcoming and supporting a specific cohort.

- **Legal**
Where Ukrainian refugees have been matched and placed in York, the Council is required to make appropriate arrangements for ensuring their welfare, and for passporting central government funding to those individuals. In addition, the council has a duty under the European Convention on human rights to safeguard the welfare of those refugees; the arrangements set out in this report will assist the council in meeting its human rights obligations.
- **Crime and Disorder**
The funding allocated to VCS partners to provide support and activities will support community cohesion and have a positive impact on crime and disorder.
- **Information Technology (IT)**
None
- **Property**
None
- **Other**
None

Risk Management

54. The main risks should this additional spend not be approved are:

- The HfU programme is a government scheme and funding, while not ringfenced, has been provided to welcome and support a specific cohort.
- That hosts feel they do not have sufficient support and choose to withdraw from the scheme before their guests have found suitable, alternative accommodation.
- Ukrainian guests who do not find suitable employment opportunities and/or accommodation will need to be housed by CYC.
- VCS partners, who are already operating at capacity, will have to reduce their level of support.

Contact Details

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Tracey Carter

Director of Economy, Regeneration and
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**Report
Approved**



Date 3/3/2023

Specialist Implications Officer(s) List information for all

Financial:

Name: Patrick Looker
Dawn Shaw

Title: Finance Manager(s)

Legal:

Name: Bryn Roberts

Title: Director of Governance

Wards Affected:

All



For further information please contact the author of the report

Annexes: None

Background Papers:

'York's welcome to Ukrainian refugees'

Decision Session - Executive Member for Culture, Leisure and
Communities 19 April 2022

[Agenda for Decision Session - Executive Member for Culture, Leisure and Communities on Tuesday, 19 April 2022, 9.00 am \(york.gov.uk\)](#)

Abbreviations

DLUHC – Department for Levelling Up, Housing and Communities

ESOL - English for Speakers of Other Languages

FTE – Full Time Equivalent

HfU - Homes for Ukraine Scheme

VCS – Voluntary and Community Sector



Executive

16 March 2023

Report of the Corporate Director of Children and Education

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

Clifton Green Primary – Re-organisation and Security

Summary

1. This report provides details about a proposed capital scheme for Clifton Green Primary School to re-organise the site to develop the provision to support better outcomes for children with SEND.

Recommendations

Executive is asked to:

- a. approve option 3 outlined in this report, that is to re-organise internal rooms and spaces and address safeguarding and security issues that affect the external areas within the school site.
 - b. agree to a planning application to be submitted for the scheme.
 - c. approve the carrying out of a procurement process to procure a contractor to carry out the works and to delegate to the Corporate Director of Children and Education (in consultation with the Executive Member for Children, Young People and Education, the Chief Finance Officer and the Director of Governance or their delegated officers) the authority to take such steps as are necessary to procure, award and enter into the resulting contract. subject to the winning bid being within the budget set out in paragraph 17 of this report.
2. Reason: This will ensure that the use of the rooms and spaces within Clifton Green Primary are suitable and sufficient to meet the needs of children and will reduce the number of pupils that need to access other specialist provision around the city. It will also ensure that the security and safeguarding of pupils and others using the site is improved. This

work supports the outcomes of the Inclusion Review which will provide more suitable provision in mainstream settings for neurodiverse children and for those with a primary need of SEMH (Social and Emotional Mental Health).

Background

3. The school recently received a 'good' Ofsted Inspection and is ambitious, wanting to continue its improvement journey by securing the recent 'good' Ofsted judgement and possibly 'outstanding' in the future as it will be better able to meet the needs of children with SEND if the school spaces are adapted to support their learning.
4. Academic data shows that too many children are leaving at the end of key stage assessment points below the age-related expectations.
5. Clifton Green Primary faces an increasing number of significant challenges that exacerbate the ability to help pupils reach this expectation due to teaching and intervention areas that are inaccessible, cannot be used or incorrectly located around the school building. Clifton Green Primary serves one of the most disadvantaged wards in York. The 2019 English indices of deprivation (2019) show that the school is located in amongst the 20% most deprived neighbourhoods in the country. The neighbourhood data shows that the school is within the 10% most deprived areas in the country when factoring in the areas of education, skills and training.
6. Over 13% of Clifton Green pupils speak English as an additional language which is higher than the Local Authority's city-wide average of 8.9%.
7. The number of children with Social, Emotional and Mental Health (SEMH) needs is routinely high but this has noticeably increased due to the impact of the pandemic and the cost-of-living crisis. This requires enhanced pastoral provision and spaces for children to regulate their emotions and process their experiences on a 1:1 and small group basis.
8. The Rapid Improvement Group made specific reference to the organisation of school space where there is a lack of intervention space, intervention spaces in the right places to support year groups and children with SEN. A review of the use of the building was requested and following several meetings with the Head teacher they

proposed a re-organisation of space to allow rooms, Early Years, KS1 and KS2 groups and room adjacencies work more logically within the confines of the area of the school building.

9. The Rapid Improvement Group made specific reference to the concerns around security and safeguarding at the site. The subsequent discussions and review of the school site have included proposals to address the issues at both the front and rear of the site, as follows:
 - a. The openness of the playing field to the rear of the site creates some significant safeguarding issues for school. It is proposed to install a fence around the perimeter of the field which will also prevent anti-social behaviour.
 - b. The installation of a fence will allow school to use the field without the risk of others accessing it at the same time.
 - c. At the front of the site, there is no protection to the grassed area leading to the main entrance of the school, so children are not protected from running into the car park. The installation of fencing will help to prevent this.
 - d. At the front of the site, one classroom exit door, opens straight onto the car park. The installation of fencing will help to prevent this.
 - e. The car park is shared with those using the Children's Centre which is a multi-use facility that includes essential early years delivery for the community. The car park has no obvious turning area so installation of metal fencing will direct children and adults to only using pedestrian paths.
 - f. The only place for school and Children's Centre to congregate during fire evacuations is to the front of the site using a single path to access a bank to the side entrance to the car park. The installation of fencing will help organise the movement of people to the muster points.
 - g. The main entrance to school does not currently offer a secure 'waiting space' and adaptations would mean access in and out is easier and staff and children are better protected.

- h. An autism hub has recently been located to the Children's Centre. The open site, number of vehicles using the site and lack of turning space adds to the issues of security. Fencing that separates pathways from the car park will resolve this issue along with an assessment of how the car park is being used, by whom and at what times of the day to work out how it can be better managed.

Consultation

- 10. Consultation has taken place with the Head teacher at Clifton Green Primary, who in turn has discussed the issues with staff and school governors. A close working relationship with Clifton Green Primary is already in place and is essential to ensure the current building can be adapted and changed in to meet the needs of the pupils attending the school.
- 11. Local Authority officers and school are also in discussion with regards to the challenges from sharing the site and how to keep all users of the site safe and secure.

Options

- 12. Option 1 – do nothing
- 13. Option 2 - re-organise internal rooms and spaces only. This option is estimated to cost approximately £1.28m.
- 14. Option 3 – re-organise internal rooms and spaces and address safeguarding and security issues that affect the external areas within the school site. This option is estimated to require a budget of £1.5m.

Analysis

- 15. Option 1 - It is not possible to fully meet the needs of the pupils given the current room and space arrangement in the school building. This has led to an increased use of alternative provision for some pupils with social, emotional and mental health needs. It is also not possible to ensure continued safeguarding or security based on the current external building arrangements. Doing nothing is therefore not a recommendation.

16. Option 2 - School uses internal and external spaces for curriculum teaching. To only re-organise and change internal areas would mean teachers and pupils who are isolated in areas with no or insufficient or inadequately sized intervention rooms, a waiting area where staff and pupils are less protected, areas where there are toilets without changing facilities and areas that challenge staff's ability to keep children safe and secure would remain.
17. Option 3 - All of the areas causing concern are interlinked. Addressing all of the areas causing concern will allow the school to meet the multiple needs and challenges they face both internally and externally and will reduce the number of pupils that need to access other provision around the city. It would further support the school's improvement journey by securing their recent 'good' Ofsted judgment to possibly 'outstanding' in the future as they will be better able to meet the needs of children with SEND.

Implications

Financial

18. It is proposed that the funding for the work required at Clifton Green Primary School be provided from the currently unallocated Basic Need budget in the Children and Education Capital Programme. There is currently an amount of £9.9m available within this budget. If the recommended option (Option 3) is approved the unallocated amount will be reduced to £8.4m.
19. Making the changes at the school will reduce the demand on other more costly specialist primary provision as more children will be able to remain in their local mainstream setting.

Risk Management

20. If this work does not go ahead, many children will not be able to continue to access education at their catchment school and will need to be accommodated at other settings around the city potentially increasing transport costs.
21. Works will need to take place in two phases across two summers, and therefore will need to be carefully prioritised for each summer period. The market conditions for works have been assessed by quantity surveyors and inflation has been accounted for up to and including

quarter 3 of 2024. A risk allowance has also been included within the project budget.

Council Plan

A greener and cleaner city

22. The re-organisation at Clifton Green Primary School will minimise the number of pupils being transported to other settings.

Safe communities and culture for all

23. The works will secure and safeguard the site, creating a safer environment for children, their families and the wider community.

A better start for children and young people

24. The spaces being created at Clifton Green Primary School will provide appropriate and safe provision for pupils with high levels of need.

An open and effective council

25. This re-organisation proposal has been put together following discussion and concerns that were highlighted within the Council's Rapid Improvement Group.

Human Resources (HR)

26. There are no HR implications.

Equalities

27. The Council needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). An Equalities Impact Assessment has been carried out and is annexed to this report at Annex A.

28. The scheme will maximise pupils' opportunities, provide support and enable staff to carry out their duties efficiently.

Legal

Procurement

29. Any proposed works will need to be commissioned via a compliant procurement route under the Council's Contract Procedure Rules. At £1.5m the value of the works for Clifton Green Primary School outlined above fall significantly below the relevant threshold for the procurement of works under the Public Contract Regulations 2015 (i.e. £5.3m), therefore a full procurement exercise under the Regulations will not be required in this instance. However, a competitive process for quotations will still need to be advertised and run under the Contract Procedure Rules, and an appropriate form of contract will need to be drafted and completed with support from Legal Services.

Education

30. The Council has a legal obligation to ensure the school premises and the accommodation and facilities provided therein, must be maintained to a standard such that, so far as is reasonably practicable, the health, safety and welfare of pupils are ensured (The School Premises (England) Regulations 2012). In addition, the Equalities Act 2010 requires all schools to prepare and implement an accessibility strategy to improve the physical environment of the school for pupils with disabilities and special educational needs. This should include consideration of their particular health and safety needs on the school premises and how these can be met.

Crime and Disorder

31. There are no crime and disorder implications.

Information Technology (IT)

32. There are no IT implications.

Property

33. Clifton Green Primary is maintained by City of York Council.

Contact Details

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Education and Skills

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Corporate Director of Children and Education

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Report
Approved



Date 14.2.23

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Wards Affected:

All

For further information please contact the author of the report

Background Papers

Annexes

Annex A - Equalities Impact Assessment

List of Abbreviations Used in this Report

EHCP - Education Health and Care Plan
FSM - Free School Meals
PAN - Pupil Admission Number
RIG - Rapid Improvement Group
SEMH - Social, Emotional and Mental Health
SEN - Special Educational Needs

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:		People Directorate	
Service Area:		Education Support Services	
Name of the proposal:		Clifton Green Primary - Re-organisation and security of the site to develop the provision to support better outcomes for children with SEND.	
Lead officer:		Claire McCormick	
Date assessment completed:		13-01-23	
Names of those who contributed to the assessment:			
Name	Job title	Organisation	Area of expertise
Claire McCormick	Planning & Policy Officer	CYC	Project manager for the development of the project working in tandem with Clifton Green Primary.

Nicki Jones	Head teacher	Clifton Green Primary	Head teacher at the school involved in detailed discussions for the development of the project and working in tandem with CYC.

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	The report provides details about the capital work needed to re-organise internal rooms and spaces and address safeguarding and security issues that affect the external areas at the school site. The work will impact positively on learning and social and emotional provision as well as crucially, to better meet the needs of SEND.

1.2	Are there any external considerations? (Legislation/government directive/codes of practice, etc).
	N/A

1.3	Who are the stakeholders and what are their interests?
	The stakeholders are CYC and Clifton Green Primary who want to create learning and pastoral provision for all pupils including those with SEND, those who are disadvantaged and to improve the security and safeguarding throughout the building and the wider site.
1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
1.4	<p>As above, the outcomes are for the pupils attending the school and the staff that teach and supervise those pupils.</p> <p>Links to the Council Plan:</p> <p>A greener and cleaner city The adaptations at Clifton Green Primary will be created using the existing footprint.</p> <p>Safe communities and culture for all The works will secure and safeguard the site, creating a safer environment for children, their families and the wider community.</p> <p>A better start for children and young people The spaces being created at Clifton Green Primary will provide better learning and pastoral provision for all pupils including those with SEND and those who are disadvantaged.</p> <p>An open and effective council This re-organisational proposal has been put together following discussions about the concerns highlighted within the Council’s Rapid Improvement Group.</p>

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Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area, etc.	
	Source of data/supporting evidence	Reason for using
	Feedback from stakeholders – school	Helps to demonstrate the full and wider impact of the proposed works.
	Children’s Centre colleagues	Developments to the front of the site will impact upon users of the Children Centre who are present on the school site. Colleagues are working together to come up with a coherent solution.
	Virtual School, Safeguarding, Parents	Parents are aware of the limitations and the challenges school faces. Individual work is consistently taking place with individual families of vulnerable pupils. Both the Safeguarding Officer and Virtual School Officers are involved with school in the safety planning of this site.
	School governors	Governors are working alongside the school leadership team and CYC.
	Rapid Improvement Group	Highlights the need for change both within and without the school building which are required to secure the school’s improvement journey and better meet the needs of children with SEND.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	N/A	

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	Early intervention will be positively affected as a result of this scheme to enable life-long impacts for pupils.		
Disability	The proposed changes will have a positive impact upon pupils who are SEND and SEMH. Changing the spaces within school will enable interventions and specific support to be provided effectively to those who are vulnerable. This cannot be done now as rooms throughout the building are the wrong size, located away from year groups, and there are areas that cannot be used by all due to lack of accessibility. The changes to external site areas will allow		

	safe egress out of and into the building and will vastly improve the safeguarding of pupils.		
Gender	Creating spaces that allow equal access for all in the learning environment.		
Gender Reassignment	As above.		
Marriage and civil partnership	N/A		
Pregnancy and maternity	N/A		
Race and culture	Creating spaces that allow equal access for all in the learning environment. Interventions will become more effective for children with English as an additional language (EAL), due to the change to spaces.		
Religion and belief	Re-purposing space allows for the creation of smaller rooms/intervention spaces which can flexibly be used as a prayer room for staff and pupils.		
Sexual orientation	N/A		
Other Socio-economic groups including:	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	The plan incorporates the development of a secure and private meeting space to be used for sensitive meetings e.g. looked after children, SEND and those on safeguarding plans.		
Low income groups	The demographic of the school shows a high proportion of disadvantaged pupils with a wide range of needs including SEND, pastoral, speech and language, social and emotional		

	mental health. The re-design of spaces will enable these needs to be met.		
Veterans, Armed Forces Community			
Staff	The adaptation of the school's existing open main entrance to a secure lobby and reception area is crucial to improving safeguarding and lockdown procedures. The changes proposed throughout school allows teaching staff to access and have enough intervention spaces that are also in the right places and are of the right size across all year groups and that safeguarding in external areas to can be better managed.		
Impact on human rights:			
List any human rights impacted.			

Use the following guidance to inform your responses:

Indicate:

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

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

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

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
As step 4.	

Step 6 – Recommendations and conclusions of the assessment

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

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

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

Option selected	Conclusions/justification
No major change to the proposal.	The project will enhance equality, life-long learning experiences, independence and to enable staff to provide better and more effective experiences for all pupils.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
Safety, security and educational provision for all.	Make adaptations to resolve issues.	Claire McCormick/Nicki Jones	To be complete by September 2024 (2 phases).

Step 8 - Monitor, review and improve

8.1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The use of teaching spaces and the effectiveness of interventions will be continually monitored by the SLT and governors and shared with CYC through school improvement partners. It would further support the school's improvement journey by securing their recent 'good' Ofsted judgment to possibly 'outstanding' in the future as they will be better able to meet the needs of children with SEND.

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Executive**16 March 2023**

Report of the Corporate Director of Adult Social Care and Integration
Portfolio of the Executive Member for Adult Social Care & Public Health

Market Position Statement**Summary**

1. The purpose of the market position statement (MPS) is to inform and shape the care market. This includes articulating what we, as an authority, would like to see developed further and what services we would like to see a reduction of. The market position statement is the start of a market shaping process to ensure services meet the needs of our population; whilst taking into consideration our model of delivery and financial constraints. Market shaping is a legal requirement as part of the Care Act (2014) and is aimed to understand our local care market and stimulate a diverse range of care and support services to ensure that people and their carers have choice over how their needs are met and that they can achieve the objectives that are important to them.

Recommendations

- 1) The Executive is asked to:
Note the content of the market position statement
- 2.
- 2) Approve the market position statement

Reason: A market position statement is a key element of market shaping and market shaping is a legal requirement (Care Act 2014)

- 3) Delegate authority to agree any minor amendments to the Corporate Director of Adult services and Integration and Councillor Runciman Executive Member for Adult Social Care & Public Health

Reason: The document is a complete document however it may need some minor amendments prior to publishing. These amendments will

be based on feedback from internal & external stakeholders and will be slight, with little impact on the document that is being presented.

Background

3. The rationale for the market position statement is to encourage commissioners, people who use services, carers and provider organisations to work together to explain what care services and support is needed and why. As the Institute for Public Care says, it is important to understand that a Market Position Statement (MPS) is the start, not the end point of a process of market facilitation as engagement with the market is essential in being able to shape provision and ensure a variety of services available.
4. The market position statement will play a fundamental role in shaping the market in meeting current and future needs. Market shaping is an essential element of commissioning & procurement and forms an important part of what a council must do to help to make sure that there are different types of service and support available. The MPS is intended to help all current and future providers of social care and community healthcare understand the care changes that the Council and health partners anticipate, as well as the potential opportunities for the market to innovate and improve future service delivery.
5. We are obligated by the Care Act (2014) to ensure the care market is sustainable, diverse, and high-quality. A step to be able to achieve this is through market insight and market shaping. Market shaping means that we will collaborate closely with partners to encourage and facilitate the whole market. The core activities of market shaping include engaging with stakeholders to understand supply and demand, articulating likely trends that reflect people's changing needs and aspirations, based on evidence and signalling to the market the kinds of services required to meet them. This includes encouraging innovation, investment, and continuous improvement.

Consultation

6. The MPS has been developed internally by the Head of all-age commissioning & contracting. Consultation on the MPS has taken place across both internal and external stakeholders including adults and integration, children's, public health, housing, finance and ICB partners.
7. Prior to publication the market position statement will be share with providers and the independent care group.

Options

1. Approve the market position statement
2. Do not approve the market position statement

Analysis

8. 1) This would ensure that the council fulfils the statutory responsibilities, as market shaping and market engagement is a requirement of the Care Act (2014). The Care Act states, "local authorities should take the lead to engage with a wide range of stakeholders and citizens in order to develop effective approaches to care and support, including through developing the JSNA and a Market Position Statement". Approving the MPS would also ensure the market is engaged and aware of the priorities of the Council including the model of care. This is vital in being able to meet need as well as control costs.
9. 2) Not approving the market position statement will have a negative impact on the care market, its provision and cost. Without market engagement, the market will react in a way that is not evidence based and may not be aligned to the priorities of City of York Council. A lack of market engagement and shaping may see needs not being met as services will not be available as the market will have no insight into our priority areas. Without market engagement and shaping the costs of care provision will also increase as the market requires strong direction setting with clear measurable outcomes and outputs.

Council Plan

10. The Market Position Statement directly supports the achievement of the Council Plan 2019-2023 outcome areas as below:
 - Good health and wellbeing
By ensuring services are provided that meet the needs of the population

Implications

11.
 - **Financial**
There are no financial implications to the MPS.
 - **Human Resources (HR)**

There are no human resource implications.

- **One Planet Council / Equalities**

There are no negative implications on equalities/one planet council

- **Legal**

It is a requirement of the Care act (2014) to have a market position statement.

- **Crime and Disorder**

There are no implications on crime and disorder

- **Information Technology (IT)**

There are no implications on IT

- **Property**

There are no implications on property

- **Other**

There are no know other implications

Risk Management

8. An equality impact assessment has been carried out which showed a positive impact across all protected characteristics.

Contact Details

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Chief Officer Responsible for the report:

Jamaila Hussain
Corporate Director of Adult Social Care and
Integration

Report **Date** 3/3/23
Approved

Specialist Implications Officer(s) None

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

All

For further information please contact the author of the report

Background Papers:

There are no background papers

Annexes

Annex A – Market Position Statement

List of Abbreviations Used in this Report

MPS Market position statement

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City of York Council

All Age Market Position Statement

2023-2025

Provide person centred and outcome focused care through a sustainable market that is inclusive and well-led

Abid Mumtaz

Foreword

I would like to present the City of York council market position statement 2023 – 2025. The purpose of the market position statement is to inform and work with the market to provide services that are in keeping with our priorities. This market position statement is to assist providers in highlighting the numerous sector-specific opportunities available to the market. There are many opportunities for providers to do things differently, such as developing new technologies and altering culture.

We will continue to collaborate to provide long-term, high-quality care and support to residents of the city to ensure that this commitment is carried out in conjunction with individuals, their families, caregivers, as well as other stakeholders and providers of health and social care. The development and publication of this document is the start of a dialogue with the market to ensure residents receive the best possible service that meets the financial constraints of the council.

In order to assist individuals in maintaining their independence, safety, and connection to communities, York has taken an active approach. As a result, reducing residential care and developing community services based on community assets and outcomes rather than tasks are our primary focus. We will also continue to integrate with our health partners whilst focusing on improved prevention and early intervention models. To reduce the dependence on services and develop alternative service and models of care we will continue to collaborate with the voluntary, community and social enterprises, as well as the independent sectors (on a longer-term basis), to ensure that a variety of high-quality services are available to better promote independence and well-being across York.

Introduction

As we move towards the next phase of improvement, collaboration and integration it is imperative that providers of all age health and care services understand how they can contribute to the delivery of improving outcomes for our population in the City of York.

The rationale for the market position statement is to encourage commissioners, people who use services, carers and provider organisations to work together to explain what care

services and support is needed and why. As the Institute for Public Care says, it is important to understand that a Market Position Statement (MPS) is the start, not the end point of a process of market facilitation' as engagement with the market is essential in being able to shape provision and ensure a variety of services available. The market position statement will play a fundamental role in shaping the market in meeting current and future need. Market shaping is an essential element of commissioning & procurement and forms an important part of what a council must do to help to make sure that there are different types of service and support available. The MPS is meant to help all current and future providers of social care and community healthcare understand the care changes that the Council and health partners anticipate, as well as the potential opportunities for the market to innovate and improve future service delivery.

This market position statement will outline:

1. The support and care services people need and how they need them to be provided.
2. How commissioners want to shape the opportunities that will be available.

Market shaping

We are obligated by the Care Act (2014) to ensure the care market is sustainable, diverse, and high-quality. We are also obliged to provide contingencies in the event of provider failure. A step to be able to achieve this is through market insight and market shaping. Market shaping means we will collaborate closely with partners to encourage and facilitate the whole market. "Market shaping means the local authority collaborating closely with other relevant partners, including people with care and support needs, carers and families, to encourage and facilitate the whole market in its area for care, support and related services. This includes services arranged and paid for by the state through the authority itself, those services paid by the state through direct payments, and those services arranged and paid for by individuals from whatever sources (sometimes called 'self-funders'), and services paid for by a combination of these sources. Market shaping activity should stimulate a diverse range of appropriate high-quality services (both in terms of the types of services and the types of provider organisation) and ensure the market as a whole remains vibrant and sustainable. (Adult social care market shaping - GOV.UK (www.gov.uk))." The core activities of market shaping includes engaging with stakeholders to understand supply and demand, articulating likely trends that reflect people's changing needs and aspirations, based on evidence and signalling to the market the kinds of services required to meet them. This includes encouraging innovation, investment, and continuous improvement.

Our priorities

improve the health of our population in York. The all-age commissioning team aims to shape commissioning activity to encourage a wide range of care and support services to ensure that individuals and their caregivers have a say in how their needs are met and can achieve their goals. In addition, we will try and ensure the care market as a whole continues to thrive and remain stable and financially sustainable within the resources available to the Council.

Commissioning principles

- Commission quality services that meet high national and local standards, which will be measured through benchmarking.
- Prevent, delay or reduce the need for people to access social care by providing advice, information and services that support people to be as independent as possible.
- For individuals who require support provide ongoing care in the individual's own home (home first) rather than in a residential care facility whenever possible.
- Ensure services are commissioned based on need and evidence of effectiveness.
- Ensure value for money and costs benefits are maximised.
- Deliver positive outcomes for service users by holding providers to account and ensuring outcomes are captured and measured.
- Ensure and encourage an open culture around safeguarding, working in partnership with providers to confirm the best outcome that are in keeping with national safeguarding policy and best practice

Our model of care

Our goal is to support and assist individuals in remaining as healthy and self-sufficient as possible, enabling them to manage their own health and well-being in their own homes whenever possible. Where care is needed, we want people to have a choice about how their needs are met. The people who are receiving services should be at the centre of everything we and the providers do together. York has moved to an asset-based community development model that empowers individuals and communities to maximise local assets that will help individuals and communities to stay healthy for as long as possible. This model will identify need and match it with community strengths that will empower and be based on what people can do. This bottom-up approach will strengthen communities through the recognition and harnessing of community assets. By assisting individuals and communities to identify and share their strengths, the strategy makes it easier for them to become empowered, allowing them to collaborate on the development of their own social innovations.

This asset-based approach will contribute to our prevention agenda through empowering as well as information and knowledge sharing. Community development as a strand of health promotion is well established and has evidence of having a major positive impact in improving health outcomes and reducing inequalities. Strengthening communities, having a greater role for volunteers and peer roles; collaborations and partnerships; and access to community resources will also contribute to a person-centred prevention agenda. It is also our responsibility to provide high quality, accessible and timely information to our residents to ensure decisions are based on knowledge and to raise awareness of options available to aid decision making.

Within this model the independent sector providers of adult social care play a crucial role and we want to ensure that you receive the information and assistance you require to fulfil your crucial role in the health and social care system. We also want to ensure the sector has a longer-term partnership with the Council and move away from 12-month funding agreements to a more longer-term partnership. Offering longer-term funding agreements to the sector will enable long-term security and planning which will in-turn will ensure the sector is embedded into future working and improve long-term outcomes.

Having good universal information and advice layered with community assets and development and building on targeted prevention and community services as well as assistive technology and equipment will help reduce the dependence on residential care beds. The philosophy of home and community first is a default that will help individuals remain at home and in their community for as long as possible. As a result of this approach, and model of care, we are determined to see a reduction in the number of care beds we currently commission. This reduction is not a reflection on the excellent local provision but a direction of travel that is rooted in a wealth of research that advocates for this approach in improving outcomes.

Outcomes on an individual, service and system level will require capturing through an outcome-based accountability approach. Outcome based accountability is a disciplined way of thinking and taking action that we will use to design and monitor strategies to improve the lives of our population. Accurate and timely data on an individual and service level will help map progress, measure improvements and chart distance travelled. The performance management element of outcome-based accountability will measure the effectiveness of services and interventions and the impact on their client or service-user populations by chosen measures by the commissioner. These measures and this approach will ensure partners & providers are accountable for their elements of the wider health and social care system outcomes.

Asset based practice enabled by asset-based commissioning

Asset based commissioning is an approach that enables individuals and communities by commissioning based on need as well as building on local provision. The approach enables service users to become equal commissioners, co-producers, and also via self-help make best complimentary use of all assets to improve life and community outcomes.

Asset-based practice aims to make more effective and efficient use of the total assets of people, communities and organisations. It does this not by reducing the role of the authority and transferring the burden to people and communities. Instead, it redefines the role of the authority and its relationship to people and communities.

It explicitly recognises the roles that people and communities play in achieving outcomes both as co-producers alongside organisations, and through personal and community self-help. As co-producers, people and communities are involved as equals in day-to-day decision-making. This changes what both practitioners and people and communities do to co-produce outcomes.

The focus is on redesigning services to maximise well-being and sustainability including enabling community and individual self-help. This is a shift from a narrow focus on only improving specific service responses to perceived need within public service resources and silo delivery areas - towards a broader and more sustainable vision and direction. It is necessary and desirable to look much wider than existing public service resources, exploring

a wide range of assets and considering how synergy and alignment can be achieved. Services will be co-produced and delivered in a range of activities to support wellbeing and ensure financial sustainability to the authority.

Messages to the market

City of York Council wants to work alongside partners and providers to support an innovative, diverse and sustainable market which will meet the care and support needs of our population. We aim to work with the market to:

- Adhering to the home and community first principles
- Reduce the number of residential care beds as adopting a home first approach will improve independence and health outcomes
- Maximising and strengthening community capability and building on and strengthening community assets when providing care solutions.
- Work with the community and voluntary sector on longer basis and move away from 12-month grant funding to possibly 36-month contracting. This will help the sectors plan better for future need as well as left shift to prevention and build on community assets.
- Providers need to clearly understand the prevention techniques, identification and support requirements for individuals with physical and mental health issues and concerns.
- Ensure providers have staff that are suitably competent to deal with more complex needs of service users
- Maximise joint commissioning and working across the ICB particularly in relation to services like homecare and home-based rehabilitation
- Ensure services can deliver against budgets and the financial constraints within the sector
- The workforce skills base needs to be suitable and consistent across the City and be supported by the right levels of leadership
- Encourage the development and making better use of community groups & charitable organisations.
- Support the expansion of digital technology in better meeting need for care and support.
- Work with partners to identify solutions and support the development of new provision and/or expansion of existing provision to address.
- Support providers by providing regular updates on policy and guidance changes, signposting to financial support and grants where available
- Provide high quality services, codesigned with the individual, keeping people safe and providing value for money
- Reduce inequalities, promote fairness and opportunity for all, and support our most vulnerable residents
- Have a 'whole system' mentality and are committed to joining-up the support they provide with that of other partners.
- Are committed to being flexible and innovative in working with all partners to respond to individuals' and communities' changing needs.
- Share our commitment to coproduction and ensuring that the people they support are fully involved in shaping the support they receive.
- Residents receive information and advice in a timely and appropriate manner to make decision making simpler and easier

- Maximise shared lives offer of support to reduce the need and reliance on residential support
- There is an oversupply of residential care and an undersupply of nursing care.
- There is an insufficient capacity for dementia care overall.
- We will develop and implement a contractual framework for our residential care providers
- Empower users to maximise and increase the usage of direct payments

Key priorities

Home First Model

We will continue to develop our 'home first' model; to do this we will:

1. Move to a community asset approach of prevention and living well in older age;
2. Contract our commissioning of residential care this will be achieved by commissioning more extra care and domiciliary care and by developing equipment solutions and telecare to maintain people safely in their own homes.
3. Adopt a re-ablement approach wherever possible to maximise and promote independence of people; to do this we plan to work with our domiciliary care providers to identify training needs and support them to work differently. In addition to this we will review the quality of our current re-ablement provision.
4. Find new ways to empower our domiciliary care providers to become 'Trusted Assessors'
5. We will implement the '3 conversations' model to educate our social workers and Trusted Assessors to reduce long term packages of care.

Locality Working

Move to locality working; aligning all services including primary care, community, reablement, voluntary services and domiciliary care to provide seamless services to our population. This approach will be focussed around people's needs and will better streamline people to appropriate services in their local communities underpinned by our 'home first model'

Asset based practice

Since 2016 York has been on a journey to becoming an asset-based place. People's strengths, skills and networks are being harnessed to provide self-supporting networks. This, in turn, is creating a deep reservoir of community-based resources people can draw upon to lead healthy, independent and fulfilling lives.

Residential care

By offering community support and building on community assets City of York council would like to reduce the number of individuals accessing residential care beds as research shows this approach improves health outcomes.

Person centred

We want to transform the way we deliver social care across all ages, focussing on early intervention and prevention and through co-production putting local people at the heart of commissioning and services.

Co-production

In service delivery, co-production is highly individualised to the unique needs of users. Co-production depends on the development of a long-term relationship between the provider and the recipient where information and decisions are shared.

Workforce

In order to help meet the estimated need the Adult Social Care workforce may need to grow by 35% by 2035, according to Skills for Care statistics. In addition, it is necessary to make certain that individuals possess the appropriate training and abilities to continuously enhance and improve outcomes.

Residential rates

High inflation and increased energy costs is having a detrimental impact on residential care and associated costs. The authority is fully aware of the pressures facing the sector and has commenced a fair cost of care exercise to help address some of the issues with the realisation that not all costs increases are affordable to the council.

Cost of care

York is currently undertaking a fee setting exercise which is intended to address the variety and span of provider fees. The variance in prices the authority pays in a variety of areas is undesirable and requires capping through appropriate procurement processes.

Independence

A key priority is to help residents to live as independent as possible by offering a home first and community assets approach. This will ensure that help is targeted to those in the greatest need whilst ensuring residents that require community and home support are able to receive it to remain in their communities and flourish.

Improving outcomes

We can improve people's health and well-being by focusing on what matters most to them. This method of working with people is known as an outcomes-based accountability approach because it helps people understand and achieve their personal goals. Outcomes will vary from person to person because they're about what matters to that individual. Both personal and service outcomes will be improved by being person centred, realistic, achievable meaningful and evolve as needs and service delivery evolves.

Embracing digital technology

Maximising technology will help empower the person and, where appropriate, their families and carers to maintain their own independence, manage their own care and support needs, and interact with the council and care services in a way that is convenient and effective for them.

Value for money

Traditionally value for money was thought of as getting the right quality, in the right quantity, at the right time, from the right supplier at the right price however value for money is not

about achieving the lowest price. It is about achieving the optimum combination of whole life costs and quality.

Complex needs

We are open to ideas about how partnership working can be used more effectively to improve outcomes for people with complex needs and are eager to investigate new methods for commissioning outcomes for them.

Integration

In order to improve outcomes for people who use health and social care services, integrated care must be provided. The elimination of care gaps and inefficiencies ought to also be able to provide savings opportunities.

Information and advice

The York operating model also includes the provision of high-quality information and advice through a range of channels including the development of a new 'citizen wellbeing portal' as a co-produced community-based website for Adults and Families. The www.livewellyork.co.uk website can be used to find information and advice, discover hundreds of local groups and activities and find out what events are happening across York.

Learning disabilities

The vision within the 'All Age Learning Disabilities Strategy', 2019-2024, is; "for every resident of York to enjoy the best possible emotional and mental health and wellbeing throughout the course of their life". The Strategy was coproduced by people with learning disabilities and their families/carers, together with the voluntary sector, education, health and social care 12 focus areas were decided on which would help to improve the lives of people with learning disabilities living in York. Four priority headings:

1. Education / life-long learning and employment
2. Independent living – helping people with a learning disability to have choice and control over their lives and the support they receive.
3. Participating in society –having friends and supportive relationships, and participating in, and contributing to, the local community.
4. Being as healthy as possible

Mental Health

A sub-group of the Health and Wellbeing Board, the York Mental Health Partnership is charged with delivering the All-Age Mental Health Strategy 2018-2023. It has identified the following priority areas of focus, and has sub-groups taking the work forward in these areas.

- Developing a community approach to mental health and wellbeing - 'Connecting Our City'.
- Mental Health and Housing
- Multiple Complex Needs
- Self-harm and suicide prevention

Housing

There are just over 90,000 dwellings in York and of these 65% are owner occupied (57% owned outright and 43% with a mortgage), 21% privately rented and 14% social rented. This broadly matches the data for England.

Support to live independently in the right kind of housing can keep people healthy for longer and can reduce the need for home care or residential care. City of York Council's Older Person's Accommodation Programme recognises that housing needs and preferences change with age and people may want or need to make adaptations to how and where they live.

Good quality, safe, secure and affordable housing is essential to a person's health and well-being. There are many examples of housing, health and social care working together to deliver integrated and often bespoke solutions for residents. As highlighted elsewhere in this Market Position report, the council also has a key role in adapting properties of all tenures to meet particular physical and access needs of our residents,

City of York Council's Homelessness & Rough Sleeping Strategy 2018-2023 underpins a primary focus to report on homeless prevention and relief work, main duty decisions and requirements placed on the Local Authority by Ministry of Housing, Communities and Local Government. The council's targets for the homeless service are based upon the local priorities as set out in the Homeless Strategy and government priorities, including targets / key performance indicators around rough sleeping and use of temporary accommodation.

Another of the YMHP's priorities is the development of an improved mental health housing and support pathway that can help ensure that people with mental ill health can access the right type of accommodation, with the right level of support, at the right time.

At present in York we do not have the full range of housing and support options that we need and, as a result, people sometimes stay in hospital longer than they need to, or they are housed in accommodation that doesn't properly meet their needs, or they are placed in accommodation outside of York away from family and friends and support networks, often at significant expense. The biggest gap in our current provision is for people with multiple and complex needs.

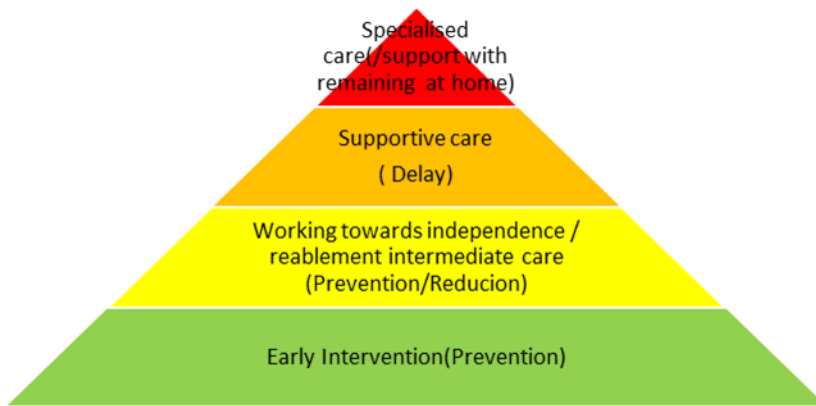
Carers

The York Carers Strategy (2019 – 2024) has been written by the York Carers Strategy Group comprising of people from health and social care organisations, including the council and healthcare professionals, charities, families and carers themselves. The strategy recognises that carers come from all ages and backgrounds, including parent carers, young adult carer and young carers.

Prevention

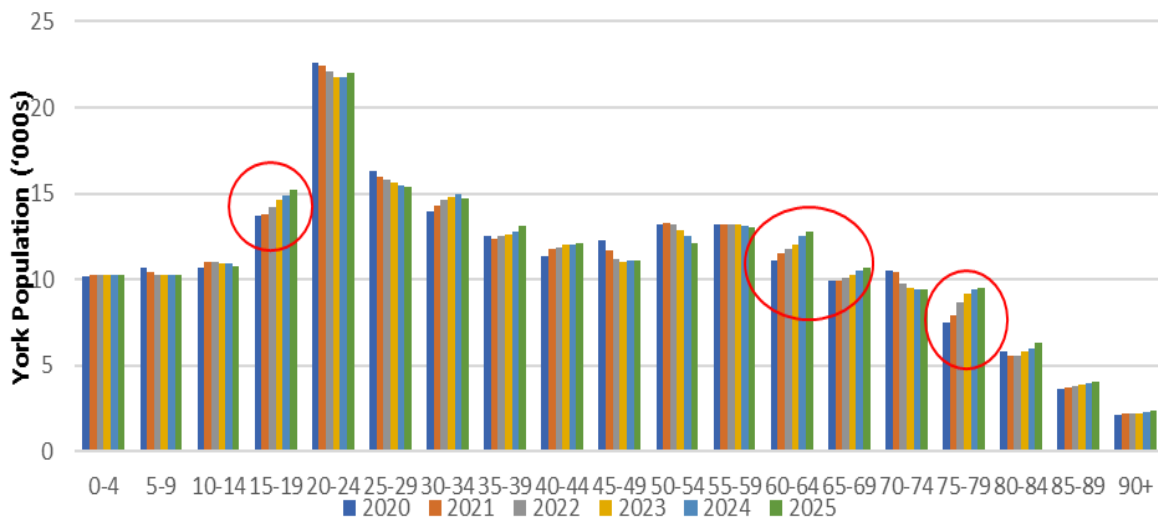
We will continue to develop innovative ways to shift the focus of all our activities towards prevention. Our activities will focus on the skills of local people and communities rather than traditional interventions. This will require new ways of operating within communities, empowering people and facilitating solutions rather than traditional residential services. The model supports the councils vision of supporting people to enjoy healthy, active and independent lives, and creating the conditions for good outcomes to emerge. We have

shifted away from where social care intervenes at a point of crisis in peoples’ lives, often risking dependency, towards a model built on early intervention and prevention. Applying an ethos of strength based practice and ‘asset based community development’ approaches together is enabling a facilitative approach, reflecting collaborative leadership and shared purpose.



Local Context

York population projections



York's current population is 202,821 (2021 Census population estimate). Our largest five-year age band, as a proportion of our total population, is the 20-24 year old band, with 15-19 and 25-29 year-old age bands also higher than the average. This reflects the pull of York's further and higher educational institutions. It also means that, as a proportion of the population, there are fewer people in middle age and early age in the city. This is likely to change over the next five years. The differential trends by age are explained by a higher birth rate before the 2008 recession, and the two waves of high birth levels in the post war and early 1960s periods.

Our population is getting older. By 2030, it is estimated that the 65+ population in York will have increased by 13% from its 2023 level and the 85+ population in York will have increased by 18% from 2023; by contrast, there is expected to be a slight reduction (1%) in those aged 0-19 over the same time period, mainly explained by falls in the youngest age bands, and although there is projected to be growth in those aged 15-19 and 20-24, as these will contain young people studying at York's further and higher education institutions, a significant proportion of whom migrate to the city from elsewhere. The Covid-19 pandemic did affect these numbers significantly; evidence from the 2021 Census showed that there are fewer people in these age bands in the city than were expected from previous published population estimates. The University of York have confirmed that they have fewer students in the 18-22 age band than previously. However, changing population age structures happen very slowly, and national estimates suggest they only account for around a 0.4% increase in healthcare use per year (vs. for example the c. 4% grow in impatient demand which we see nationally). This means that myths around the 'ageing population timebomb' need challenging: in reality, the increased need for more health and social care in the city over the next decade will come from increased and earlier onset of chronic disease, rather than ageing per se.

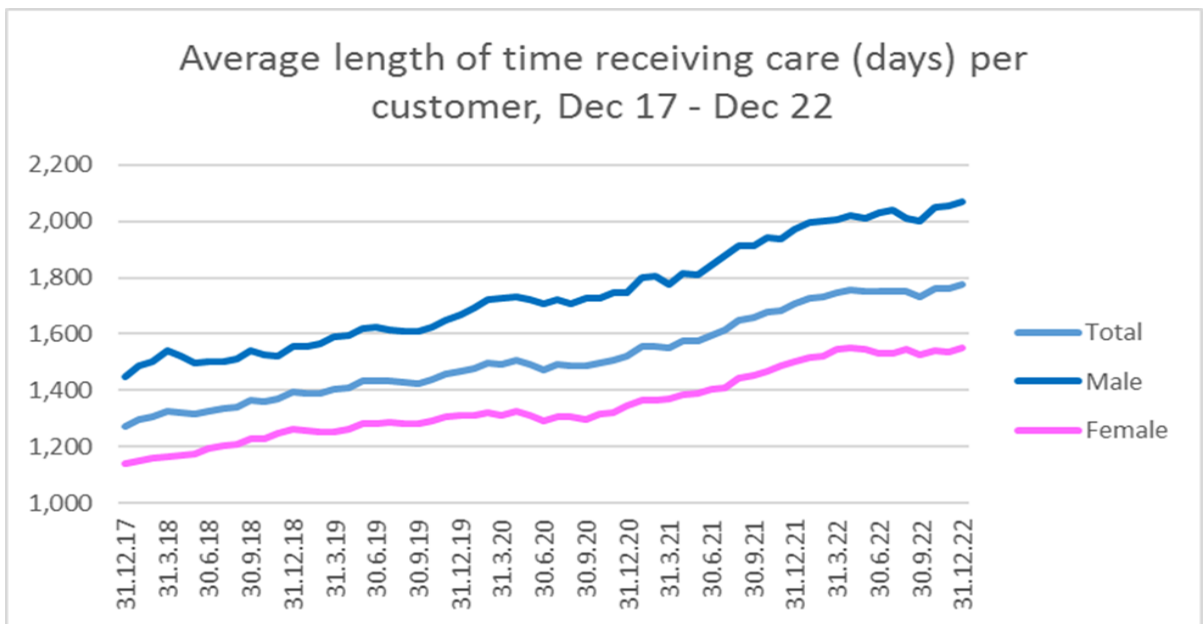
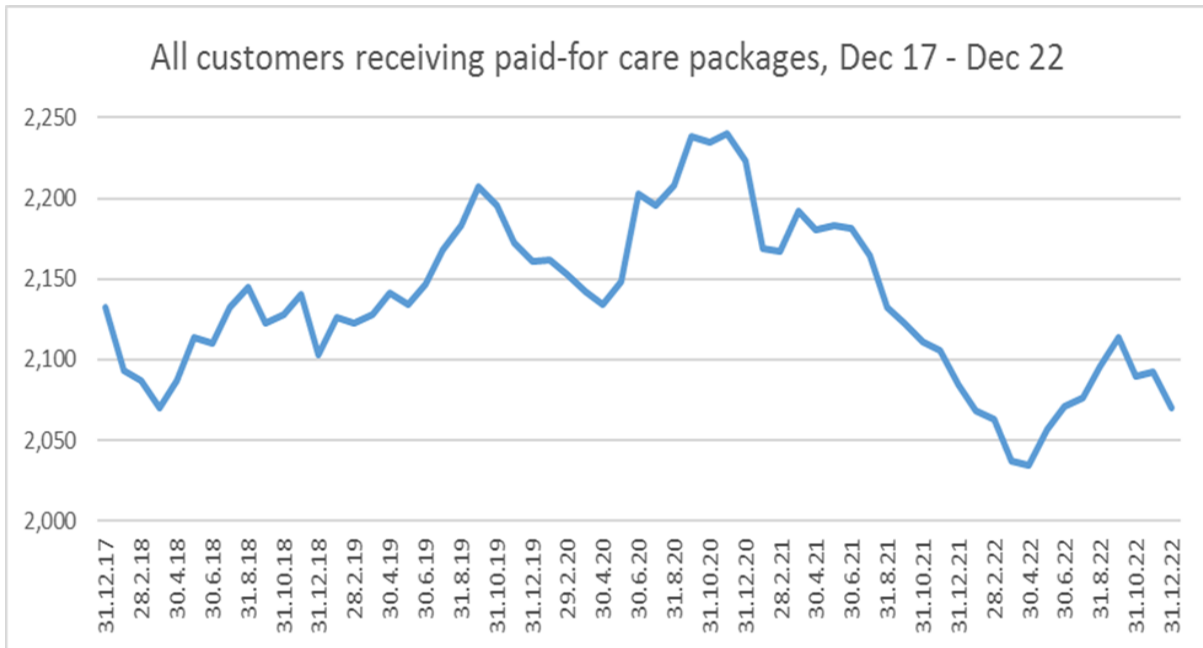
Understanding how the population segments into groups is one of the key tools we want to use as a city to understand future trends in health, as part of a population health management approach. So, for instance, using this type of data in 2018 it was estimated that the population and health projections described above translate (conservatively) into 10% more care packages, 8% rise in caseload for community nursing teams, and a 2.5% increase in GP patient numbers by 2025.

Other work on population health management has looked at the issue of people who live with multiple long-term conditions (multimorbidity):

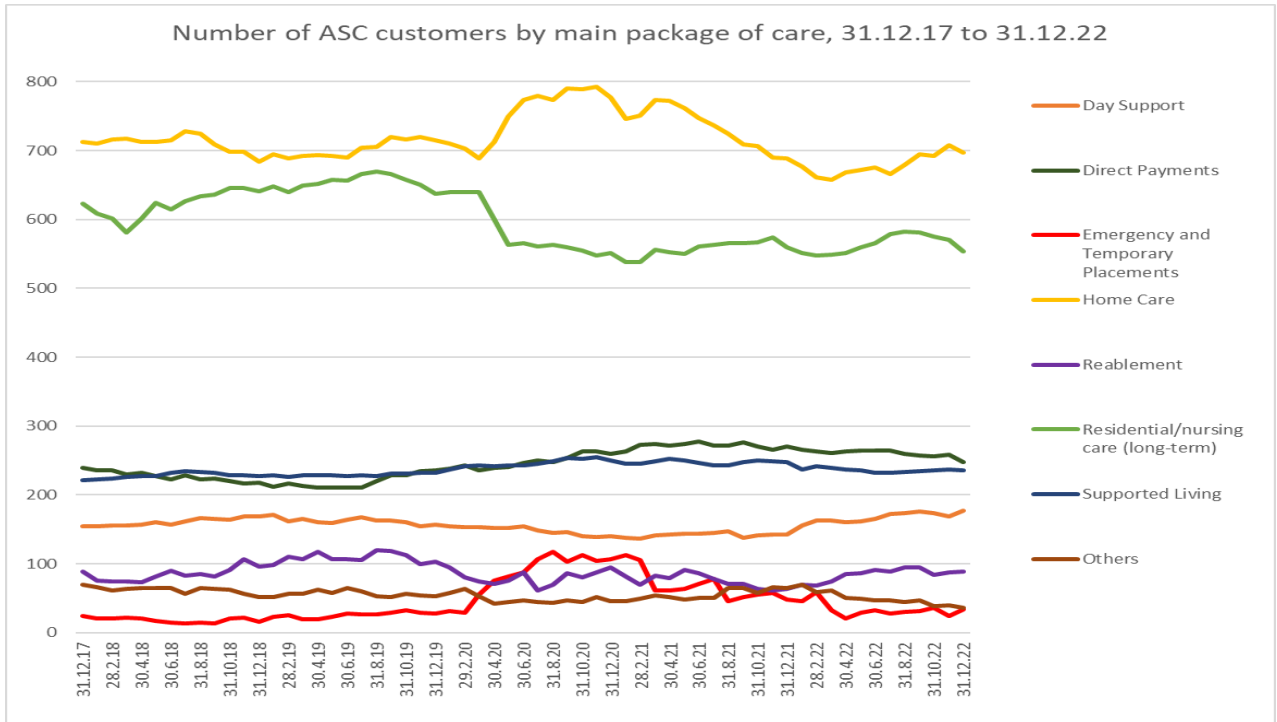
- 10.7% of the York practice population have multimorbidity; this represents 24,124 people.
- 4.6% have 3+ conditions, 2% have 4+ conditions, 0.8% 5+ conditions, 0.3% 6+ conditions
- 13.8% of the multi-morbid population is under the age of 65
- There is a strong link to deprivation with people from more deprived backgrounds having twice the rate of multimorbidity across all ages
- 2.7% of the population have a physical and mental health comorbidity

Data collected by hospitals on the combination of diagnosed conditions people who are admitted to hospital have locally is shown in the table below. This data represents patients in the former Vale of York CCG population, which includes York registered patients as well as some patients registered to GP practices in the North Yorkshire and East Riding local authority areas.

The chart below shows the fluctuation of care packages. Although there has been a reduction the length of time receiving care has doubled over the timescale.

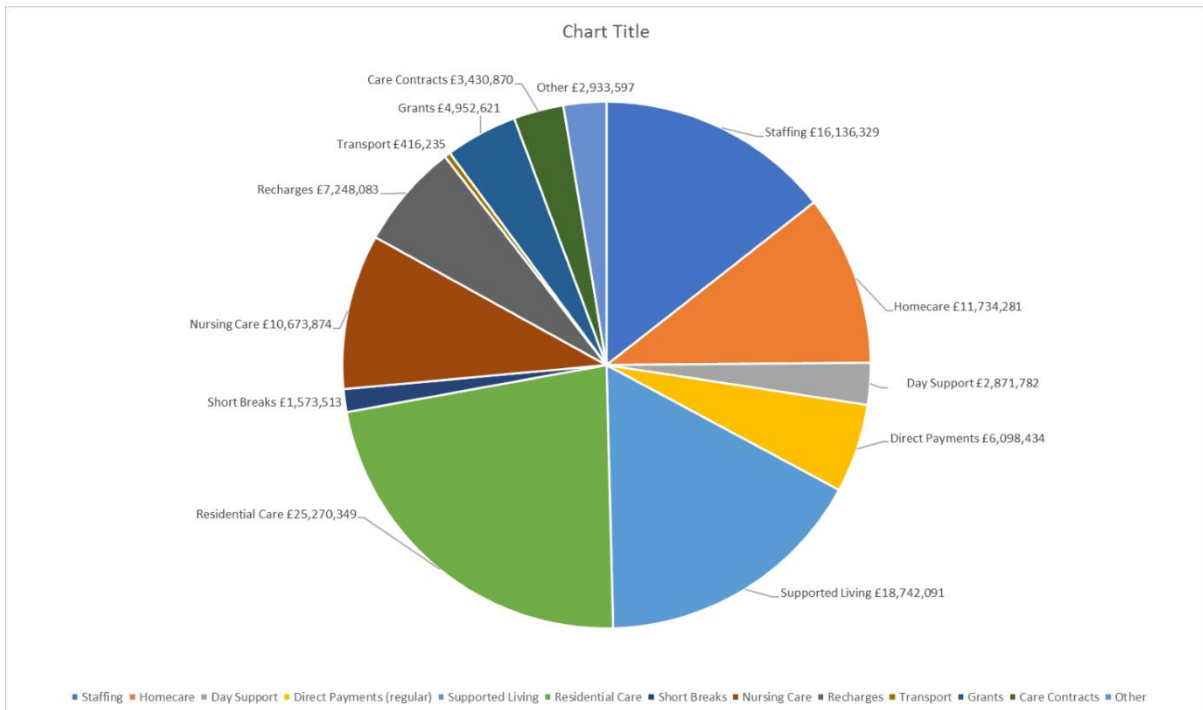


The pandemic has an obvious distortion of the data (chart below) however in the areas of home care and residential care we would like to see the gap between the two areas widening and reduce the reliance on residential services. Seeing this would demonstrate the prevention services and community assets working together and working upstream to reduce the reliance on residential services.



Financial context

Like many councils across the country, we are still facing increasing pressure on finances. In 2021/22 we spent £112 million on adult social care services, the majority of this spend was on care services purchased from the independent or voluntary sector with the remainder spent on assessment and the provision of our own in-house care services, buildings, transport and running costs, please see chart below.



Safeguarding

In York, we have been successful in enforcing the Care Act of 2014, but we are firm believers that success lies not only in protecting and supporting individuals but also in preventing abuse from occurring in the first place. The Care Act 2014 sets out six key principles of safeguarding that apply to all sectors and settings, including care and support services. These key principles underpin all our day-to-day operations. It is crucial that providers also work within the statutory framework of the Care Act; working in partnership, cooperating with the local authority and others in respect of safeguarding adults. In order to increase people's well-being and protect them from harm within York, strengthened partnership working will be one of our strategic main components. There is also a need for a collaborative and multiagency approach to support vulnerable adults and children who would have fallen through the gaps of systems and services.

Children & young people

In York, early years and childcare provision is delivered by the private, voluntary, maintained and independent sectors, who offer a full range of provision across the city. We have 275 registered providers of day care nurseries, pre-school playgroups, school nurseries, a nursery school, childminders, out of school clubs and holiday schemes - offering full day care, sessional care, before and after school and holiday provision.

City of York Council do not commission these services, but we are there to:

- Administer the early education funding to providers for delivery of early education places for two, three and four year olds.
- Ensure that childcare is available, accessible and affordable so that parents have the opportunity to use childcare in their area
- Ensure it is of good quality so that it benefits the child
- Provide parents with a choice of childcare so they can choose the childcare that meets their needs.
- Maintain an overview of childcare sufficiency & quality at citywide and ward level, and undertake an annual assessment (including parent and provider surveys, provider occupancy data, local intelligence, Ofsted quality judgments, and intelligence around planned housing developments)

Challenges

- Provider delivery models have stayed the same, although some providers are having to reduce the number of places offered due to challenges in recruitment and retention of staff.
- There is some concern around childcare for a small number of children with SEND and for school age children.
- Strategies have been developed to ensure equal access to childcare and early years support for children with special educational needs and/or disability.

Whilst providers in York did see a decrease in childcare usage throughout the first and second lockdowns, with families using fewer hours of childcare, demand has now returned. Whilst over half of parents surveyed reported that they had increased the amount of childcare they were accessing over the last year, from a supply aspect, this varied depending on the sector type. Some sectors have reported an increase in demand, especially for baby places, funded places and ad hoc places. Parental feedback indicated

generally low numbers of unmet need across the city, and this was split across the different age groups and wards.

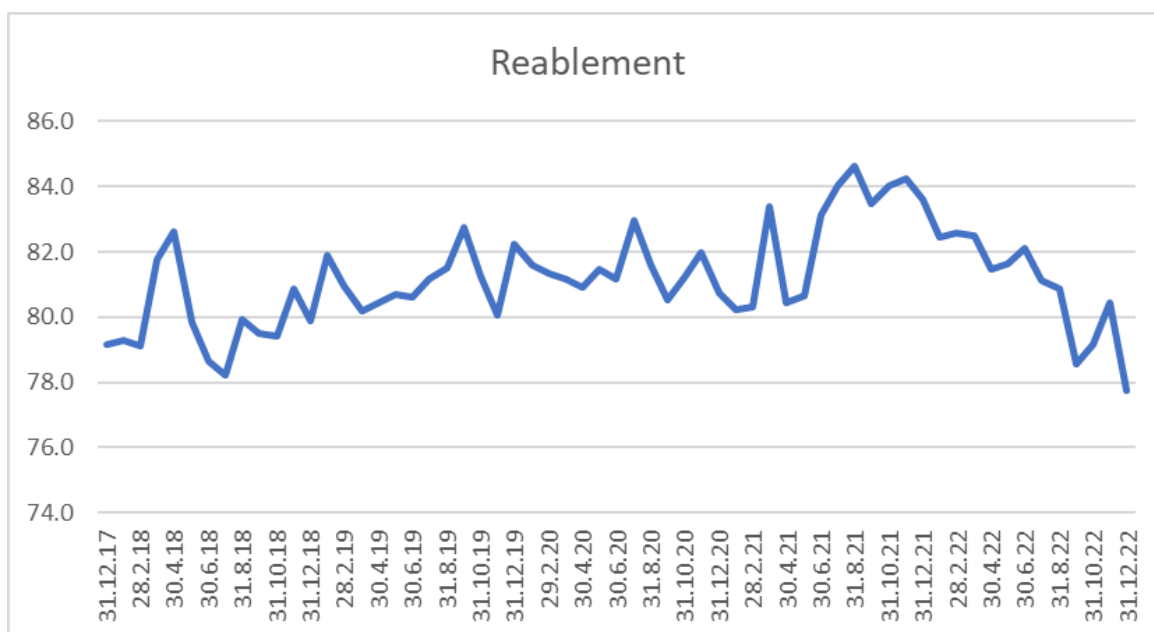
Message to the market

Our care at home commissioned services have in the past concentrated on supporting families with children with a disability. However, our plan moving forward in 2023-25 is to engage with the market to explore a wider scope of service that extends.

Adults

The council has moved to a ‘strengths-based approach’ recognising its traditional social care services focussed too much on deficits and thresholds. Introduced in 2016 a new ‘community operating model’ has at its core; prevention, early intervention and asset-based community development. This model supports the Council’s vision of creating the conditions needed for all people to enjoy healthy, active, independent lives. Shifting away from where social care intervenes at a point of crisis in peoples’ lives, often risking dependency, towards a new culture intervening upstream to maximise the individual’s support network to self-manage as the first option. This in-turn will reduce the reliance on residential care beds and promote community independence.

We have seen reablement services fluctuate with an increase in demand from mid-2021 to mid-2022 followed by further fluctuation.



The Council’s approach is to place ward and neighbourhood level working at the heart of building resilient communities, recognising that local people are best placed to understand and find solutions to the particular needs of their communities. At a ward level the council has increasingly devolved resources for local decision-making, enabling ward members to lead ward teams in delivery of well-informed local priorities.

Messages to the market

- Work with partners to build community capacity, supporting the growth of social networks and social action, bringing all sectors together in projects that deliver on local priorities.
- Taking a “strengths based” approach, starting from the positive resources and skills found in individuals and communities rather than from problems.
- Ensure people have appropriate advice and information to keep them resilient, independent, happy and healthy.
- Supporting people and communities to find the help they need to maintain their resilience and independence and participate fully in community life.
- Working with partners to intervene early with those at risk of losing their independence or with escalating levels of need.
- Ensure that, where people have longer-term support needs, they also benefit fully from the resources and skills found in their communities and we help them to develop networks and relationships. Where it is necessary to supplement these with services, these are aimed at supporting independence and delivered in a personalised way.

Direct Payments

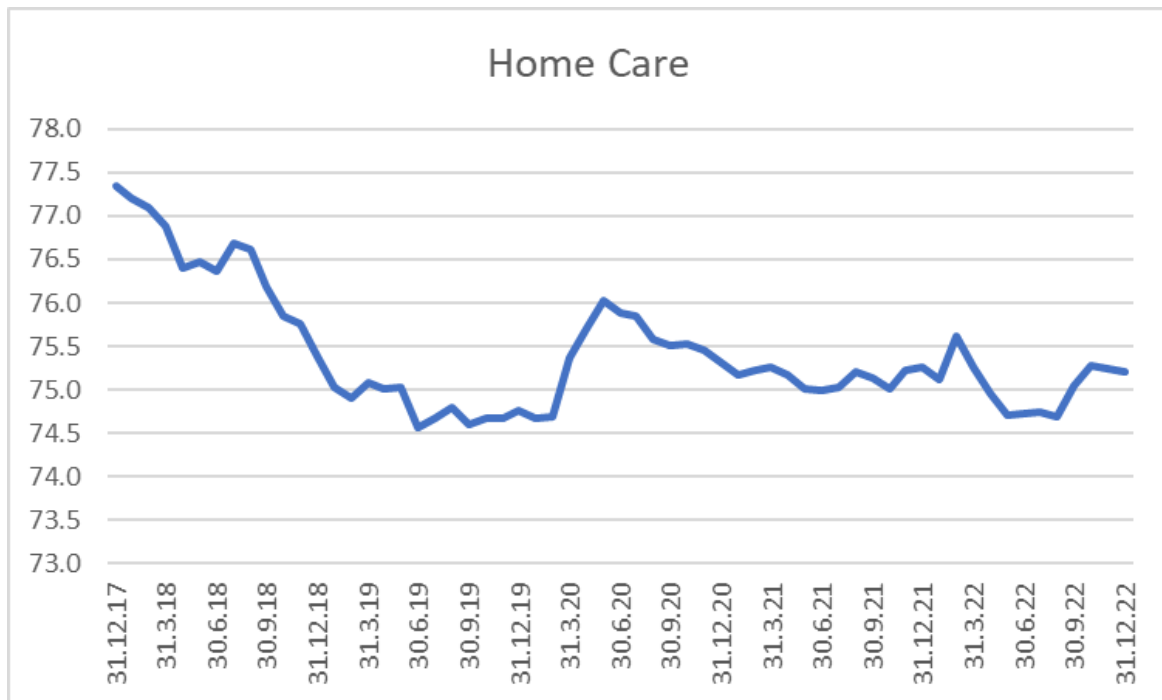
We believe that individuals should have control and choice over the support they receive. Using Direct Payments is one-way adults can experience this. Our plan is to make Direct Payments the first option for any adult who is eligible and has needs that can be met by community-based services.

Messages to the market

1. Providers need to consider how they can market services to people (the ‘customer base’) rather than solely to the council.
2. Providers will be expected to have plans for how they will involve service users in making choices about the ways in which their support is delivered.
3. The council will support the use of micro providers to provide care and support to people with a direct payment.

Home care

We have seen a reduction in home care support between 2017 and 2022 of 3% with an increase in the pandemic.



York's goal of enabling individuals to live independently at home necessitates the provision of high-quality home care. These services aim to help adults and older people live independently and for as long as possible in their own homes. These services include everything from basic support to live-in care for those with the most difficult needs. By providing the appropriate support at the appropriate time, homecare services can postpone the requirement for residential care or hospitalisation. Our ambition is to increase the take up of such services and wider community resources which help people to live well at home thus supporting a decrease in the number of people going into residential care when home-based options are still available.

Messages to the market

- Providers should continue to consider how they will move to outcomes-based working, offering flexibility and responsiveness to how care is delivered
- Providers must focus on ways to attract and retain employees.
- It is the responsibility of providers to develop a person-centred strategy for achieving the best care outcomes for service users.

Reablement

Our current reablement service is externally sourced from the market and current contracts are in place till June 2023. The care and support (intermediate) pathway is currently being redesigned with partners. The reablement service plays a pivotal role in terms of supporting the pathway and reenabling people to return home (Home First) with or without support depending on individual needs.

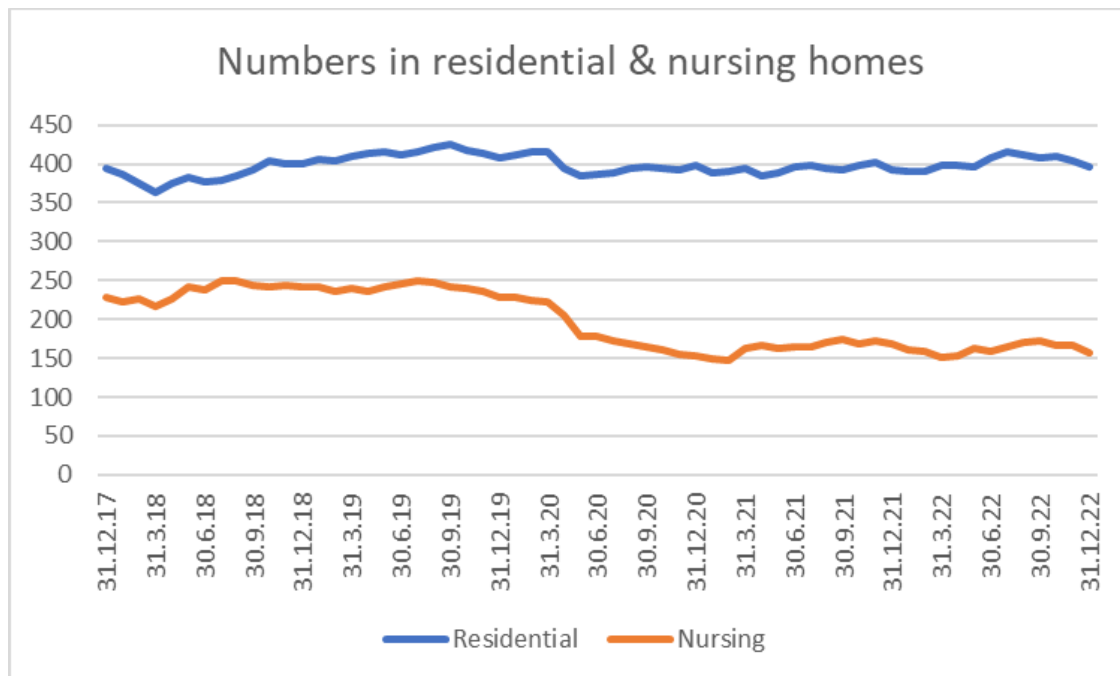
A recommission of this service has begun in terms of gathering the voice of patients/residents, professionals, providers and networks groups across the council and voluntary sector and to explore the options for commissioning the service going forward.

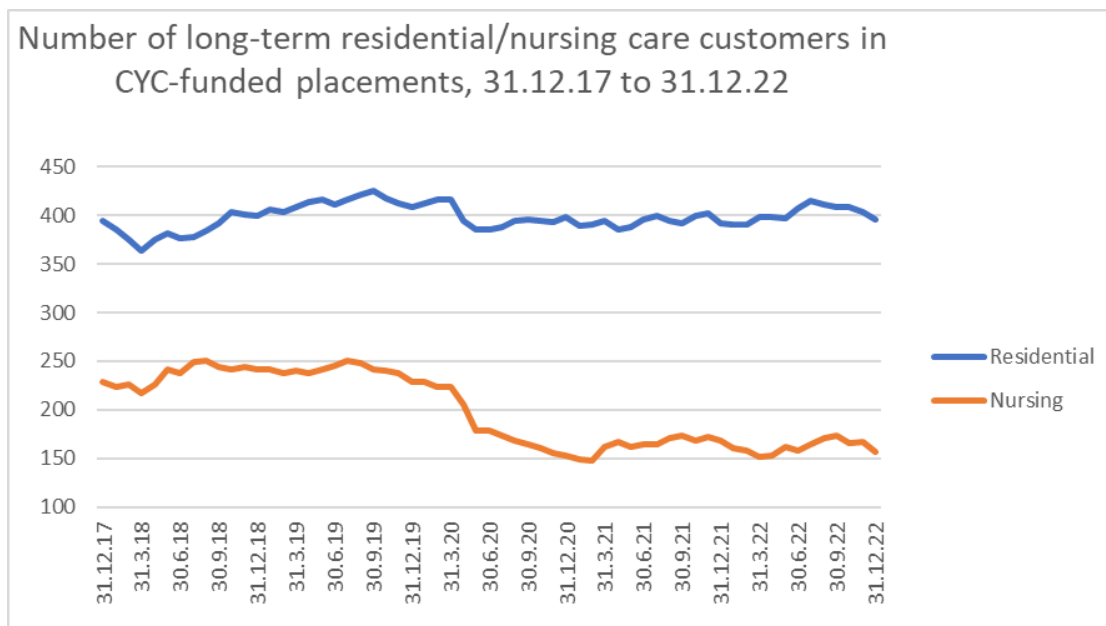
Opportunities are advertised on Yortender and the link is <https://yortender.eu-supply.com/helpdesk.uksupport@eu-supply.com> or phone 0800 840 2050 <https://yortender.eu-supply.com>

Residential and nursing care

There are 36 residential and nursing care homes within York. This is made up of 10 residential homes specialising in support for residents who need support for mental health and/or learning disabilities; 26 older people care homes of which 11 provide nursing care. These provide approximately 1208 beds at the current time. It is a priority of the council to reduce the reliance on beds where possible by maximising community assets and care. At approximately £36 million annually, residential and nursing care accounts for 32% of all Adult Care expenditures. As a result, it is essential to control the costs of nursing home and residential care while also ensuring that the market receives a fair price for their services in accordance with our responsibility to maintain a healthy market with a variety of high-quality services to choose from.

Although the total accessing nursing care has fallen the numbers accessing residential care has remained constant. The added issue is the length of stay for both areas as we have seen length of stay increase considerably.





CQC ratings for residential and nursing home provision: -

25 Good

7 Requires Improvement

3 outstanding

1 not yet inspected (Rawcliffe manor)

Messages to the market

- The trend toward better integration of health and social care services offers an opportunity to examine ways in which they can seamlessly meet needs.
- The development of high-quality, individualised services that are adaptable, responsive, and give people choice and control over how their care and support are provided will be one of our primary commissioning intentions.
- The Council will only purchase placements in care homes for individuals who are unable to live safely at home and primarily for those with nursing and/or specialist needs, such as advanced dementia.
- We can expect an increase in demand for specialist care home beds as over the next decade it is expected that the average age of people entering these services will increase, and it is likely that 50% of residents aged over 85 will be living with dementia. As a result, there will likely be a higher demand for specialist care home beds. Providers will need to develop services that can accommodate the increased acuity and frailty of this specialist care.
- In York there is an oversupply of residential care and an undersupply of nursing care (this was exacerbated by two providers who de-registered for nursing during 2022).
- We will develop and implement a contractual framework for our residential care providers

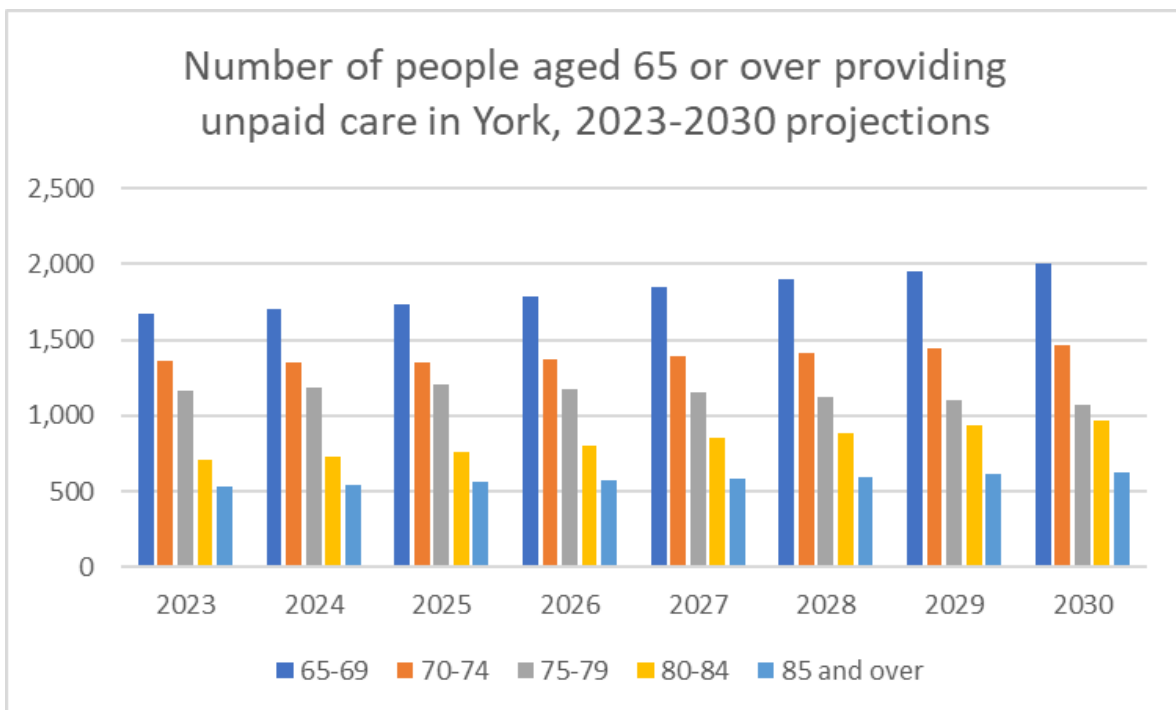
Carers

Results from research carried out prior to the publication of the York Carers Strategy found there are around 19,000 adult carers in York (11,000 female and 8,000 male) however this figure doesn't include young carers and is therefore likely to be much higher.

The survey of adult carers in the city that fed into the strategy found:

- 46% of adult carers in York say that caring had caused financial difficulties for them.
- 94% of adult carers in York say that their health had been affected by their caring role.
- 46% of adult carers in York do not think they are able to look after themselves properly in terms of eating and sleeping well.
- 65% of adult carers in York do not have as much social contact with people as they would like.
- 40% are providing more than 100 hours unpaid care per week.
- Most adult carers in York are looking after more than one person.

We are also expecting to see an increase in unpaid carers aged 65 and over by 11% (chart below).



Carers tell us they would find it easier to get the help they needed if local services such as health, education and social care for children and adults, all worked together. Lots of carers

are struggling to look after their loved ones, especially people caring for a loved one with dementia, mental health, drug or alcohol issues. Many carers feel that they can't live a life of their own, make friends or socialise. They feel as if they have no choice other than to provide care. Carers have told us they are sometimes ignored by professionals, that their voices are not listened to and their views are not acted on. Carers have told us that there aren't enough opportunities to take a break.

The vision contained in the York Carers Strategy is to create a carer friendly city. One where all carers in York will be able to say the following things:

1. "I know who to turn to for help"
2. "I can cope"
3. "I can live a life of my own"
4. "My voice is heard – my views make a difference"

We need to reach out to the many hidden carers in York and plug them into the excellent support that already exists. We need to give carers the confidence to come forward and ask for help and for that help to be provided at the right time and in the right place, any gaps in support need to be filled.

Messages to the market

- Carers support services must have an ability to reach out to isolated and hidden carers.
- They must support carers to manage caring for someone and lead a good quality of life.
- Service must be committed to supporting carers to maintain their own health and wellbeing and to feel confident in their caring role. It should appropriately promote carers assessments of need as a positive means of assessing needs and identifying sources of support.

Mental health

The percentage of working age adults with a common mental health disorder in York is 19% and a psychotic disorder is 0.7%. The table below shows a stable those across the disorders examined and across the timescale being relatively stable.

Number of working age adults with mental health disorders in York, 2023-2030 projections

	2023	2024	2025	2026	2027	2028	2029	2030
Common mental disorder	25,299	25,276	25,320	25,313	25,306	25,299	25,292	25,286
Borderline personality disorder	3,213	3,210	3,216	3,215	3,214	3,214	3,213	3,212
Antisocial personality disorder	4,509	4,508	4,522	4,525	4,528	4,531	4,534	4,535

Psychotic disorder	939	938	940	940	940	940	940	940
Two or more psychiatric disorders	9,652	9,644	9,665	9,665	9,664	9,664	9,663	9,663

York has Developed a community approach to mental health and wellbeing - 'Connecting Our City'. This programme of work runs under the banner of 'Connecting Our City' because it's all about connecting people, connecting groups, connecting organisations, and connecting different projects and initiatives.

The initial focus was on developing this community approach to mental health and wellbeing in the 8 council wards to the North of the city (Northern Quarter Project) but it is now a city-wide programme. Key work streams include:

- Pathway to recovery – a multi-disciplinary approach to supporting people to return home from Foss Park hospital by helping plug them into social and community networks that can help them maintain their mental health and wellbeing. Peer support and peer carer support is a key part of this.
- Work to improve the physical health of people with Severe Mental Illness (SMI), again by connecting them to community groups and activities that can help support both their physical and mental health.
- 'Community Conversations'. Working with local business owners and community group leaders who are willing to be trained in mental health awareness and suicide awareness. The idea is that the training, mentoring and support will help develop people's confidence to have positive conversations with others around health and well-being, and be able to sign post people to the right support.

As these three examples show, this approach is completely in line with the strengths based, Asset Based Community Development (ABCD), 'people helping people' approaches described above in the Prevention section.

The 'Connecting Our City' programme also includes community mental health transformation work which involves linking mental health services in both primary and secondary care much more closely with all of the great community groups and activities that exist in the city and that can play such a big part in supporting people's mental health and wellbeing.

Another priority is the development of an improved mental health housing and support pathway that can help ensure that people with mental ill health can access the right type of accommodation, with the right level of support, at the right time. At present in York, we do not have the full range of housing and support options that we need and, as a result, people sometimes stay in hospital longer than they need to, or they are housed in accommodation that doesn't properly meet their needs, or they are placed in accommodation outside of York away from family and friends and support networks, often at significant expense. The biggest gap in our current provision is for people with multiple and complex needs.

Messages to the market

When we come to commission services and support it means that we will be looking to work with providers who:

- Have a ‘whole system’ mentality and are committed to joining-up the support they provide with that of other partners.
- Are committed to being flexible and innovative in working with all partners to respond to individuals’ and communities’ changing needs.
- Share our commitment to coproduction and ensuring that the people they support are fully involved in shaping the support they receive.
- We do not have the full range of housing and support options that we need

Learning disabilities

Over the next seven years it is predicted that the number of individuals with learning disabilities will increase by 3% with 18-24 seeing the largest increase by 11% with some age groups seeing a reduction.

Number of adults with Learning Disabilities in York, 2023-2030 projections

	2023	2024	2025	2026	2027	2028	2029	2030
18-24	860	867	886	903	920	937	954	972
25-34	737	730	717	708	699	690	681	670
35-44	597	600	610	614	618	622	626	632
45-54	554	545	534	532	530	528	526	522
55-64	568	575	577	570	563	556	549	543
65-74	425	427	431	441	451	461	471	482
75-84	302	310	318	321	324	327	330	333
85 and over	120	122	126	130	134	138	142	144

We want to ensure that people with learning disabilities remain as independent as they can for as long as possible and that they have choice and control over how they are supported to live their lives. Our vision continues to focus on enabling people with learning disabilities and their families / carers to contribute to the building of resilient communities for positive health and wellbeing. This is equally as important as young people with disabilities prepare for adulthood.

The All-Age Learning Disabilities Strategy, 2019-2024, was coproduced with key priorities identified as: education / life-long learning and employment, independent living – helping people with a learning disability to have choice and control over their lives and the support they receive, participating in society –having friends and supportive relationships, and participating in, and contributing to, the local community, and being as healthy as possible.

Maintaining good health and leading fulfilling lives can be difficult for people with learning disabilities. People with Learning Disabilities have a lower average life expectancy than the general population, and co-occurring conditions like mental illness and physical disabilities are common among them. We have been able to develop our vision to provide individuals with complex needs with greater choice, control, and quality of life thanks to the introduction of integrated health and social care budgets. More and more people are being given the ability to direct their personal budgets and take charge of how their needs are met.

Messages to the market

- Transforming Care - there are a small number of people with a learning disability and/or autism who require additional support because of mental ill health or behaviours that challenge who may require a hospital admission. The aim of the Transforming Care Programme is to ensure that people are discharged back into the community at the earliest opportunity with the right accommodation and support.
- There is a new Pre-Placement Agreement for the provision of support for people with disabilities to live in their community which starts from 1st April 2021 which providers are welcome to join throughout its duration.
- Require community-based solutions, to allow people to remain at home whilst receiving support.
- Support people with learning disabilities to access meaningful and paid employment

Dementia

York is expecting to see a 13% increase in the number of individuals with Dementia between 2023 and 2030 which is an increase from 3143 in 2023 to 3636 in 2030.

Number of adults with dementia in York, 2023-2030 projections

	2023	2024	2025	2026	2027	2028	2029	2030
30-39	2	2	2	2	2	2	2	2
40-49	5	5	5	5	5	5	5	5
50-59	26	25	24	24	23	23	22	22
60-64	19	20	20	19	18	18	17	16
65-69	169	172	177	182	187	192	197	202
70-74	286	286	283	288	293	298	303	308
75-79	547	559	565	554	543	532	521	510
80-84	644	666	688	728	768	808	848	887
85-89	726	726	726	743	760	777	794	812
90 and over	719	719	754	778	802	826	850	872

Our vision is that people with dementia, their families & carers, are supported to live life to their full potential. We want the people of York to be able to say:

- I can live a life of my own
- I live in a dementia friendly community
- I know who/where to turn to for information, advice and support
- I know I have access to a timely and accurate diagnosis, delivered in an appropriate way
- I have access to the right support that enables me to live well at home for as long as possible
- My voice is heard and makes a difference
- I know that when the time comes, I can die with dignity, in the place of my choice

Messages to the market

- Ensure accessible information, advice and guidance is readily available
- Ensure services offer flexible support to the person living with dementia
- Instigate a framework for dementia training to ensure all people receive training relevant to their role so that the workforce has the right skills, behaviours and values
- Build a sustainable network of peer-led groups across the York area
- Ensure that people with dementia have access to a range of affordable, flexible activities that reflect their interests and needs
- There is also an insufficient capacity for residential dementia care.

Advocacy

The largest change to future advocacy provision relates to new Liberty Protection Safeguards (LPS) legislation implementation. This has been delayed with a revised implementation date to be announced. The new LPS legislation will replace the current Deprivation of Liberty Safeguards (DoLS) legislation.

This is likely to have a significant impact on the landscape of advocacy provision. The government has confirmed that the current DoLS system will run alongside the LPS for up to a year in order to enable those subject to DoLS to be transferred to LPS in a managed way

The key changes associated with the introduction of LPS include:

- Enhanced rights to advocacy and periodic checks on the care or treatment arrangements for those most in need,
- Greater prominence given to issues of the person's human rights, and of whether a deprivation of their liberty is necessary and proportionate, at the stage at which arrangements are being devised,
- Extending protections to all care settings such as supported living and domestic settings,
- Widening the scope to cover 16- and 17-year-olds and planned moves between settings,
- Cutting unnecessary duplication by taking into account previous assessments, enabling authorisations to cover more than one setting and allowing renewals for those with long-term conditions,

- Extending who is responsible for giving authorisations from councils to the NHS if in a hospital or NHS health care setting; and
- Introducing a simplified version of the best interests assessment which emphasises that, in all cases, arrangements must be necessary and proportionate before they can be authorised.

Message to the market

Providers should be aware of and prepare for the implementation of Liberty Protection Safeguards, recognising and implementing the findings and results of the national consultation.

Housing

Current data on the population of York suggests that the number of York residents aged 60+ will increase from 49,340 in 2019 to 58,300 in 2029. This increase of 8,960 represents a 19.6% increase in this population over the next ten years. Over the next twenty years this population is predicted to rise by 26.2% to 62,300. The 75+ age group is expected to increase from 18,500 in 2019 to 23,600, this is an increase of 5,100 or 21% of this population. One of the largest increases can be found in the 85+ age group which is predicted to grow by 31% from 5,500 to 7,100 between 2019 and 2029. Consequently, it can be reasonably assumed that demand for age-appropriate accommodation to meet the needs of the York's ageing population will continue to rapidly increase over the next decade and beyond.

The Council receives around 230 homeless representation per quarter with around 13% having mental health problems, 11% have ill health or a disability and 7% that have a history of drug and alcohol dependency.

The Council's "Accommodation Plan for Adults with Learning Disabilities" sets out the Council's approach to delivering accommodation for Adults with Learning Disabilities. The overarching aim of which is to ensure those adults remain as independent as they can be for as long as possible. The plan projects a future need of approximately 67 customers that will need alternative accommodation in the next five years. The recommendations and challenges within the Plan include:

- To create an accessible and transparent pathway to supported accommodation;
- To develop an accommodation board to improve transparency and joint working;
- To develop information for adults with learning disabilities and their families/carers about independent living and accommodation options; and
- Review approach to accommodation and ageing well with learning disabilities

Messages to the market

In the years to come, there will likely be a greater demand for specialised housing options due to the aging population, rising rates of disability, and worsening health conditions among the elderly.

In light of the anticipated population growth over the next ten years, it is necessary to take measures to reduce the demand for housing.

There is a need for additional specialist accommodation including additional and appropriate accommodation for families with young disabled children, young adults with learning disabilities & adults with long term mental health conditions.

The importance of assistive technology and home adaptations to enable people to remain living in their own home for as long as possible.

While age-friendly apartments and bungalows should be the primary focus, other options like independent living programs and the provision of additional care should also be available.

The availability of additional extra care and units will relieve the need for residential care

There is a need for additional appropriate accommodation for those living with disabilities.

Develop accommodation to support our mental health pathway

The Council projects a future need of approximately 67 adults with learning disabilities that will need alternative accommodation in the next five years.

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Executive**16 March 2023**

Report of the Director of Governance

Election Act 2022 and City of York Council Elections 2023**Introduction**

1. This report provides information on the preparations for the forthcoming City Council elections, together with the steps taken to implement the relevant sections of the Elections Act 2022 which have come into force.
2. No action is required in respect of this report, as it is for information only, and elected Members have no role in the delivery of the elections.

General context and Background

3. On 4 May 2023, the City of York Council will hold whole-Council elections for all 47 Councillors, together with such elections as are required for any contested Parish Councils. The responsibility for the elections lies with the Returning Officer, a role that is fulfilled by the the Chief Operating Officer at the council. Whilst it is certainly the case that all 47 City Council seats will be contested, many Parish Councils struggle to find sufficient candidates for their vacancies, and often those who stand are elected unopposed.
4. To add to the usual complications of elections, on 28 April 2022 the Elections Act 2022 (“the Act”) received Royal Assent. The provisions of the Act are wide-ranging, and future changes include restrictions on political campaigners handling postal votes, the number of proxy votes an individual can exercise, and various other prospective provisions. However, the key change for the 2023 elections is the requirement for all electors voting in person to present an approved photo ID before being issued with their ballot paper(s).

5. Whilst this requirement has been in force in Northern Ireland for over two decades, its introduction to mainland UK marks a significant change for the electorate, and will mean that a Presiding Officer at a polling station will be entitled to refuse to issue ballot papers to an elector who is legitimately registered to vote.
6. The requirement for photo ID was clear from the Act, but Regulations enacting the requirement were not brought in until 27 August 2022, and Regulations setting out the process for those who do not have a valid photo ID to apply for a Voter ID document were not made until 22 December 2022. To compound this lateness, the government's Voter Authority Certificate ("VAC") application website did not 'go live' until 16 January 2023.
7. Given the lateness of the above, together with the relatively low-profile way in which the change has been brought in, there are risks that a significant number of the electorate will be unaware of the requirements on 4 May.

Voter ID Document

8. As noted above, in order to cast a vote at a polling station, each elector will need to produce a photo ID. Parliament has specified the following as acceptable forms of photo ID:
 - a passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state, or a Commonwealth country;
 - a driving licence issued by the UK, any of the Channel Islands, the Isle of Man, or an EEA state (this includes a provisional driving licence);
 - a biometric immigration document;
 - an identity card bearing the Proof of Age Standards Scheme hologram (a PASS card);
 - a Ministry of Defence Form 90 (Defence Identity Card);
 - a Blue Badge;
 - a national identity card issued by an EEA state;
 - an Older Person's Bus Pass;
 - a Disabled Person's Bus Pass;
 - an Oyster 60+ Card;
 - a Freedom Pass;
 - a Scottish National Entitlement Card issued in Scotland;
 - a 60 and Over Welsh Concessionary Travel Card issued in

Wales;

- a Disabled Person's Welsh Concessionary Travel Card issued in Wales;
 - a Senior SmartPass issued in Northern Ireland;
 - a Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland;
 - a War Disablement SmartPass issued in Northern Ireland;
 - a 60+ SmartPass issued in Northern Ireland;
 - a Half Fare SmartPass issued in Northern Ireland; and
 - an Electoral Identity Card issued in Northern Ireland.
9. Expired photographic identification documents can still be used as accepted photographic ID at a polling station or signing place, as long as the photograph is still a good likeness of the elector. Notable by its absence from the above list, however, is any form of Student ID card.
10. National research suggests that approximately 4% of the eligible population do not have any approved form of photographic ID, although this rises in disadvantaged communities, with research in 2021 by the Electoral Commission suggesting that 8% of those with a disability and 11% of those who are unemployed do not have such an ID. Given the lack of student ID recognition, there is a particular concern that the student population in York may require give rise to a significant number of voter ID applications.
11. For anyone who wishes to vote in person but does not have appropriate photo ID, the government has introduced the VAC. This may be obtained either by way of an online application (<https://www.gov.uk/apply-for-photo-id-voter-authority-certificate>) or by completing a paper application (available either to print at home, or at the Council's offices).
12. In order to apply online, all an applicant requires is their Name, Address, National Insurance number, and a suitable digital photograph which must:
- be a true likeness;
 - be in colour;
 - be taken against a plain, light background;
 - be in sharp focus and clear;
 - be free from 'redeye', shadows which obscure the face, or reflection;
 - not be damaged;

- be at least 750 pixels in height and 600 pixels in width; and
 - be contained in an electronic file which is no more than 20MB in size.
13. Paper applications are equally straightforward (a copy of the form is attached to this for information). Again, the necessary information is confined to Name, Address, NI Number, and the provision of a photo, although in the case of the latter the photo must be at least 45mm in height and 34mm in width, and less than 297mm in height or 210mm in width.
 14. For those electors who have neither access to the internet nor a printer, they are able to attend the Council's offices and request a form and photograph; the expectation is that the Council will have the facilities to take an appropriate photograph to go along with any paper application, as required; to that end, it is intended that a suitable digital camera be purchased (utilising the new burdens funding provided for the purpose) to ensure the appropriate quality of photograph. It is expected that this will be the least-used option for applying for a VAC.
 15. Following receipt of an online VAC application, the Council has a two-stage process to undertake for approval. Firstly, it is necessary to 'match' the applicant with their entry on the electoral roll (to confirm their electoral number); whilst this has theoretically been automated, with the online VAC application system 'talking' to the Council's software, Democracy Counts, it is frequently the case that communications break down, and the check must be performed manually. Secondly, an electoral services officer must examine the photograph provided by the applicant and determine whether it meets the criteria set out above.
 16. To date, the processing of these applications has not been unduly onerous – at the time of writing the Council has received 87 applications. However, it is anticipated that this number will increase exponentially as the elections draw closer, and those members of the electorate who do not have appropriate ID understand the need to apply.
 17. Information relating to the need to have a valid photo ID or VAC will be contained in the new format poll card which will be distributed shortly. Templates for the new format poll cards can be found in Part 1 of Schedule 1 to [The Voter Identification \(Principal Area,](#)

[Parish and Greater London Authority Elections\) \(Amendment\) Rules 2022.](#)

Polling Station Issues

18. Once polling begins, polling station staff will have additional responsibilities. It is anticipated that the majority of electors will have the necessary ID to be issued with ballot papers, and their ID will be verified by an additional poll clerk to be provided to each polling station.
19. However, it is inevitable that some electors will not have the requisite ID, and will need to be turned away; it will be the Presiding Officers' duty to deliver that message. It is, of course, possible that some electors will return to the polling station at a later time with appropriate ID, but there will be some who do not have such ID and will therefore be refused ballot papers.
20. Furthermore, for electors who wear face coverings, the Presiding Officer will be responsible for verifying the elector's identity in private, and thereafter approving the issuing of ballot papers. The elector will also be provided with facilities to allow them to readjust their face covering before voting. In addition, the legislation now provides that any elector may ask to have their ID checked in private, and there are a number of potential solutions for how this can be delivered depending on the layout of the polling station.
21. Once an elector's ID has been checked, and their identity verified, there is then an additional register to be completed, recording the details of the elector's ID on the Voter Identification Evaluation Form (VIDEF), providing further additional work for the polling station staff.
22. In addition to the voter ID requirement, the Act also introduces a requirement for greater accessibility at polling stations. In order to assess each station, the Head of Legal Services has been working with the Access Officer to ensure stations are as accessible as possible. However, again there will be an expectation that Presiding Officers will 'go further' than previously in assisting disabled electors to cast their votes independently.

Postal Votes

23. Despite having an electorate of approximately 145,000, the number of electors presently choosing to use a postal vote for elections is only approximately 16,500.
24. As a matter of principle, electoral administrators consider it desirable to increase the number of postal voters in any given electoral area. Statistically, it is the case that postal voters are between two and three times more likely to vote than those who traditionally vote at a polling station (the usual turn out being approximately 75% of postal voters as opposed to approximately 25% to 30% of electors voting at polling stations in local elections).
25. In addition, an increased number of postal voters provides a more straightforward method of dealing with polls, as a substantial proportion of the electorate casts its vote and returns it to the council in advance of polling day. This allows the Council to better plan its processes, and better utilise its resources.
26. The process for applying for a postal vote is remarkably similar to the process for applying for a VAC; the principal difference being that no photo needs to be provided for a postal vote application. As a consequence, whilst encouraging members of the public who require a VAC to apply for one, the council is also promoting postal voting as an alternative to in person voting at a polling station.
27. Notwithstanding the general principle set out above, it would be particularly desirable to try and increase the number of postal voters for May's election, as this will reduce the number of people either needing to show voter ID in polling stations before receiving their ballot papers, or those needing to apply for a VAC in order to be able to vote in a polling station. A significant communications programme is planned, as set out below, to increase postal voter numbers.

Steps Taken So Far

28. All core staff working on the elections either have undertaken, or are booked to undertake, specialist AEA training in relation to the Elections Act 2022 and the implications for the 2023 elections. Particular focus is paid to the Voter ID requirements, and to consistency of decision-making on the acceptability of submitted photographs for VACs.

29. In order to address the Voter ID issue, the Council commenced a communications campaign in early January, comprising both city-wide publicity and targeted communications with affected stakeholder groups. This campaign complements the national Voter ID campaign being run by the Electoral Commission, and seeks to ensure that as many people as possible are aware of the requirement to produce ID at a polling station when voting in person, and encouraging people who don't have such ID to either apply for a VAC or to apply for a postal vote. Additional advertising, paid for from central government new burdens funding, is planned in coming weeks and will provide significant local York-focused publicity in relation to the elections and Voter ID.
30. In addition to be above campaign, the council is also promoting postal voting as an alternative to the need for a VAC, with a view to both increasing the number of postal voters which the council presently has and reducing the burden on the elections team in dealing with applications for VACs.
31. As a further practical measure for polling day, the council is seeking to recruit additional poll clerks for each polling station to ensure there is sufficient capacity amongst polling staff to enable voter ID checks to be carried out without disturbing the flow of electors.

Financial Implications

32. There are no direct financial implications from this report, as the cost of local elections has a central budget provision. The Government has also provided approximately £90,000 of new burdens funding in relation to the impact of the Act. This funding will be used to support the publicity campaign outlined above and deal with other additional costs such as increased staffing. The precise breakdown of use will be determined by the Returning Officer in coming weeks. It is therefore envisaged that the elections will be delivered within the overall financial envelope available.

Other Implications

33. Given the information-only nature of the report, there are no direct implications from this report.

Recommendations

34. Executive is invited to note the report.

Contact Details

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Chief Officer Responsible for the report:

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**Report
Approved**

Date 7/3/23

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

All

For further information please contact the author of the report