



**Notice of a public meeting of
Executive**

To: Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Baxter, Lomas, Pavlovic, Ravilious, Steels-Walshaw and Webb

Date: Thursday, 12 September 2024

Time: 4.30 pm

Venue: West Offices - Station Rise, York YO1 6GA

A G E N D A

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any decisions made on items* on this agenda, notice must be given to Democratic Services by **4:00 pm on Thursday 19 September 2024**.

*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 and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

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

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

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

- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*

2. Minutes (Pages 1 - 18)

To approve and sign the minutes of the Executive meeting held on 18 July 2024.

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 10 September 2024.

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

Webcasting of Public Meetings

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

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

- 4. Forward Plan** (Pages 19 - 22)
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.
- 5. Capital Programme Update Monitor 1** (Pages 23 - 46)
The purpose of this report is to set out the projected outturn position for 2024/25 including any under/overspends and adjustments, along with requests to re-profile budgets to/from current and future years.
- 6. Finance & Performance Monitor 1** (Pages 47 - 90)
This report sets out the projected 2024/25 financial position and the performance position for the period covering 1 April 2024 to 30 June 2024, together with an overview of any emerging issues.
- 7. Treasury Management Quarter 1 Prudential Indicators** (Pages 91 - 110)
The purpose of this report is to provide a regular update to the Executive Member for Finance on treasury management activity for the first quarter of the 2024/25 financial year and to provide the latest update of the prudential indicators which are included at Annex A to this report.
- 8. Medium Term Financial Strategy Update** (Pages 111 - 122)
The purpose of this report is to provide an update to the Medium Term Financial Strategy along with an outline of the 2025/26 budget process. The report also informs Executive of the key risks and challenges, along with an overview of the main assumptions used.
- 9. Delivery of supported affordable housing at Lowfield Plot A** (Pages 123 - 158)
This paper presents recommendations for the delivery of specialist housing on Lowfield Green to develop high quality housing provision on Lowfield Plot A for adults with learning disabilities and/or autism.
- 10. Developing a Special Educational Needs and Disabilities (SEND) Family Hub** (Pages 159 - 176)
This report seeks approval to create a SEND Family Hub within one of the Council's existing Family Hubs.

11. Commissioning of New and Expanded Places for Childcare Reforms (Pages 177 - 202)

This report seeks to inform the Executive about Department for Education (DfE) capital and revenue grants to commission the creation of new places for the delivery of the childcare reforms and the approach for determining allocations. As well as, to seek approval from Executive to the overall programme spend.

12. Recommissioning of Advocacy Hub Services in York (Pages 203 - 270)

This report seeks approval from Executive to go out to the market and commence a competitive tender process to re-procure the Advocacy Hub service in York.

13. Safer York Partnership Community Safety Strategy (Pages 271 - 306)

This report introduces the three year Community Safety Strategy for York and asks the Executive to note its content and the role City of York Council has as a key partner in its delivery.

14. Prioritisation of Supplementary Planning Documents (Pages 307 - 370)

This report seeks to update on the existing SPDs agreed for production, recommend the prioritisation for production of further SPDs with an understanding of their likely contents, resources and timescales. It also seeks approval to proceed with an altered list of SPDs and advises on where additional guidance would be beneficial in preference to an SPD.

The report also considers the e-petition received in March 2024 regarding reviewing the thresholds set out in the Controlling the Concentration of Houses in Multiple Occupation SPD (Draft, 2014).

15. Enforcement Policy (Pages 371 - 416)

The report proposes a new enforcement policy for the council.

16. Lord Mayoralty Points Allocation (Pages 417 - 422)

This report seeks the Executives approval to reinstate unspent points foregone in respect of a previous Lord Mayoralty allocation in 2019/2020, and to consequently amend the forthcoming Lord Mayoralty allocations accordingly, to take effect for the forthcoming municipal year, 2025/2026.

17. Urgent Business

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

Democratic Services officer:

Name: Robert Flintoft

Contact details:

- Telephone – (01904) 555704
- E-mail – robert.flintoft@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.

Reasonable Adjustments and Alternative formats statement

Alternative formats

To request reasonable adjustments or to provide this document in an alternative language or format such as large print, braille, audio, Easy Read or BSL, you can:



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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)

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City of York Council

Committee Minutes

Meeting	Executive
Date	18 July 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Kent, Baxter, Lomas, Pavlovic, Ravilious, Steels-Walshaw and Webb
In Attendance	Councillor Fenton, Karen Bull - Managing Director City of York Trading
Officers in Attendance	Debbie Mitchell – Chief Finance Officer Dan Moynihan - Senior Lawyer and Deputy Monitoring Officer James Gilchrist – Transport, Highways and Environment Pauline Stuchfield – Director of Housing and Communities Claire Foale - Assistant Director Policy and Strategy Julian Ridge - Sustainable Transport Manager Steve Wragg - Head of Highway Asset Management Michael Howard – Head of Highways and Transport Kathryn Daly – Head of City Development Julie Stormont-Dawber - Regeneration Project Delivery Officer Mike Southcombe - Environmental Protection Manager Andrew Gillah - Principal Air Quality Officer Sophie Draper - Resourcing Manager Michael Jones - Head of Housing Delivery and Asset Management Andrew Bebbington - Housing Policy Officer Sophie Round - Housing Delivery Programme Manager Nick Collins – Head of Property

8. Declarations of Interest (16:33)

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.

9. Exclusion of Press and Public (16:33)

Resolved: That the press and public be excluded from the meeting during consideration of Annex A to Agenda Item 13 and Annexes G and H of Agenda Item 15 on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

10. Minutes (16:36)

Resolved: That the minutes of the Executive meeting held on 13 June 2024 be approved and then signed by the Chair as a correct record.

11. Public Participation (16:36)

It was reported that there had been 10 registrations to speak at the meeting under the Council's Public Participation Scheme and 3 written representations. However, two registered speakers had to withdraw before the start of the meeting.

Flick Williams raised concerns regarding the Local Transport Strategy's impact on disabled people. She stated that there was a lack of funding for bus accessibility and that it required more than increasing the number of accessible seats. She stated that the Council was failing on its public sector equalities duty.

Cllr B Burton voiced his support for the Local Transport Strategy and stated that it was vital the Movement and Place Plan went forward. He outlined the need to reduce car dependency and improve mass transport options.

Anthony May spoke on behalf of York Civic Trust. He welcomed the Local Transport Strategy and noted his delight to see the impact of the Civic Trust who supported its creation and provided examples of other best practice cities. He did however request that clearer targets be added to ensure the Council met its climate, health, safety, and accessibility targets.

Andy D'Agorne noted that York Green Party supported the work on the Local Transport Strategy and Movement and Place Plan. He stated that the Council needed to move at pace on implementation and asked that the public be invited to comment on the Movement and Place Plan.

Cristian Santabarbara spoke on behalf of courier cyclists GMB members. He stated that GMB wanted to work with all stakeholders to create a safe and decongested city. He outlined the decline in cycling numbers in York and the need for new safe infrastructure and spoke in favour of a cycle route through the city centre.

Cllr Rose thanked the Council for the public engagement on the use of Acomb Front Street phase two funding and spoke in favour of pedestrianisation of the space. He asked that the Council ensure consultations on transport strategies reach residents across the city.

Lynette Mills spoke on behalf of York Cycle Campaign. She noted the campaigns support for a Movement and Place Plan and stated that it needed to prioritise people over cars. She stated that the city required a north/south cycle route and a removal of problematic barriers. She spoke in favour of a 20mph speed limit and two way cycle access. She also raised concerns that the Air Quality Action Plan did not match the ambition set out in the Local Transport Strategy.

Graham Collett spoke on behalf of the York Bus Forum. He noted the forums support for the Local Transport Strategy. He welcomed the aim to improve weekend of night time bus services but noted that these would likely not be commercial for operators and instead asked that the Council explore alternative

models of provision such as franchising. He also noted his support for seeking a return of a community transport provision.

12. Forward Plan (17:00)

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

13. Finance & performance outturn (17:01)

The Chief Finance Officer introduced the report. She noted that there had been improvements in the Council's finances, but that there remained a significant overspend with recurring issues within Adults and Childrens Services.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion noted that the financial outturn continued to be a challenge and that Council's across the country were struggling to fund services particularly with the costs associated with complex care. She confirmed that the Executive worked with officers to set ambitious savings targets to ensure the Council maintained financial independence and protect frontline services.

Resolved:

- i. Noted the finance and performance information;
- ii. Noted the use of the contingency and earmarked reserves to fund the overspend of £3.6m;
- iii. Approved the £591k savings identified during the year and outline in paragraphs 89 to 91 of the report as part of the review of early intervention and prevention activities across the Council;
- iv. Approved the business rates write offs outlined in paragraphs 29 to 32 of the report.

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

- v. Approved the extension to April 2026 for the letter of credit to York Museums Trust as outlined in paragraphs 24 to 26 of the report;

- vi. Approved the provision of a letter of guarantee to the York Theatre Royal, providing them with access to a maximum of £426k over the next 2 years should it be required as outlined in paragraphs 27 to 28 of the report.

Reason: To secure the financial viability and confidence in the Theatre Royal through its change programme.

14. Capital Programme outturn (17:11)

The Chief Finance Officer noted the significant level of investment currently outlined in the Capital Programme. She confirmed that some slippage on projects had meant that funds were moved into future years.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion thanked officers for their work in maintaining an ambitious programme despite financial challenges and highlighted the importance of the capital programme for the city.

Resolved:

- i. Noted the 2023/24 capital outturn position of £98.377m and approved the requests for re-profiling totalling £23.054m from the 203/24 programme to future years;
- ii. Noted the adjustments to schemes increasing expenditure in 2023/24 by a net £1.708m;
- iii. Recommend to Full Council the restated 2024/25 to 2028/29 programme of £421.368m as summarised in Table 3 and detailed in Annex 1 to the report;
- iv. Agreed to a contribution of £200k from capital contingency to the York Museum Trust to fund roof works at York Castle Museum.

Reason: To enable the effective management and monitoring of the Council's capital programme

15. Treasury Management 23/24 outturn and Prudential Indicators (17:17)

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion welcomed the report into the Council's Treasury Management for 2023/24 outturn and Prudential Indicators. She also welcomed the scrutiny provided by the Council's Audit and Governance Committee.

Resolved:

- i. Noted the 2023/24 performance of treasury management activity;
- ii. Noted the Prudential Indicators outlined in Annex A and note the compliance with all indicators.

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies with policies set.

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the 2023/24 financial year, the Council has operated within the Treasury and Prudential Indicators set out in the Council's Treasury Management Strategy Statement for 2023/24.

There are no policy changes to the Treasury Management Strategy Statement 2023/24 for members to agree and approve; the details in this report update the Treasury Management position and Prudential Indicators in the light of the updated economic position and budgetary changes already approved.

16. Local Transport Strategy (17:48)

Officers introduced the proposed Local Transport Strategy and the introduced the summary of the Movement and Place Plan approach.

The Executive Member for Transport thanked officers for all the work undertaken in producing the strategy, as well as, thanking the York Civic trust for their support. She stated that the Local Transport Strategy and Movement and Place Plan would put people at their heart. She recognised that transport in York didn't function how residents would wish it to, therefore she acknowledged the need to deliver good quality accessible transport for all and improve the cities spaces and health. She highlighted that through this work the Council could support the city to create a more liveable city.

The Executive Member also acknowledged that the Council was on a journey in regards to accessibility, she noted that schemes where mistakes were made would be reviewed to explore improvements. She welcomed work being undertaken on implementation plans, a parking strategy, as well as, noting the effect of the loss of the dial and ride service in York. She outlined the importance of bus travel in York and the work that would be required to improve journeys across the city.

Resolved:

- i. Approved the new policy framework for Transport across the City by approving the Local Transport Strategy (Annex A). Noted the feedback in the Our Big Transport Conversation and, the support for the strategy and the identification of the areas of the city residents find most challenging, and why (Annex B).

Reason: to articulate the transport vision, objectives and outcomes of the city.

- ii. Adopted the recommendations to shape a more accessible city centre developed in consultation with the disabled community and local businesses (Annex C);
- iii. Considered and noted the Equalities Impacts of the independent recommendations made on accessibility (Annex D) and on the Local Transport Strategy (Annex G);
- iv. Noted the report, sharing best practice from other cities who have made their places more accessible (Annex E) collated by MIMA.

Reason: To ensure accessibility is considered at every step of decision making across the Council.

- v. Approved the summary of the Movement and Place Plan approach as per that detailed in (Annex F) as the basis for future transport planning in York and instruct officers to commence work on a Movement and Place Plan for York (including a bid to the Mayoral Combined Authority for funding), and a five year Implementation Plan for York's Transport – both for presentation to Executive for approval at a later date.

Reason: To co-design, with residents, businesses, community groups, elected members, and health and care partners, the Movement and Place Plan which will deliver better health, climate, access and equalities outcomes for York and to guide transport implementation in York over the next five years.

17. Combined Authority Key Route Network (18:07)

The Director of Environment, Transport and Planning introduced the report, outlining the options available for proposed roads to be included within the Key Routes Network. The Council was required to submit to the York and North Yorkshire Combined Authority its recommendation for which roads would be within this network. Officers noted that roads included within the network would receive funding for improvement and maintenance from the Combined Authority, but would reduce the Council's autonomy over said roads.

The Executive Member for Transport spoke in favour of approving option 3 which would see the York Outer Ring Road and external 'A' Roads added to the Key Route Network. She suggested that this approach would leave open the option to seek additional roads added to the Key Routes Network at a later date, while maintaining authority over more of the network while the Council developed and delivered its own strategies.

Resolved:

- i. Approved Option 3's (found in the report) proposals for a Key Route Network in the City of York Council

- area ahead of submission for approval to the York and North Yorkshire Combined Authority;
- ii. Noted the linked Key Route Network being developed by North Yorkshire Council.

Reason: To support the future improvement of City of York Council's strategic highway links and local delivery of Movement and Place Plan priorities.

18. Acomb Front Street – Phase 2 Update (18:20)

Officers introduced the report which provided an updated on the proposed use of phase two UK Shared Prosperity Funding for Acomb Front Street. They outlined the consultation work which had been undertaken with residents and the intention to take proposals to a relevant Council Scrutiny Committee before a final decision on the scheme was made. They noted that UK Shared Prosperity Funding was required to be spent by March 2025.

Officers also thanked the What a Load of Bollards campaign for their valued contribution to the consultation and confirmed a feasibility study would take place in the autumn for pedestrianisation as well as parking restrictions. They noted the long term ambition from the consultation for Acomb Front Street would be for a more eco-friendly space which could be a hub of activity for its users.

The Executive Member for Economy and Culture thanked officers for their work on Acomb Front Street. He outlined that the Council had sought to engage with the community to create the best possible space for all those that use Acomb Front Street and welcomed the collaboration with residents to reach the high level principles set out in the report.

Resolved:

- i. Approved the high-level principles set out for the phase 2 scheme design as detailed in Table 3, reconfirming Executive's agreement to allocate £570k of UKSPF monies to Acomb and instruct

officers to finalise project designs and costings on this basis.

Reason: In October 2023, it was agreed that an update on Phase 2 would come back to Executive for their consideration following public engagement. Phase 2 timescales are tight because delivery against UKSPF spend deadlines is extremely challenging (March 25). This progress report brings forward as much as detail possible for Executive to agree the high-level principles, thus allowing the scheme design and costings to be finalised in time for a planned start on site by the end of September 2024.

- ii. Delegated authority to approve the recommendations on the final costed scheme design be to the Executive Member for Economy & Culture, to be made at a public decision session in September 2024.

Reason: Delivery against UKSPF spend deadlines is extremely challenging (March 25). This progress report brings forward as much as detail possible for Executive to agree the high-level principles, however additional work is still required to finalise designs and costings. It is crucial the learnings and analysis generated from the quantum of engagement responses are reflected in the final designs, and thereby addresses community concerns/ future aspirations.

- iii. Given the tight spending timescales of the UKSPF funding, agree a number of practical next steps to enable officers to commence further necessary preparatory work ahead of final scheme design/costing decisions being made in September 2024, namely:
 - (a) that work be progressed on the scope, design and procurement of seating/planting, wayfinding/signage and the local 'place-making/identity' elements of Phase 2 e.g. public art/mural(s), and that alternative funding options for this work also be investigated, and to delegate authority to the Director of Housing, Economy & Regeneration (in

consultation with the Head of Procurement and the Director of Governance) to take such steps as are necessary to procure, award and enter into the resulting contracts.

Reason: Reason, to allow necessary preparatory work to progress and to reduce risks around the tight UKSPF delivery timescales for these elements of the project.

(b) approved commencement of work to enable the statutory consultation for two new Traffic Regulation Orders (TRO's) required for the proposed new disabled parking area at York Road layby and 20mph speed restriction in main shopping area of Front Street, and to delegate authority to approve the implementation of the TRO's to the Executive Member for Economy & Culture (in consultation with the Executive Member for Transport) when considering the final scheme in September 2024.

Reason: Statutory Consultation for a Traffic Regulation Order is required to engage with local traders and businesses to identify any risks or mitigations required to the proposals. There is a 6–7- week lead time with this consultation, commencement of this work prior to consideration of final design in September avoids delay to construction programme and implementation.

(c) asked officers to commence discussions with Make it York to explore the potential for amending the licence for Acomb Front Street Market granted under the Markets Charter for York, to allow a possible future increase in the frequency of market activity in Acomb, and to delegate authority to the Executive Member for Economy & Culture to determine any recommended future amendments to the licence in this regard.

Reason: initial 3-month market trial has been successful with positive feedback received from residents, local

businesses, and traders. The artisan market enhances existing retail offering, increasing market frequency would deliver against the community's desire for more activity and potentially offer scope to involve the community in events.

The Markets Charter for York has existed since 1316. The purpose of the Charter is to ensure that the Shambles Market is the principal market for York. As such, no markets are permitted within a six and two-thirds mile of the Shambles Market unless they are on a trial basis or unless the Council agrees to a licence under the Charter. Acomb was granted its licence under the Markets Charter in 2016. Any future changes to frequency of markets in Acomb will need to be properly considered in this context and require further advice from officers within Legal Services and Licensing Services.

19. Results of Air Quality Action Plan 4 (AQAP4) Consultation (18:39)

Officers introduced the report detailing the results of the Air Quality Action Plan 4 Consultation and proposed actions to improve air quality.

The Executive Member for Environment and Climate Emergency thanked officers for their work. She noted that concern had been raised that not enough action was proposed on air quality and explained that the action plan would complement other strategies, such as, the Local Transport Strategy which had outcomes which would improve air quality.

Resolved:

- i. Review and noted the comments received in relation to the AQAP4 consultation (see Annex C);
- ii. Approved the amendments to the draft AQAP4 and responses made by officers in response to consultation feedback (outlined in this report and in Annex C)
- iii. Agreed to formally adopt the amended AQAP4 circulated with this report as CYC's Fourth Air

Quality Action Plan (Annex A) and submit a final version of the document to DEFRA.

Reason: Adoption of AQAP4 will allow CYC to fulfil its statutory duties required by the Local Air Quality Management (LAQM) framework under the Environment Act 1995 (as amended). It will ensure that York continues to have a robust, current and relevant Air Quality Action Plan to deliver emission reduction and health improvement benefits over the next 5-year period.

20. City of York Trading – Creation of a New Company for the Provision of Agency Workers (18:46)

The Council's Resourcing Manager introduced the report and confirmed that an agenda supplement had been published for the item to provide greater clarity to the recommendation. She confirmed that the proposals were similar to decisions made by the Council in relation to the Yorkshire Procurement Organisation and Veritau. She confirmed that City of York Trading provided the Council's supply of agency employees, but with a reduction in the number of agency roles at the Council, City of York Trading was expected to lose its Teckal status in January 2025.

Karen Bull Managing Director of City of York Trading highlighted that the proposals would allow the Council to continue to use City of York Trading without going out to tender and would not lose its level of control over City of York Trading with roles such as shareholder positions.

The Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion stated that the Council was a victim of its own success in reducing agency staff numbers. She stated her support for the creation of a new company to allow the Council to continue to benefit from the success of City of York Trading.

Resolved:

- i. Further to Article 12 of the Council of the City of York's Constitution, approve the formation of a new Teckal compliant company for the Introduction of

- Candidates for Direct Engagement and the Provision of Agency Workers to Council of the City of York;
- ii. Approved the novation of the Council of the City of York's current Contract dated 7th September 2023 for the Introduction of Candidates for Direct Engagement and the Provision of Agency Workers with the current Teckal company, City of York Trading Limited, to the New Company;
 - iii. Approved City of York Trading Limited making an Inter- Company Loan to the New Company of up to £500,000 to cover the initial licensing, the first month payroll and HMRC costs for the New Company, pending payment of the initial invoice under the Contract for the Introduction of Candidates for Direct Engagement and the Provision of Agency Workers by Council;
 - iv. Delegated authority to the Director of Governance to negotiate, draft and conclude with City of York Trading Limited all necessary documentation linked to the formation of the New Company including (but not limited to) the New Company's Articles of Association, Shareholder's Agreement, the Novation of the Contract dated 7th September 2023 for the Introduction of Candidates for Direct Engagement and the Provision of Agency Workers between the Council of the City of York and the City of York Trading Limited to the New Company, and the Inter-Company Loan between City of York Trading Limited and the New Company.

Reason: To ensure that the Teckal compliant New Company can deliver candidates for direct engagement and agency workers to CYC in compliance with Reg. 12(1) of the Procurement Regs (and Schedule 2, Part 1, Para 2 of the Procurement Act 2023 once this comes into force later in 2024).

To ensure that CYT can continue to support CYC, whilst enabling the expansion of Work with Schools, Work with Yorkshire, and Williams & Anthony to maximise commercial opportunities and the potential dividend to CYC.

21. Council house acquisitions and disposals policy (17:20)

The Head of Housing Delivery and Asset Management introduced the report. He outlined the policy proposal to sell some Council properties that were deemed too expensive or difficult to maintain or retrofit. He confirmed that these sales would allow the Council to continue improving its current housing stock and increase the number of new Council properties. The Director of Housing and Communities highlighted that the Council's previous policy was from 2022 and the new policy would provide greater transparency around when the Council disposes of a property.

The Executive Member for Housing, Planning and Safer Communities confirmed that this policy would codify Council policy. He confirmed that the policy would assist in identifying properties that were too expensive or difficult to maintain or retrofit and seek to sell those properties when the receipt could provide one or more than one for one replacements. He also confirmed that the policy would only consider the sale of empty properties and not properties currently rented out to Council tenants.

Resolved:

- i. Approved the adoption of the Housing Revenue Account Acquisitions and Disposals Policy attached at Appendix A;
- ii. Approved the delegated authorities set out in the Housing Revenue Account Acquisitions and Disposals Policy to enable the acquisition and disposal of council homes which meet the criteria set out in the policy;
- iii. Noted that updates on acquisitions and disposals will be included in future Housing Delivery Programme Executive updates.

Reason: To enable the acquisition and disposal of council homes which meet the criteria set out in the policy.

22. Update on the Housing Delivery Programme including making strategic use of land assets (17:32)

Officers introduced the report providing an update to the Housing Delivery Programme. They also highlighted several Council assets which were considered not suitable for affordable housing delivery. Therefore these assets were proposed to be disposed of to maximise capital receipts and therefore support other Council priorities.

The Executive Member for Housing, Planning and Safer Communities welcomed the report and welcomed the Council's work to deliver 100% affordable housing across its housing development sites.

Resolved:

Lowfield Green Plot B

- i. Agreed to dispose of the Lowfield Plot B site, by freehold transfer or grant of a long lease, to a Registered Provider for the delivery of age-appropriate affordable housing for residents aged over 55;
- ii. Delegated authority to the Director of Housing and Communities in consultation with the Executive Member for Housing, Planning and Safer Communities and Executive Member for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion to agree the final weighting of the criteria for the disposal of the Lowfield Plot B site.
- iii. Approved the carrying out of a procurement process to procure a Registered Provider to deliver the Lowfield Plot B scheme and to delegate to the Director of Housing and Communities (in consultation with the Head of Procurement and the Director of Governance) the authority to take such steps as are necessary to procure, award and enter into the resulting contract(s).

Castle Mills

- iv. Noted the interest from the Registered Provider in developing the Castle Mills site for 100% affordable

housing and agree to enter a Memorandum of Understanding to grant them an exclusivity over the site for a 4-month period to allow them to undertake further feasibility work with the aim of disposing of the site for affordable housing.

Former Morrell House site

- v. Agreed to dispose of the site, by freehold transfer or grant of a long lease, to a Registered Provider for the delivery of 100% affordable housing schemes;
- vi. Delegated authority to the Director of Housing and Communities (in consultation the Director of Governance) to agree the terms of the disposal and enter into the resulting agreement(s).

Procuring an operator to provide benefits for residents of Marjorie Waite Court and the surrounding community

- vii. Approved the procurement of an operator to provide facilities (including, but not limited to, catering, communal dining, a beauty salon and a community hall) at Marjorie Waite Court under a concession contract, along with a lease, for a term of up to 10 years with break and/or extension points at reasonable intervals within that term and delegate to the Director of Housing and Communities (in consultation with the Director of Governance and the Head of Procurement or their delegated officers) the authority to take such measures as are necessary to determine the terms of the arrangements and to procure, award and enter into the resulting contract and lease.

Disposal of Assets Considered Surplus and not Suitable for Affordable Housing Delivery

- viii. Agreed to dispose of the freehold interest in 22 The Avenue and delegate authority to the Director of Finance (in consultation with the Director of Governance) to agree the terms of the disposal and enter into the resulting agreement;
- ix. Agreed to dispose of a 999-year leasehold interest in the 5 No 1 bed flats and communal areas serving such, at Shambles and delegated authority to the

- Director of Finance (in consultation with the Director of Governance) to agree the terms of the disposal and enter into the resulting agreement;
- x. Agreed to release the development obligations and overage provisions currently contained within the existing Development Agreement at Hungate, in respect of the site previously sold to Hungate (York) Regeneration Limited, in consideration of a capital premium as detailed in the Confidential Appendix and delegated authority to the Director of Finance (in consultation with the Director of Governance) to agree the terms of the disposal and enter into the resulting agreement.

Reason: To review the Housing Delivery Programme and approve the use of strategic land assets.

Cllr Douglas, Chair

[The meeting started at 4.31 pm and finished at 7.04 pm].

Forward Plan: Executive Meeting: 12 September 2024

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 10 October 2024

Title and Description	Author	Portfolio Holder
<p>York Youth Justice Service Plan</p> <p>Purpose of Report: The Youth Justice Service are required to produce and submit a plan to the Youth Justice Board on an annual basis. The purpose of the plan is to outline work completed over the previous year, whilst also considering planning for the following year. The plan is created with oversight from the Youth Justice Service Management Board.</p> <p>The Executive will be asked to: Note that the Youth Justice Service wish to ensure that members are aware of the plans for the service and agree to the submission.</p>	<p>Martin Kelly, Corporate Director of Children and Education</p>	<p>Executive Member for Children, Young People and Education</p>
<p>York Youth Strategy</p> <p>The report provides an update on plans to develop a Youth Strategy for the City and seeks the Executive’s approval of the strategy. The purpose of the strategy is to develop a new local landscape of how the council and providers of youth services work in partnership to meet the needs of young people and reflecting revised statutory guidance on youth offers. The Executive will be asked to agree the Youth Strategy.</p>	<p>Pauline Stuchfield, Corporate Director of Children and Education</p>	<p>Executive Member for Children, Young People and Education Executive Member and the for Housing, Planning and Safer Communities</p>

<p>Community Dementia Model</p> <p>The purpose of this report is to approve the commissioning of a new Community Dementia Model for a period of two years (with an option to extend for three years), with the ICB as lead commissioner and City of York Council (CYC) as partner. The Community Dementia model will be contracted by the ICB with CYC as partner. This report discusses the benefits of investing in the above and risk / impact of not doing so.</p> <p>The Executive will be asked to agree the funding to continue CYCs contribution to funding the new Community Dementia Model for a period of two years (with an option to extend for a further 3 years) noting</p> <ul style="list-style-type: none"> - the contract will be procured by the ICB with CYC as a partner, - through a lead provider model and engagement with the market and to delegate to the Corporate Director of Adult Social Care and Integration (in consultation with the Head of Procurement and the Director of Governance) the authority to enter into an agreement with the ICB for the provision of the funding and to agree to the award of the resulting contract for the Community Dementia Model service by the ICB. 	<p>Sara Storey, Corporate Director of Adult Services and Integration</p>	<p>Executive Member for Health, Wellbeing and Adult Social Care</p>
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<p>Community contracts to support early intervention and prevention in Adult Social Care (ASC)</p> <p>The report asks approval to tender for 2 new services:</p> <ul style="list-style-type: none"> a) Advice and Information Service b) Supporting Independence Service <p>The tender process request is made to provide a prevention offer to be delivered to support Adult Social Care for individuals who need some additional support to remain in their own homes. Local authorities have a duty to prevent, reduce or delay needs for care and support (Care Act 2014 s2) for all adults including carers; this means early intervention to prevent deterioration and reduce dependency on support from others.</p> <p>The Executive will be asked to Recommendation: to approve the approach to commission, through a competitive tendered process, the following two services for a period of 3 plus 2 years:</p> <ul style="list-style-type: none"> c) Advice and Information Service d) Supporting Independence Service <p>Reason: The option proposed will comply with CYC’s Contract Procedure Rules in terms of completing an open, fair, and transparent process as the market has not been approached since 2017. The procurement procedure is subject to the Light Touch Regime under the Public Contracts Regulations 2015 and will be completed as an Open Procurement Procedure.</p> <p>Reason: The provision of the Advice & Information and Supporting Independence Services ensures the Council meets the statutory duty under the Care Act 2014 through prevention and delay.</p>	<p>Sara Storey, Corporate Director of Adult Services and Integration</p>	<p>Executive Member for Health, Wellbeing and Adult Social Care</p>
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Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 14 November 2024

Title and Description	Author	Portfolio Holder
<p>Capital Programme Update Monitor 2</p> <p>Purpose of Report: To provide members with an update on the capital programme.</p> <p>Members will be asked to note the issues, recommend to Full Council any changes as appropriate.</p>	<p>Debbie Mitchell, Chief Finance Officer</p>	<p>Executive Members for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion</p>
<p>Finance & performance Monitor 2</p> <p>Purpose of Report: To present details of the overall finance and performance position.</p> <p>Members will be asked to note the report.</p>	<p>Debbie Mitchell, Chief Finance Officer</p>	<p>Executive Members for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion</p>
<p>Treasury management 2024/25 mid-year review & Q2 prudential indicators</p> <p>Purpose of Report: To provide members with an update on the treasury management position.</p> <p>Members will be asked to note the issues and approve any adjustments as required to the prudential indicators or strategy.</p>	<p>Debbie Mitchell, Chief Finance Officer</p>	<p>Executive Members for Finance, Performance, Major Projects, Human Rights, Equality and Inclusion</p>



Meeting:	Executive
Meeting date:	12/09/2024
Report of:	Director of Finance – Debbie Mitchell
Portfolio of:	Cllr Katie Lomas and Anna Baxter – Executive Members for Finance, Performance, Major Projects, Human Rights, Equalities and Inclusion

Decision Report: Capital Programme – Monitor 1 2024/25

Subject of Report

1. The purpose of this report is to set out the projected outturn position for 2024/25 including any under/overspends and adjustments, along with requests to re-profile budgets to/from current and future years.
2. The Capital Monitor report is one of a number of reports taken to Executive on a regular basis to provide details of expenditure and how that impacts the financial standing of the council.

Benefits and Challenges

3. The capital programme is key in delivering the Council Plan. Members are able to prioritise capital expenditure to deliver improvements across all service areas notably Schools, Housing, Transport and Regeneration as well as supporting Climate Change ambitions.
4. The programme does involve significant levels of council borrowing which impacts the level of revenue expenditure. The cost of delivering the capital programme is therefore dependent on levels of external funding, inflation levels and interests rates.

Policy Basis for Decision

5. The Capital Budget is set as part of the Council's budget setting in February 2024. The capital programme is set alongside decisions to deliver a balanced revenue position.

Financial Strategy Implications

6. The Finance and Performance Monitor 1 report elsewhere on this agenda again outlines the council's financial position. The identification of slippage particularly in relation to Council funding will reduce council borrowing costs and support the annual revenue expenditure.

Recommendation and Reasons

7. Executive is asked to:
 - Recommend to Full Council the adjustments resulting in a decrease in the 2024/25 budget of £81.72m as detailed in the report.
 - Note the 2024/25 revised budget of £134.154m as set out in paragraph 4 and Table 3
 - Note the restated capital programme for 2024/25 – 2028/29 as set out in Annex 1.
 - Approve the grant award to University of York for £530k for the Ousewem Flood Resilience Project

Reason: to enable the effective management and monitoring of the Council's capital programme

Background

8. The 2024/25 capital programme was approved by Council on 22 February 2024 and updated for amendments reported to Executive in the 2023/24 outturn report, which resulted in an approved capital budget for 2024/25 of £215.874m.
9. A decrease of £81.720m is detailed in this monitor resulting in a revised capital programme for 2024/25 of £134.154m. There is an increase of £0.487m due to additional funding being awarded / approved and a re-

profiling of budgets to future years totalling £82.207m. This is mainly due to a review of the phasing of the capital programme across the York Outer Ring Road and York Central schemes to reflect latest programmes.

10. Table 1 outlines the variances reported against each Directorate area and a summary of the key exceptions and implications on the capital programme are highlighted in the paragraphs that follow.

Department	Current Approved Budget £m	Projected Outturn £m	Adjustment £m	Reprofile £m	Total Variance £m	Paragraph Ref
Children's services	17.074	17.140	0.066	-	0.066	16 – 20
Adult Social Care	0.952	0.959	0.007	-	0.007	-
Housing Services	52.071	45.355	(0.042)	(6.674)	(6.716)	21 – 37
Communities (Incl Climate Change)	6.495	6.745	0.250	-	0.250	38 - 48
Transport, Environment & Planning	87.239	54.069	0.102	(33.272)	(33.170)	49 – 82
City Development	44.247	2.090	0.104	(42.261)	(42.157)	83 - 88
Property Services	3.327	3.327	-	-	-	-
ICT	2.923	2.923	-	-	-	89 – 90
Corporate Services	1.546	1,546	-	-	-	-
Total	215.874	134.154	0.487	(82.207)	(81.720)	

Table 1 Capital Programme Monitor 1 2024/25

11. As a result of the changes highlighted above the revised 5 year capital programme is summarised in Table 2.

Gross Capital Programme	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m	2028/29 £m	Total £m
Children's services	17.140	5.261	1.031	-	-	23.432
Adult Social Care	0.959	0.705	0.728	0.752	0.776	3.920
Housing Services	45.355	28.090	15.301	14.638	14.350	117.734
Communities (Incl Climate Change)	6.745	0.250	-	-	-	6.995
Transport, Environment & Planning	54.069	44.927	40.203	38.733	25.798	203.730
City Development	2.090	26.795	10.274	3.866	1.454	44.479
Property Services	3.327	0.275	0.275	0.275	0.275	4.427
ICT	2.923	3.170	2.820	2.820	2.820	14.553
Corporate Services	1.546	0.370	0.369	0.200	0.200	2.685
Revised Programme	134.154	109.843	71.001	61.284	45.673	421.955

Table 2 Revised 5 Year Capital Programme

Funding the 2024/25 – 2028/29 Capital Programme

12. The revised 2024/25 to 2028/29 capital programme of £421.955m is funded from £159.577m of external funding and £262.378m of internal funding. Table 3 shows the projected call on resources going forward.

	2023/24 £m	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m	Total £m
Gross Capital Programme	134.154	109.904	71.001	61.284	45.673	421.955
Funded by:						
External Funding	57.743	34.828	32.127	26.058	8.821	159.577
Council Controlled Resources	76.411	75.015	38.874	35.226	36.852	262.378
Total Funding	134.154	109.843	71.001	61.284	45.673	421.955

Table 3 – 2024/25 to 2028/29 Capital Programme Financing

13. The Council controlled figure is comprised of a number of resources that the Council has ultimate control over. These include Right to Buy receipts, revenue contributions, supported (government awarded) borrowing, prudential (Council funded) borrowing, reserves (including Venture Fund) and capital receipts.
14. In financing the overall capital programme, the Director of Finance will use the optimum mix of funding sources available to achieve the best financial position for the Council. Therefore, an option for any new capital receipts would be to use these to replace assumed borrowing, thereby reducing the Councils' borrowing levels and associated revenue costs.

Consultation Analysis

15. The capital programme was developed under the capital budget process and agreed by Council on 22 February 2024. Whilst the capital programme as a whole is not consulted on, the individual scheme proposals and associated capital receipt sales do follow a consultation process with local Councillors and residents in the locality of the individual schemes.

Options Analysis and Evidential Basis

Children and Education Services

16. The total approved budget within the Children's Services and Education Capital Programme for 2024/25 is £17.074m.
17. At this early point in the financial year there are only two adjustments to report, both as a consequence of minor changes to funding allocations from the DfE
18. Firstly, the amount of DfE Condition and Maintenance funding for 2024/25 has been confirmed and the final allocation is £1.381m, an increase of £0.080m on the amount assumed in the programme.
19. A reduction to the Devolved Formula Capital scheme of £14k is required to reflect the actual grant receipt for 2024/25. The scheme value represents the amount paid to the LA on behalf of maintained

schools to be included in their delegated budgets, and the reduction is due mainly due to schools converting during 2023/24. This reduction has also been applied to all future years expected scheme and grant values.

20. The projects within the maintenance programmes are mainly scheduled to be carried out over the summer holiday period and therefore a fuller progress report will be available at Monitor 2.

Housing Services

Disabled Facilities (£2,076k)

21. This budget is used to undertake adaptations to privately owned properties in order to help owner occupiers and tenants living in the properties to be able to live independently within the property in the future. The budget is financed through monies allocated from the Better Care Fund and CYC's budget. The budget has been amended to reflect the level of government funding and is expected to be fully spent across the year.

CYC Adaptations Budget (£701k)

22. This budget is used to undertake adaptations to Council properties in order to help council tenants living in the properties to live independently within the property in the future. The budget is financed through monies allocated from the HRA budget. A range of adaptations are undertaken, ranging from minor adaptations such as the installation of hand rails, steps and other equipment, to more major adaptations such as stairlifts, through floor lifts, level access showers (wet rooms) etc.
23. At current spend levels the budget is anticipated to fully spent by Autumn and therefore we are looking at ways that the budget can be supplemented. This will be reported back at Monitor 2.

Major Repairs (£11,774k)

24. Quarter 1 has seen reasonable progress in many areas of the programme but delays in procuring some services restricted progress in others.
25. The intention at this point in the year is to spend in full in all areas of the capital investment programme. Any underspend/overspend risk to individual budget lines will be realised by the end of Q2. Potential risks

are mainly in Damp, Painting and Energy Retrofit. We are still in the process of awarding contractors on to the damp framework which is restricting progress.

Housing Delivery

26. The Housing Delivery Team have reached significant milestones on the Glen Lodge refurbishment project, with a start on site achieved in May 2024. Construction has commenced and Principal Contractor, Hobson Porter have made good progress with the initial strip out works. The project remains on programme and is likely to finish by Spring/Summer 2025.
27. Following the successful conclusion of number of utility diversions required on Ordnance Lane site, the contract has been entered with enabling contractor, Rhodar to begin the OPE funded enabling works. The site set up has commenced and Rhodar expect to begin demolition within the coming weeks. Meanwhile, good progress has been made on the main works contract for the construction of 101 new homes on Ordnance Lane. Planning permission was submitted in February and the project is expected to be determined over Summer 2024. The project team have completed RIBA 4(a) design and procurement for a Principal Contractor is expected to be issued in Summer 2024.
28. Construction continues to progress on the two certified Passivhaus sites, Duncombe Barracks and Burnholme led by contractor Caddick Construction. Duncombe Barracks commenced in late 2022 and the construction of the timber frame is now complete with external brickwork ongoing. The site team have successfully achieved the required airtightness on all plots which is significant milestone in the delivery of Pasivhaus projects and progress to internal fit-out has started with mechanical and electrical works now ongoing. The site will deliver 34 new homes with first handovers anticipated in late 2024. Burnholme will deliver 78 new homes across 11 terraces. It is now anticipated that the first handovers on Burnholme will occur in early 2025. Both sites are 60% affordable housing supported by grant funding from Homes England.
29. Work on the refurbishment and retrofit works for 40 flats at Bell Farm has been delayed and is not expected to commence onsite until late Summer/early Autumn 2024. The delay has resulted from a need to undertake bat surveys during summer months and the discovery of a bat roost in mid-June. Work is ongoing with the preferred contractor to commence a start on site as soon as possible and bring these buildings

back into use in 2025. This unavoidable delay has meant the project will run into 2025/26.

30. Engagement events for the Willow House project are planned to commence from late July 2024 onwards. The multidisciplinary team have been working on site analysis and survey information required to build the knowledge of the area so they can better understand the needs of the area. Combining this information with engagement with residents and stakeholder meetings will allow the team to progress towards a planning application early in 2025. This project has been allocated York and North Yorkshire Devolution Brownfield Housing Fund and work is ongoing to enter the grant agreement to support enabling works on this site.
31. The Housing Delivery programme continues to deliver low-cost home ownership through two grant funded schemes; Homes England's Second Hand Shared Ownership and YNY Devolution funded Second Hand Shared Ownership with retrofit. Combined these two schemes will deliver 40 new affordable homes and to date 36 homes have been acquired and matched to purchasers. The final 4 properties in the YNY funded programme are expected to be secured by the end of Q2 2024.
32. In November 2023, an additional £1.3m of grant funding was secured through the Local Authority Housing Fund to support the purchase of an additional 10 homes, 7 homes for Afghan resettlement households and a further 3 homes to contribute towards meeting wider temporary accommodation needs in the city. To date, all homes are either under offer and progressing through the conveyancing process or purchased and in occupation.
LA Homes Energy Efficiency / Social Housing Decarbonisation Fund (Ginnels Phases 1 and 2)
33. For this element of the SHDF programme, 95 properties are planned to have energy efficiency retrofit insulation works completed during 2024/25, which will complete the capital works programme. A further 40 are in the Bell Farm project, which is monitored separately.
34. Phase 1 of the project comprises 44 properties. This has faced challenges from contractor performance, which have been managed proactively and mitigation measures applied, including a different existing contract to be used for Phase 2 and an approach that further manages the risk of poor performance in future. These properties are expected to be completed during July 2024.

35. Phase 2 of the project is underway with Retrofit Assessments to be carried out imminently, with the 2nd Home Improvements & Retrofit contract beginning work on the project. This is for 51 properties. It is forecast that this will be successfully completed during 2024/25, with lessons learned from Phase 1.
36. £733k of the total SHDF budget is identified for the Bell Farm Refurbishment project.
Alex Lyon House and Honeysuckle House
37. The Grant Funding Agreements for these projects (funded through York and North Yorkshire MCA Net Zero Fund) have now been signed, and a design contractor has been identified with initial site visits undertaken. This work to upgrade heating and install renewable generation and energy storage systems to 61 older people's supported housing apartments is required to fully complete during 2024/25 in compliance with grant funding conditions.

Communities (Incl Climate Change)

Future Libraries Investment Programme

38. The three library projects have been combined and are reported within a single FLIP (Future Libraries Investment Programme). The capital budget this year is £2,657k plus a Libraries Improvement Fund grant of £250k from the Department for Culture, Media & Sports (DCMS). This additional funding has been added to the budget at this Monitor. The total overall budget for the programme is £8,228k.
39. Construction works at the new Clifton Library Learning Centre are now complete and the project is moving onto the fitout and mobilisation phase, in preparation for the library to open. The anticipated opening date is expected to be during Autumn 2024. An announcement will be made over summer 2024.
40. The new library at Haxby has now been open for over a year and has been very successful. Visitor levels are excellent and additional improvements with the installation and opening of a changing places toilet facility in April 2024. This makes the Oaken Grove Community Centre where the library is collocated the only facility in Haxby and Wigginton to have a changing places facility which makes this venue truly accessible.

41. Public consultation has taken place on the development of Acomb Library and the results fed into an external funding bid to Arts Council, under the Library Improvement Fund and the Council have been successful in achieving a grant of £250,000 towards the overall project budget. The grant bid focussed on what residents told us and that included a larger children library, café, and area for quiet study. A detailed feasibility is now underway and will be reported to Executive to sign off the final vision, business case and refurbishment plans in late 2024.

Energise Roof Works

42. Phase 1 of the works under Energise roof are complete which has eliminated the majority of problems that were occurring at the site. A specialist roof report has been commissioned to locate the final leaks and we are awaiting the recommendations.

Mansion House Repairs

43. The Mansion House Repairs scheme has an approved budget of £1,273k for 24/25. Buttress Ltd have now been appointed as specialist architects for the listed building. As principal architects they are designing specification for the refurbishment works. This will result in a construction tender in Q2 to enable a January 2025 start to the physical works with a September 2025 expected completion date.

Changing Places Toilets

44. £244k was awarded to provide two facilities, one at Oaken Grove, Haxby and the refurbishment of Silver Street in the city centre. Silver street is now complete and ready for registration. Haxby Oaken Grove is also complete and opened on 5th June 2024. All city centre signage is complete and in place. All monies have now been received from the Department of Levelling Up.

Crematorium Waiting Room

45. The scheme at the crematorium is currently being reviewed to ensure that works at the crematorium can be contained within the budget. The outcome of any such review will be reported to future monitoring reports.

Register Office Phase Two

46. It is anticipated that the refurbishment to the toilets will complete later this year.

Climate Change

47. The Climate Change programme has a budget of £1,727k for 2024/25, including £227k slippage from last year. £104k is required for potential match funding of the Harewood Whin scheme from the MCA's Net Zero Fund. £400k may be required for additional car parking at the Northern Forrest (assessment is to be made following the public site opening on 30th August 2024). £95k has been allocated for LED improvements at West Offices and Hazel Court scheduled to take place between July and December 2024. The rest is available as potential match funding for PSDS applications.
48. Key achievements include:
- Initiation of Net Zero Fund Projects, including:
 - Desk Top Study complete for feasibility of Solar PV at Elvington Lane and Onshore Wind at North Wigginton
 - Installation commenced for LED improvements at Hazel court and West Offices
 - Installation commenced for LED replacement of 985 street lights.
 - Designs underway for replacement heating system at Honeysuckle House and Alex Lyon House
 - Procurement underway for technical support to deliver the Local Investment in Natural Capital (LINC) pilot for York; aiming to increase the value of the city's green spaces.
 - Approval of the business case to deliver the regional Net Zero Accelerator (City Leap) project with North Yorkshire Council and the Combined Authority, with the award of £2m to explore delivery models to achieve the outcomes of the York Local Area Energy Plan.
 - Completed the planting of 2,550 new trees at 13 sites across the city as part of the Green Streets Programme.
 - Expanding the number of Council buildings to have received a Heat Decarbonisation Plan (37)
 - Initiated the Harewood Whin Green Energy Park project, with £245,000 of Net Zero funding from the Combined Authority and recruitment of a new Project Manager

Transport, Environment & Planning

49. There has been a thorough review of the phasing of the capital programme across Transport, Environment and Planning to reflect latest timescales.

Major Projects

50. Following City of York's planning committee on Tuesday 19 March 2024, and referral to the Secretary of State, the **York Outer Ring Road** planning application was approved on the 12 April 2024. A milestone review is currently being undertaken, and other work is continuing for example on the business case.
51. The timing of expenditure has been reviewed resulting in a revised spend profile.

	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000	2028/29 £'000
Original	22,604	23,952	12,282		
Revised	1,114	9,164	22,394	19,563	5,603

52. The **York Station Gateway** scheme is now progressing with delivery, with Package 1 (Utility Diversionary Works) now complete, and Package 2 (Highways Works) midway through construction. A further highways package 4 (Loop Road Works) is expected to commence in autumn 2024 and Packages 2 and 4 are programmed for completion in April 2025. The relocation of the existing electrical substation in the station car park is also expected to begin in autumn 2024 to be completed by spring 2025. The Package 3 (Station Works) will commence in March 2025 and run for approximately two years. Meanwhile, a new multi-storey car park that is funded and delivered by Network Rail will commence delivery in September 2024 with an eighteen-month delivery programme.
53. **Haxby Station** - Following the announcement by the Chancellor (29/07/2024) that the Restoring Your Railway programme has been cancelled, we propose to continue to work with Department for Transport around seeking other sources of funding to continue the scheme. In the meantime, we are supporting Network Rail in finalising

the planning application. Further information will be provided when options have been fully considered.

Transport

54. Due to the complexity of changes to land ownership and leases at the proposed site, it is unlikely that the Askham Bar Hyper Hub will enter the construction phase in 2024/25, and as a result the forecast spend for 2024/25 has been reduced to £50k.
55. The Riverside Path project faces numerous complexities, including the issues of the structural boundary fence and flood compensation areas. These challenges have delayed the implementation of the scheme. Additionally, coordinating with external partners, understanding their timelines and requirements, and assessing the risks and conditions related to the stability of the riverside embankment have further impacted the project schedule, and the expected spend in 2024/25 has reduced to reflect the expected timescales.
56. Within the Integrated Transport Block the budget has been increased to reflect a £40k grant towards Traffic Signal Upgrades and £36k s106 contributions for individual schemes.

Highway Schemes (including footways)

57. The Capital Highway Resurfacing Programme is nearing completion with one scheme still on site at the end of Q1 and one left to complete in Q2. The A1079 Hull Road scheme at Grimston Bar Roundabout eastern approach, will begin with drainage works starting towards the end of July. The resurfacing work will follow towards the end of September, and this should all be completed by the middle of October.
58. The first three schemes that have been valued have come in below budget, which gives further scope to manage the costs of the more difficult schemes, as we progress through the later part of the programme.
59. The Surface Dressing schemes are 90% complete with road markings outstanding.
60. The Large Patching programme is due to commence on Monday 8th July and should be completed before the end of the summer. The

patching scheme at York Road Dunnington will be delayed due to East Riding Council works at Stamford Bridge. The York Road Dunnington scheme will now be tied into the A1079 Hull Road at Grimston Bar Roundabout resurfacing scheme in October.

61. The Footway schemes at Holroyd Avenue and Giles Avenue have been successfully delivered within budget. Lamplugh Crescent is progressing and will soon be complete, and the remaining schemes are expected to be successfully delivered within the financial year.

Drainage

62. Investigation and repairs have been made to gullies on Huntington Road between the Link Road and A1237. There have also been repairs and maintenance works have been carried out at Field Lane, including the repair of six non running gullies and replacement of fifteen gully covers.
63. Two kilometres of drainage on the A166 has been investigated and repaired between Dunnington and Gate Helmsley, which includes the repair of twelve existing gullies.
64. More than a hundred meters of new drainage pipework has been laid, multiple manholes found and restored to functionality and a soakaway has been replaced.
65. Maintenance works to Pike Hills Pond on the A1237 have been carried out and the team have installed flow control manholes to prevent flooding near the Askam Bryan Roundabout.
66. Ten further investigation and repair schemes are planned for completion this financial year, subject to timescales, permitting and budgetary constraints.
67. Three voids (Sink Holes) have been repaired at Bootham Terrace, Avenue Road and Avenue Terrace with work commencing imminently on Bewlay Street.
68. Salisbury Terrace design work has been progressing and further site investigation works have been carried out involving coring and ground penetrating radar (GPR) surveys.

69. Regarding the scheme at Castle Mills lock gates - the EA Collaborative Delivery Framework (CDF) has been identified as an appropriate procurement model for the works. The scheme will be procured through this framework on a design and build basis. The Council's Procurement Team have now signed off the call-off contract to allow access to the framework. It's likely that the full scheme will be carried forward into the next financial year, although some spend on design and the procurement of the materials could be incurred in this financial year.

Bridges

70. The damage to Lendal Bridge means that major maintenance work is now deemed to be essential. The existing waterproofing, which has been installed piecemeal, has failed in several locations allowing salt laden water through onto the steelwork below, resulting in corrosion.
71. Five different options have been considered for the management of vehicular traffic management the during proposed maintenance works. A report will be submitted shortly to the with a recommended option for implementation.
72. The team are reviewing the most suitable means for the procurement a contractor to carry out the strengthening on Bishopthorpe Bridge, with the construction work planned for commencement January 2025. This will likely be an open tender process. The team have now received quotations, for comparison, for the necessary Ground Investigation works.

City Walls

73. This year's work will be focussing on monitoring and maintenance of the city walls, which is fundamentally required to inform of future years interventions and gauge the current risks to monuments.
74. Preventative maintenance works, including pointing, walkway repaving and stone replacement works will be concentrated on the area's most in need of repair, to avoid long term deterioration.
75. Emergency works were carried out to the Ice House building, where the state of disrepair had led to the structure becoming unsafe. This has now been rectified.
76. The City Walls team is also undertaking heritage conservation projects for alternative teams within the Council, and team members are being deployed to support other Highways services where required.

Waste Fleet & Public Realm

77. Due to a delay in some services finalising their orders and long delivery lead in times there is anticipated slippage of £2,000k into 2025/26.
78. Two recycling trucks have been delivered this financial year. The remaining budget for Waste Vehicle Replacement is going to be used to fund small/narrow vehicle replacement (final scope being agreed following vehicle trials).

Flood Alleviation

79. Executive (28th July 2022) approved the implementation of the Catchment Flood Management Project (Ousewem), a £5.9m project fully funded from DEFRA to deliver a number of wide ranging projects and investment in natural flood management measures which increase the resilience of small communities across North Yorkshire.
80. University of York were contracted in January 2023 to provide 3 primary services to the Ousewem project these were to;
 - 1) Evaluate community and partner organisations understanding and delivery of Natural Flood Management in the catchment
 - 2) Explore understanding of investment opportunities for Natural Flood Management in the catchment
 - 3) to monitor and evaluate the Ousewem project deliverables
81. A grant agreement of £432k was signed in January 2023 with the University.
82. During the grant delivery phase it has been necessary to refine and amend the objectives and processes and this has resulted in some further work added to the contract and an additional resource being added to the project by the University. The new grant value is £530k. Given the value it is recommended that Executive approve the grant award.

City Development

83. The project funding position for **York Central** has been reprofiled to reflect an updated funding agreement with project partners. The key change is that the £35m CYC contribution towards IP2 site infrastructure work will now not be required until later in the delivery programme. In terms of the CYC capital programme, project expenditure has therefore moved from 2024/25 to 2025/26 onwards, which is a positive outcome for the Council.

84. General progress on the project remains positive, as per the update provided in the Quarter 3 monitor. The planning application for the Government Property Agency building will be considered by Planning Committee on 22 July 2024.
85. The delivery of the main York Central highway infrastructure by Homes England is progressing with the phase 1 delivering the alternative route around the National Railway Museum expected to be complete by the end of 2024 allowing the stopping up of Leeman Rd to be certified. The majority of the site preparation and drainage and utility diversion work is complete and road construction commenced. Footway construction is continuing on Station Rise on the city side of Leeman Rd tunnel. Phase 2 of the scheme to connect the road through to Water End is expected to be complete in mid 2026. Approximately 80% of the ground improvement works have been completed for the embankment between Water End and the Railway and ground improvement works have commenced on the opposite side of East Coast Main Line. Piling for the new footbridge adjacent to the existing road bridge is complete and foundation construction has commenced. The main developer for the site has been appointed by Homes England and the initial phase of the NRM redevelopment has commenced with the re-roofing of Station Hall and preparatory works for the new Central Hall ongoing including the provision of a new substation.
86. Castle Gateway – In November 2023 Executive agreed the way forward to deliver some of the masterplan proposals, and work has now commenced to revise designs for the Castle / Eye of York and assess the potential for the delivery of Affordable Housing at Castle Mills. The strategic importance of St George’s Field as a parking location was acknowledged and proposals for improving parking provision there, with coach drop off facilities, are being progressed. The proposals, including a business case, must be reported back to Executive for approval prior to delivery.
87. A key part of the revision to the Castle and Eye of York is going back out to public engagement. Due to the pre-election period for the General Election and the summer holidays, this has been delayed. The programme has also been updated following input from our design team on the stages of work required to inform the final design and secure planning. The programme, and therefore budget for delivery, has

therefore needed to be re-phased taking it in to the following financial years.

88. The total UKSPF 20224/25 budget remains at £3,248k, but there has been a minor adjustment of the final allocation reducing capital by £15k and increasing revenue by £15k. This adjustment is reflected in this monitor report.

Corporate Services - IT

89. The ICT capital programme has a budget of £2,803k for 2024/25 which includes £294k slippage from last year. At Monitor 1 there are plans to spend all the allocation during the year and a nil variance is reported.
90. Key purchases completed or in hand to date include:
- 300 laptops to enable and sustain hybrid working.
 - SNOW (software asset management) hosting, support and maintenance for 2 years from May 24
 - Elements of the infrastructure tech refresh programme

Organisational Impact and Implications

91. The report has the following implications:
- **Financial** - are contained throughout the main body of the report. Given the forecast financial position of the Council and the need to reduce expenditure, there will be a review of the capital programme. This review will need to identify ways in which capital expenditure can also be reduced.
 - **Human Resources (HR)** - There are no direct HR implications as a result of this report. Any variations to the capital programme that have staffing implications will follow appropriate consultation and HR policies and procedures.
 - **Legal** - In relation to the grant to the University of York, the grant funding arrangements sought to deliver the Ousewem Flood Resilience Project will need to be reviewed to understand whether the Council's use of any of the grant funding will comply with the requirements set out within the Subsidy Control Act 2022. Whilst this report itself does not have any further legal implications, the schemes within the capital programme themselves will be in receipt of legal advice where necessary

- **Procurement** – Whilst there are no direct procurement implications relating to the report itself, procurement will be a main tool used to deliver schemes in the capital programme. Any services or works required, will be procured in accordance with the Public Contract Regulations 2015, soon to be Procurement Act 2023 and the Council's Contract Procedure Rules. Further advice regarding the procurement process and development of procurement strategies must be sought from the Commercial Procurement team.
- **Health and Wellbeing**, reductions in spend in some areas could impact on the health and wellbeing of both our staff and residents. The impact of any reductions in the capital programme will be carefully monitored so that implications can be considered and mitigated where possible.
- **Environment and Climate action**, as this report is mainly for information to update on the progress of delivery of schemes within the programme, there are no direct environment and climate action implications as a result of this report.
- **Affordability**, as this report is mainly for information to update on the progress of delivery of schemes within the programme, there are no direct affordability implications as a result of this report.
- **Equalities and Human Rights** – as this report is mainly for information to update on the progress of delivery of schemes within the programme, there are no direct equalities and human rights implications as a result of this report. All individual schemes will be subject to Impact Assessments in the usual way.
- **Data Protection and Privacy**, *As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a data protection impact assessment (DPIA). This is evidenced by completion of DPIA screening questions under the reference AD-08285.*
- **Communications**, the information set out in this report does not have any specific communications implications. The finance and performance monitor report elsewhere on this agenda includes details of the communications activity in relation to the overall council finances.
- **Economy**, there are no direct implications related to the recommendations.

Risks and Mitigations

92. There are a number of risks inherent in the delivery of a large scale capital programme. To mitigate against these risks the capital

programme is regularly monitored as part of the corporate monitoring process, and the project management framework. This is supplemented by internal and external audit reviews of major projects.

Wards Impacted

93. All wards are impacted by the issues detailed in the report.

Contact details

For further information please contact the authors of this Decision Report.

Author

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Report approved:	Yes
Date:	08/08/2024

Background papers

- [Capital Budget Report Executive 25th January 2024](#) and Full Council 22 February 2024
- [Capital Programme Outturn 2023-24](#)– Executive 18 July 2024

Annexes

- Annex 1 – Capital Programme 2024/25 to 2028/29

Annex 1 - Capital Programme by Year 2024/25 to 2029/30

	2024/25	2025/26	2026/27	2027/28	2028/29	Capital Programme 2024/25- 2028/29 £000
	£000	£000	£000	£000	£000	£000
<u>CHILDRENS SERVICES</u>						
Basic Need	567	3,075	125	0	0	3,767
DfE Maintenance	1,818	700	700	0	0	3,218
SEND - St Paul's Nursery ERP Expansion	1,668	0	0	0	0	1,668
SEND - Applefields Extension (Phase 3)	1,121	470	0	0	0	1,591
Schools Essential Mechanical & Electrical Work	1,581	0	0	0	0	1,581
St Oswald's Classrooms	1,400	0	0	0	0	1,400
Hob Moor Oaks Classrooms	1,100	0	0	0	0	1,100
Huntington Science Labs	1,100	0	0	0	0	1,100
Schools Essential Building Work	981	0	0	0	0	981
SEND - Specialist SEMH Expansion	946	0	0	0	0	946
Mainstream Schools SEND fund	475	300	0	0	0	775
SEND - Huntington School ERP	252	510	0	0	0	762
Clifton Green Primary - Re-organisation and Security	626	0	0	0	0	626
NDS Devolved Capital	206	206	206	0	0	618
Danesgate Outdoor Learning Area	600	0	0	0	0	600
Children in Care Residential Commissioning Plan	592	0	0	0	0	592
Improving School Accessibility	420	0	0	0	0	420
Fulford School Expansion 2020 Phase 1 and 2	405	0	0	0	0	405
Early Years Expansion Premises Investment	334	0	0	0	0	334
Expansion and Improvement of Facilities for Pupils with SEND	326	0	0	0	0	326
Danesgate Extension 2022	204	0	0	0	0	204
Family Hubs Capital Investment	167	0	0	0	0	167
Early Years Additional Places (Lowfield Green)	104	0	0	0	0	104
Healthy Pupils Capital Fund	93	0	0	0	0	93
Millthorpe School	49	0	0	0	0	49
SEND - Haxby Road ERP Expansion (Lakeside site)	5	0	0	0	0	5
<u>ADULT SOCIAL CARE</u>						
Telecare Equipment and Infrastructure	275	283	291	300	309	1,458
Disabled Support Grant	261	270	280	290	300	1,401
Major Items of Disability Equipment	157	152	157	162	167	795
Proof of Concept for robotics & AI within social care	161	0	0	0	0	161
OPA - the Centre@Burnholme including enabling works	62	0	0	0	0	62
S106 Sports Development	26	0	0	0	0	26
OPA-Ashfield Estate Sports Pitches	17	0	0	0	0	17
<u>HOUSING (HRA & GF)</u>						
Major Repairs & Modernisation of Local Authority Homes	11,774	10,847	11,027	11,243	11,400	56,291
LA Homes - Burnholme	6,980	7,789	0	0	0	14,769
Disabled Facilities Grant (G/fund)	2,076	2,375	2,565	2,565	2,100	11,681
Bell Farm Modernisation	2,296	2,494	0	0	0	4,790
Duncombe Barracks	3,687	955	0	0	0	4,642
Local Authority Homes - Phase 2	2,785	900	0	0	0	3,685
Assistance to Older & Disabled People	701	640	650	660	680	3,331
Local Authority Homes - Project Team	1,000	1,370	889	0	0	3,259
Glen Lodge Refurbishment	3,204	0	0	0	0	3,204
LA Homes - Hospital Fields/Ordnance Lane	1,932	0	0	0	0	1,932
LA Homes Energy Efficiency Programme	1,548	0	0	0	0	1,548
Shared Ownership Scheme	1,217	0	0	0	0	1,217
Resettlement Housing	1,209	0	0	0	0	1,209
Home Upgrade Grant (G/fund)	1,202	0	0	0	0	1,202
Alex Lyon House - Renewable Heating Upgrade	1,051	0	0	0	0	1,051
Housing Environmental Improvement Programme	332	170	170	170	170	1,012
Willow House Housing Development	500	500	0	0	0	1,000
Honeysuckle House heat pump communal heating upgrade	844	0	0	0	0	844
Lowfield Housing	555	0	0	0	0	555
Water Mains Upgrade	360	50	0	0	0	410
Tang Hall Library Site Enabling Works (G/fund)	54	0	0	0	0	54
Chaloners Road Site Enabling Works	48	0	0	0	0	48
<u>COMMUNITIES (INCL CLIMATE CHANGE)</u>						
Future Libraries Investment Programme	2,907	0	0	0	0	2,907
Climate Change schemes including Northern Forest	1,727	250	0	0	0	1,977

Annex 1 - Capital Programme by Year 2024/25 to 2029/30

	2024/25	2025/26	2026/27	2027/28	2028/29	Capital Programme 2024/25- 2028/29 £000
	£000	£000	£000	£000	£000	£000
Mansion House	1,273	0	0	0	0	1,273
Crematorium Waiting Room	221	0	0	0	0	221
Castle Museum Repairs	200	0	0	0	0	200
Westfield Multi Use Games Area	192	0	0	0	0	192
Changing Places (Toilets)	121	0	0	0	0	121
Energise Roof	58	0	0	0	0	58
Registry office Phase 2 Refurbishment	46	0	0	0	0	46
TRANSPORT, HIGHWAYS & ENVIRONMENT						
York Outer Ring Road - Dualling	1,114	9,164	22,394	19,563	5,603	57,838
Highway Schemes	8,235	7,905	7,905	7,905	7,905	39,855
Replacement Vehicles & Plant	4,808	4,169	3,392	7,323	8,510	28,202
WYTF - Station Frontage	9,915	4,382	0	0	0	14,297
Integrated Transport	5,404	2,438	1,570	1,570	1,570	12,552
Bus Service Improvement Plan	9,729	0	0	0	0	9,729
Innovative Flood Resilience	1,605	1,490	1,937	0	0	5,032
WYTF - Castle Gateway Development	0	4,473	50	0	0	4,523
Drainage Investigation & Renewal	721	900	900	900	900	4,321
Haxby Station	473	3,500	0	0	0	3,973
Special Bridge Maintenance (Struct maint)	1,048	615	622	617	605	3,507
Flood Alleviation Schemes including Germany Beck	3,254	0	0	0	0	3,254
York City Walls - Repairs & Renewals (City Walls)	324	300	505	505	505	2,139
Askham Bar Hyperhub (Levi)	50	1,993	0	0	0	2,043
Essential Bridge Maintenance (Lendal Bridge)	507	1,500	0	0	0	2,007
Replacement of Unsound Lighting Columns	559	578	578	0	0	1,715
Flood Scheme Contributions	1,500	0	0	0	0	1,500
Castle Mills Lock	400	700	0	0	0	1,100
Access Barrier Review	273	200	200	200	200	1,073
Built Environment Fund - Hostile Vehicle Mitigation	750	0	0	0	0	750
Waste Vehicle Replacement	725	0	0	0	0	725
Garden Bin Replacement	150	150	150	150	0	600
Smarter Travel Evolution Programme	120	467	0	0	0	587
Street Lighting LED Conversion	352	0	0	0	0	352
National Cycle Network 65 Targeted Repairs	307	0	0	0	0	307
EV Charging Asset Replacement	281	0	0	0	0	281
ZEBRA	237	0	0	0	0	237
Highways Drainage Works	200	0	0	0	0	200
Fordlands Road Flood Defences	188	0	0	0	0	188
Public Realm & Waste Equipment	163	0	0	0	0	163
River Bank repairs	148	0	0	0	0	148
Flood Sign Renewal and Rainfall monitoring	135	0	0	0	0	135
Fleet & Workshop Compliance	105	0	0	0	0	105
Highways - Tadcaster Road	100	0	0	0	0	100
Knavesmire Culverts	81	0	0	0	0	81
Better Play Areas	55	0	0	0	0	55
TCF - Tadcaster Road Improvements	50	0	0	0	0	50
Air Quality Monitoring	3	3	0	0	0	6
CITY DEVELOPMENT						
York Central Infrastructure	400	25,850	7,400	3,866	1,454	38,970
Castle Gateway (Piccadilly Regeneration)	491	945	2,874	0	0	4,310
Improvements to City Centre & High Streets (UKSPF)	660	0	0	0	0	660
Rural Prosperity Fund	400	0	0	0	0	400
Guildhall	127	0	0	0	0	127
Built Environment Fund - Shopping Area Improvements	12	0	0	0	0	12
PROPERTY SERVICES						
Asset Maintenance + Critical H&S Repairs	433	275	275	275	275	1,533
West Offices - LED Lighting	881	0	0	0	0	881
West Offices Data Centre	380	0	0	0	0	380
Commercial Buildings LED Lighting Renewal	354	0	0	0	0	354
LCR Revolving Investment Fund	300	0	0	0	0	300
Hazel Court - LED Lighting	258	0	0	0	0	258
Removal of Asbestos	222	0	0	0	0	222

Annex 1 - Capital Programme by Year 2024/25 to 2029/30

	2024/25	2025/26	2026/27	2027/28	2028/29	Capital Programme 2024/25- 2028/29 £000
	£000	£000	£000	£000	£000	£000
Commercial Property Acquisition	146	0	0	0	0	146
West Offices - Major repairs	100	0	0	0	0	100
Hazel Court welfare facilities	95	0	0	0	0	95
Photovoltaic Energy Programme	81	0	0	0	0	81
Fire Safety Regulations - Adaptations	77	0	0	0	0	77
ICT						
IT Development plan	2,803	3,170	2,820	2,820	2,820	14,433
IT Superconnected Cities	120	0	0	0	0	120
CORPORATE SERVICES						
Project Support Fund	370	370	369	200	200	1,509
Capital Contingency	1,176	0	0	0	0	1,176
GROSS EXPENDITURE BY DEPARTMENT						
CHILDRENS SERVICES	17,140	5,261	1,031	0	0	23,432
ADULT SOCIAL CARE	959	705	728	752	776	3,920
HOUSING (HRA & GF)	45,355	28,090	15,301	14,638	14,350	117,734
COMMUNITIES (INCL CLIMATE CHANGE)	6,745	250	0	0	0	6,995
TRANSPORT, HIGHWAYS & ENVIRONMENT	54,069	44,927	40,203	38,733	25,798	203,730
CITY DEVELOPMENT	2,090	26,795	10,274	3,866	1,454	44,479
PROPERTY SERVICES	3,327	275	275	275	275	4,427
ICT	2,923	3,170	2,820	2,820	2,820	14,553
CORPORATE SERVICES	1,546	370	369	200	200	2,685
TOTAL BY DEPARTMENT	134,154	109,843	71,001	61,284	45,673	421,955
TOTAL GROSS EXPENDITURE	134,154	109,843	71,001	61,284	45,673	421,955
TOTAL EXTERNAL FUNDING	57,743	34,828	32,127	26,058	8,821	159,577
TOTAL INTERNAL FUNDING	76,411	75,015	38,874	35,226	36,852	262,378

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Meeting:	Executive
Meeting date:	12/09/2024
Report of:	Debbie Mitchell Director of Finance
Portfolio of:	Councillor Katie Lomas & Councillor Anna Baxter, Executive Members for Finance, Performance, Major Projects, Human Rights, Equality & Inclusion

2024/25 Finance and Performance Monitor 1

Subject of Report

1. This report sets out the projected 2024/25 financial position and the performance position for the period covering 1 April 2024 to 30 June 2024, together with an overview of any emerging issues. This is the first report of the financial year and assesses performance against budgets, including progress in delivering the Council's savings programme.
2. This report outlines the Council's challenging financial position with a forecast overspend for 2024/25 of £3.4m. This is a huge improvement on the £11.4m forecast overspend we have previously seen at this stage in the financial year and is a direct result of the significant work undertaken by officers across all parts of the Council to identify savings and mitigations.
3. However, there is still a forecast overspend and therefore, whilst it is incredibly positive that the position is much improved, there remains a great deal of work still to do. It remains clear that the Council cannot afford to keep spending at this level. The general reserve is £6.9m and, whilst we have other earmarked reserves that we could call on if required, continued overspending will quickly see the Council exhaust its reserves.

4. The existing cost control measures remain in place, and further action is needed to bring spending down to an affordable level, both within the current financial year and over the next 3 years, to safeguard the Council's financial resilience and stability. The impact that this work is having can be clearly seen in this latest forecast and the Council's track record of delivering savings, along with robust financial management, provides a sound platform to continue to be able to deal with future challenges.
5. If we continue to take action and make any difficult decisions now, this will ensure the future financial stability of the Council and that we can continue to provide services for our residents. It is vital that mitigations are delivered, and the forecast overspend is reduced.

Benefits and Challenges

6. This report is mainly to note the latest financial projections and current performance. The main challenge is delivering on agreed savings whilst also identifying further reductions in expenditure. The main benefit of approving the recommendations will be the ongoing financial stability of the Council.

Policy Basis for Decision

7. This report is mainly to note the latest financial projections and current performance. The ongoing financial resilience and stability of the Council will be essential to ensuring that Council priorities can continue to be achieved.

Financial Strategy Implications

8. This report sets out the projected financial position and identifies a range of actions that are necessary in order to reduce expenditure, both within the current financial year and over the next 3 years to safeguard the Council's financial resilience and stability.

Recommendation and Reasons

9. Executive is asked to:
 - Note the finance and performance information.
 - Note that work will continue on identifying the savings needed to fully mitigate the forecast overspend.

- Approve the £900k savings identified in paragraph 68 needed to deliver the Place service review saving agreed in the 2024/25 budget.

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

Background

Financial Summary and Mitigation Strategy

10. The current forecast is that there will be an overspend of £3.4m. This is despite the additional budget allocated through the 2024/25 budget process and ongoing action being taken by managers across the Council to try and reduce expenditure. If the Council continues to spend at the current level, and no action is taken, then we will continue to overspend and will exhaust our reserves and any other available funding. The current level of expenditure is unaffordable and therefore we must continue the work started in the previous financial year to identify and take the necessary actions to reduce expenditure.
11. As outlined in reports to Executive throughout the previous financial year, we have continued to see recurring overspends across both Adult and Children's Social Care. However, the underspends and mitigations that have allowed us to balance the budget at year end have generally been one off. Whilst the use of reserves to fund an overspend is appropriate as a one-off measure, it does not remove the need to identify ongoing savings to ensure the overall position is balanced. The budget report considered by Executive in February 2024 also included an assessment of risks associated with the budget, which included the need to secure further savings and effectively manage cost pressures.
12. Members will be aware that the financial position of local government is a national challenge and that the pressures being seen across both Adult and Children's Social Care are not something that is unique to York. Many Councils are experiencing significant financial pressures and struggling to balance their budgets now, so it is vital that we continue the work started last year to reduce our expenditure down to a sustainable level both within the current financial year and over the medium term.
13. Given the scale of the financial challenge, and the expected impact on budgets in future years, it is vital that every effort is made to balance

the overall position. It is recognised that this will require difficult decisions to be made to protect services for vulnerable residents.

14. Corporate control measures are in place, but it is unlikely they will deliver the scale of reduction needed within the year. Other savings proposals, including service reductions, may also be needed. Officers will continue to carefully monitor spend, identify further mitigation, and review reserves and other funding to make every effort to reduce this forecast position. However, it is possible that it will not be reduced to the point that the outturn will be within the approved budget. The Council has £6.9m of general reserves that would need to be called on if this were the case. As outlined in previous reports, any use of the general reserve would require additional savings to be made in the following year to replenish the reserve and ensure it remains at the recommended minimum level.
15. The delivery of savings plans continues to be a clear priority for all officers during the year. Corporate Directors and Directors will keep Executive Members informed of progress on a regular basis.

Financial Analysis

16. The Council's net budget is £149m. Following on from previous years, the challenge of delivering savings continues with c£14m to be achieved to reach a balanced budget. Early forecasts indicate the Council is facing net financial pressures of £3.4m and an overview of this forecast, on a directorate by directorate basis, is outlined in Table 1 below.

Service area	Net budget £'000	2024/25 Forecast Variation £'000
Children & Education	28,659	1,359
Adult Social Care & Integration	45,307	2,361
Transport, Environment & Planning	23,464	-547
Housing & Communities	6,614	792
Corporate & Central Services	44,724	-69

Sub Total	148,768	3,896
Contingency	500	-500
Target for further mitigation		
Total including contingency	149,268	3,396

Table 1: Finance overview

Reserves and Contingency

17. The February 2024 budget report to Full Council stated that the minimum level for the General Fund reserve should be £7.4m. At the beginning of 2024/25 the reserve stood at £7.4m.
18. Should the mitigation outlined in this report not deliver the required level of savings in the current financial year then this reserve is available to support the year end position. However, in light of the ongoing financial challenges being faced by all Councils it is now more important than ever to ensure the Council has sufficient reserves. Therefore, should it be the case that we need to draw down a substantial amount from this general reserve in 2024/25, growth will need to be included in the 2025/26 budget to ensure that reserves can be maintained at an appropriate level.
19. In addition to the general reserve of £7.4m there are a range of other earmarked reserves where funds are held for a specific purpose. These reserves are always subject to an annual review and these funds will again be reviewed on a quarterly basis and where appropriate to do so will be released to support the in-year position. Whilst this is a prudent approach that will ensure the financial resilience of the Council it is not a substitute for resolving the underlying overspends but instead allows time to develop future savings proposals in a planned way.
20. As in previous years a contingency budget is in place, and this is currently assumed to be available to offset the pressures outlined in this report.

Loans

21. Further to a scrutiny review, it was agreed that these quarterly monitoring reports would include a review of any outstanding loans over £100k. There is one loan in this category for £1m made to

Yorwaste, a company part owned by the Council in June 2012. Interest is charged on both loans at 4% plus base rate therefore interest of 9.25% is currently being charged. All repayments are up to date.

Directorate Analysis

Children and Education

22. The forecast directorate outturn position is an overspend totalling £1,359k and the table below summarises the latest forecasts by service area.

	2024/25 Budget	Forecast Outturn Variance £'000	Forecast Outturn Variance %
Children's Safeguarding	24,479	1,396	5.7
Education & Skills	16,056	3	0.0
School Funding & Assets	-7,641	-19	-1.2
Director and Central Budgets	-4,235	-22	-0.5
Total Children and Education	28,659	1,359	4.7

23. As previously reported, the number of Children Looked After (CLA) in York has consistently been at a higher level than the budget was built to accommodate. The number at the beginning of the financial year was 243, at the end of May it was 246. Placement budgets are predicted to be overspent by a total of £1,363k. The pressure on this budget is partly due to the limited market for children's placements and the statutory requirements placed on local authorities to meet children's needs, coupled with inflationary pressures which could continue to worsen the position. Total growth of £1,647k has been allocated to the placements budgets in 2024/25.
24. Safeguarding Interventions is predicted to underspend by 59k due to staffing vacancies. In addition, legal fees are predicted to overspend by £135k.

25. An overspend in Disabled Children's Services of £473k is mainly overspends on direct payments. A specific project for direct payments is being carried out, and this is predicted to clawback some of previous payments made and reduce ongoing costs.
26. Innovation and Children's Champion is predicted to underspend by - £187k (-£137k in 2023/24). This is due to the ability to fund some expenditure from the Family Hubs grant & Family Seeing Grant.
27. The Home to School Transport budget, which has been in an overspend position for a number of years, has been allocated £730k of growth for demographic pressures and contract inflation.
28. At this point in the financial year, no variance is predicted, however, the projected outturn includes an estimate of likely contractual inflation from 1st September 2024, and the final increase will be dependent on the relevant indices at that point. In addition, at this point in the financial year, the financial impact of changes for the new academic year are not known until all eligible pupils have their travel arrangements confirmed in September so this position could change once all new academic year information on cost is available.
29. Staff resourcing issues and turnover in the SEND Statutory Services Team, and the need to resource work to progress the Safety Valve targets have continued and resulted in the need to appoint a number of agency staff and also increase supporting resources, resulting in a predicted overspend of £52k based on current staffing assumptions.
30. The Educational Psychologists Service is predicted to underspend by £65k, mainly due to continuing vacancies in the team.
31. The Effectiveness and Achievement Service is predicted to overspend by £18k in 2024/25 (+£125k in 2023/24) mainly due to unachieved vacancy factors.
32. An overall underspend of £12k is predicted within the Virtual School and Inclusion service, due to a vacancy and one-off savings in non-staffing expenditure.
33. The Dedicated Schools Grant (DSG) is currently ahead of the target position set out in the Safety Valve recovery plan agreed with the DfE. The local authority is now in the third year of this four year agreement and has exceeded the financial targets for the first two years.

34. The main pressure continues to be experienced within the High Needs Block and is due to the continuing increase in High Needs numbers, and increasing complexity, requiring expensive provision, especially in Post 16 and Post 19 provision and the education element of Out of Authority placements. This third year is likely to be the most challenging to date as further increases in EHCPs and the complexity of individual needs of some young people have the potential to increase costs.
35. The Safety Valve agreement commits the local authority to bring the DSG into an in-year balanced position by 2025/26. Further payments are conditional on the local authority meeting the targets set out in the Management Plan, and reporting quarterly to the DfE on progress, with the eventual aim of eliminating the in-year deficit by the target date, with additional payments by the DfE eliminating the historic deficit at that point.

Adults

36. The projected outturn position for Adult Social Care is an overspend of £2,361k and the table below summarises the latest forecasts by service area. This projection is based on customer numbers and costs in the first two months of the year. The projection assumes that £2,188k of previously agreed savings will be made by the end of the year.

	2024/25 Budget £'000	Forecast Outturn Variance £'000	Forecast Outturn Variance %
Direct Payments	4,841	1,096	22.6
Home and Day Support	1,234	61	4.9
Supported Living	15,689	2,123	13.5
Residential care	12,664	255	2.0
Nursing care	5,149	220	4.3
Short term placements	1,251	0	0
Staffing (mostly social work staff)	7,313	316	4.3

Contracts and Commissioning	2,214	-98	-4.4
In House Services	4,881	-28	-0.6
Be Independent & Equipment	982	468	47.7
Other	-10,850	122	1.1
Recharges	-61	14	23.0
Savings to be delivered		-2,188	
Total Adult Social Care	45,307	2,361	5.2

37. The forecast position for Adult Social Care is an overspend of £2,361k. This is based on customer numbers and costs in the first two months of the year. The projection assumes that agreed savings of £2,188k will be made by the end of the year.
38. ASC has received total growth of £7m in 2024/25. £1.4m of this growth has been allocated to fund inflationary pressures, £800k to reducing growth needed by managing demand and £500k has been allocated to fund savings which are unlikely to be achieved this year. In addition to this £300k has been set aside to fund Preparing for Adulthood (PFA) customers coming through from Children's Services and £200k to tackle the current review backlog where it is expected that there are savings to be crystallised.
39. The Council has received several requests from providers for higher rates of inflation than have currently been agreed. These requests will be considered on a case by case basis, and if agreed, will put further pressure on the budget. This possibility needs to be balanced by the risk of provider failure / withdrawal from the market which would incur costs on finding new placements for customers, etc.
40. The projected overspend is largely due to the incomplete delivery of prior year savings targets carried through from previous years' budgets.
41. The directorate is taking the following action to improve the financial position;
- The reablement contract has been retendered and is starting to be implemented. This is designed to support more people to go through the reablement service in a shorter time frame, at lower

cost, resulting in more people with lower or no care needs. Contract monitoring arrangements are being put in place to make the most of the contractual arrangements that promote good performance and enable the reduction in payment should the provider not deliver. Occupational Therapy expertise has a key role to play in maximising independence and reducing level of need: Therapy led reablement is known to be effective and additional occupational therapy is planned to be deployed to support this.

- The provision of support to people overnight by internal adult social care provision is under review with a view to remodelling support and reducing costs while ensuring we continue to meet our duty to meet eligible needs.
- Further work is being undertaken in relation to continuing health care funding. This includes developing a consistent approach with other local authorities in the ICB, improved engagement in the process by CYC including developing joint training and processes to support resolution of disputes.
- The Adult Social Care practice assurance process continues to be developed with an emphasis on embedding the strength-based approach to practice and supporting decision-making at the earliest opportunity. This process will be linked with our Workforce Development colleagues to assure any learning identified informs future practice. The Assurance Forum will look to ensure that Community and individual networks and community based resources have been considered. This also gives consideration of a range of issues including: alternatives to high cost provision, the prevention of expensive off-framework provision, ensures full use of in house and block provision, the use of equipment and technology, and where possible, the reduction of proposed paid for care.
- A working group has been established to carry out a detailed review of Direct Payments which should lead to a reduction in the overspend on these budgets.

42. The following sections describe any significant variations to budgeted costs, customer numbers and income. The variations are generally due to not fully meeting previous years' savings targets plus significant price pressures in the market. Some variations are large due to having small numbers of individuals within those budgets whose individual needs can vary significantly.

Direct Payments (£1,096k overspend)

43. The main overspend is on the Learning Disability (LD) direct payments budget, which is expected to overspend by £1,172k. This is due to the average cost of a direct payment being £108 per week more than in the budget (£685k), and the average cost of transport for direct payment being £38 per week more than budget (£214k). In addition the average weekly health income received per customer is less £546 less than in the budget (£256k).
44. A working group has been established to carry out a detailed review of Direct Payments which should lead to a reduction in the overspend on these budgets.

Supported Living (£2,123k overspend)

45. Supported Living are settings where more than one customer lives, with their own tenancy agreements, where their needs are met by a combination of shared support and one to one support. Supported Living providers received a mid-year inflationary increase in 2023/24 which was covered by the MSIF grant and the pressures shown below are in part due to the full year effect of this increase.
46. The Learning Disability Supported Living budget is projected to overspend by £1,402k. The average cost of a placement is £87 per week more than in the budget (£843k), there are four more customers than budgeted for (£368k) and expenditure on voids is expected to be around £159k this year.
47. The Physical & Sensory Impairment Supported Living schemes budget is projected to overspend by £497k. This is due to the average cost of a placement being around £270 per week higher than in the budget (£689k), partially offset by having 4 fewer customers in placement than assumed in the budget.
48. The Mental Health Supported Living schemes budget is projected to overspend by £224k. This is due to the average cost of a placement being around £215 per week higher than in the budget (£236k).

Residential care (£255k overspend)

49. Mental Health permanent residential care is projected to underspend by £200k. There is one less customer in an OP placement than assumed in the budget (-£72k) and the average cost of an OP

placement is £206 per week less than assumed in the budget (-£129k). In addition, the average weekly health income has increased compared to budget (-£89k). This is offset by having one more customer in a working age placement than was assumed in the budget.

Nursing Care (£220k overspend)

50. LD Permanent Nursing Care budgets are expected to overspend by £112k. This is due to having 3 more customers OP nursing placements than was allowed for in the budget.
51. Mental Health Nursing Care budgets are expected to overspend by £320k. This is due to having 4 more customers in placement than was allowed for in the budget (£564k), partially offset by having 3 more customers receiving health income.
52. OP Permanent Nursing Care is projected to underspend by £301k. This is due to the average cost of a placement being £204 a week less than in the budget (-£1,214k). This is offset by having 2 more customers in placement (£70k), a reduction in the average weekly customer contributions received of £87 (£410k), and a reduction in weekly average health income received per customer of around £2k per week compared to the budget (£462k).
53. The P&SI Nursing budget is expected to overspend by £88k. This is largely due to the average weekly cost per customer being higher than assumed in the budget.

In House Services and Staffing

54. The Council employs a variety of staff to advise and assess residents' and customers' social care needs. We also directly provide care and support to individuals and have teams which provide home care both overnight in the community and in our Independent Living Schemes as well as running day support activities for those with a learning difficulty and those experiencing poor Mental Health. We also operate short stay residential care for the same customer groups.

Staffing (£316k overspend)

55. There are staffing overspends in the Hospital Discharge Team, Mental Advocacy Team, and the Social Work Team. Mostly due to these teams being over establishment and using agency staff. This is partially offset by vacancies elsewhere in the service.

Contracts and Commissioning (£98k underspend)

56. Based on activity to date there is likely to be an underspend on the Carers commissioned services budget by the end of the year.

In House Services (£28k underspend)

57. There is projected to be an overspend on Yorkcraft of around £188k, due to savings which are not likely to be achieved this year (£124k), together with an underachievement of income. This is offset by staffing underspends on the PSS service.

Be Independent & Equipment (£468k overspend)

58. Be Independent provide equipment to customers to allow individuals to remain independent and active within their communities. They also provide an alarm response service means tested as to whether a customer pays for it.
59. There is still a budget gap of £180k arising from when the service was originally outsourced which has yet to be fully addressed. Staffing is expected to overspend by £120k largely due to an unfunded regrade of some of the posts in the team and to having a review manager post above establishment. The vehicle hire budget is projected to overspend by £30k and there has been an increase in rental costs for the premises which will be fully absorbed by the service and not recharged to Mediquip this year (£50k). In addition, there is expected to be an underachievement of income based on current customer numbers (£21k) and the decision to end equipment sales (£49k).

Transport, Environment and Planning

60. The directorate is forecasting an underspend at quarter 1 of £547k and the table below summarises the latest forecasts by service area.

	2024/25 Budget £'000	Forecast Outturn Variance £'000	Forecast Outturn Variance %
Transport	7,278	-554	-7.6
Fleet	-127	36	28.3

Highways	5,258	-200	-3.8
Parking Services	-8,348	-65	-0.8
Waste	15,033	-654	-4.4
Public Realm	3,422	-20	-0.6
Emergency Planning	145	0	0
Planning Services	39	10	25.6
Public Protection	809	0	0
Community Safety	715	0	0
Directorate Savings	-900	+900	-100
TOTAL	23,324	-547	-2.3

61. The Transport, Environment and Planning Directorate is projecting a gross underspend of £1,447k after the first quarter which reduces to £547k once the directorate savings target of £900k is considered. The primary reason for the underspend is continued strong performance from income particularly relating to parking. The two main areas of savings are across Transport and Waste Services. These are detailed further in the paragraphs below.
62. Within Transport there was an underspend of £0.5m across the service. There is a forecast underspend against the Concessionary Fares budget of £520k as numbers of concessionary passengers have not fully returned to pre pandemic levels although the saving is lower than 2023/24.
63. Car park income for the first quarter is within 1% of budget as transactions have reduced by 5% but income per transaction increased by 12%. This has meant total income is c5% higher than 2023/24 in line with budget. This will continue to be monitored closely as the budget is c £2m higher than last year.
64. There is a forecast underspend of (£654k) across waste disposal and collection. Income from selling spare capacity at Allerton Waste Recovery Plan is forecast to be £200k higher than forecast as overall council waste tonnages remain relatively static. There is also additional

forecast income from recycling rebates, HWRC commercial waste fees bulky waste fees and gas sales of c £500k.

65. Across Waste Collection operational costs are forecast to be £360k below budget as vehicle repairs and the cost of hire was below budget as the fleet is relatively new.
66. The garden waste subscription service is being introduced from August which is resulting in a reduced charge for the service for the financial year. There is potentially a shortfall of £500k in the year but this will be updated when total subscriber numbers are known. There have been c.30,000 subscribers to end of July.
67. Within the Highways area there is an anticipated underspend of £200k as electricity prices have reduced for unmetered supply to a lower level than assumed in the budget.
68. As part of the budget process a saving of £900k was identified to be delivered across the former Place Directorate. It is proposed that permanent budget reductions are made to the following budget areas reflecting current costs.

	£'000	Description
Highways	200	Reduced Street Lighting Costs
Waste Collection	300	Reduced vehicle hire and maintenance costs
Waste Disposal	200	Reduced Yorwaste fixed price charges for Materials Recycling Facility
Transport	200	Reduced concessionary fare payments
Total	900	

69. Further service reviews will be undertaken in this area in order to deliver savings through future budget rounds.

Housing and Community Services

70. The directorate is forecasting an overspend at quarter 1 of £547k and the table below summarises the latest forecasts by service area.

	2024/25 Budget £'000	Forecast Outturn Variance £'000	Forecast Outturn Variance %
Housing Services	-126	+1	0.8
Healthy & Sustainable Homes	352	-11	-3.1
Building Services	-523	0	0.0
Communities	6,783	+333	4.9
Customer Services	-229	-2	-0.9
Policy & Strategy	357	+471	131.9
TOTAL	6,614	+792	11.2

71. The Housing and Community Services Directorate is forecasting an overspend of £792k after the first quarter. The primary reason for the overspend relates to the delivery of two key savings across the Directorate. These are detailed further in the paragraphs below.
72. Within Communities the main potential pressure relates to the £300k library saving. The council is undertaking due process to work with Explore to consider options that can be included into the contract that will deliver a saving. The process does require time to review provision levels as well as consultation and agreement from the partners. There remains an aspiration to gain a full saving from the process but the timeline and level of in year saving is in question.
73. Within Policy and Strategy, Executive (9th May 2024) approved an extension to the current Advertising contract to 31st December 2025 which means that the agreed saving of £500k is now not going to be delivered. Officers are seeking to identify mitigations against the saving but at present are reporting a pressure.
74. Elsewhere in the Directorate it is expected that expenditure will be broadly delivered within budget.

Housing Revenue Account

75. The Housing Revenue Account budget for 2024/25 was set as a net surplus of £2,023k prior to debt repayment at February 2024. There

were carry forwards of £2,293k agreed as part of the outturn report meaning the revised budget stands at £8,670k deficit (including £8,400k debt repayment).

	2024/25 Budget £'000	Forecast Outturn Variance £'000	Forecast Outturn Variance %
Repairs & Maintenance	10,867	0	0
General Management	7,777	-26	-0.3
Special Services	3,912	-232	-5.9
Other Expenditure	19,870	+1,092	5.5
Dwelling rents	-37,877	-78	0.2
Non-Dwelling Rents	-582	-35	6.0
Charges for Services	-2,379	+249	-10.5
Other Income	-1,318	-1,026	77.8
Total	270	-56	-20.7
Debt Repayment	8,400	0	0
Revised Position	8,670	-56	-0.6

76. At the early stage of the year, it is assumed that repairs will be within budget although there have been delays in delivering a number of the projects particularly the painting contract. Any underspends in the area are planned to be diverted to dealing with the backlog in aids and adaptations.
77. There is a forecast underspend across special services primarily due to savings from Glen Lodge as the refurbishment scheme is delivered. This is offset from reduced income in the Charges for Service line.
78. Across other expenditure there is a forecast increase in the depreciation charge (£700k) which provides the Major Repairs reserve. There is also increased interest costs following a loan being taken out in 2023/24 to fund Housing Delivery projects (£293k).

79. General rents are forecast to be slightly better than budget at this stage in the year as are garage rents and shared ownership rents (£-113k).
80. Within other income given the continued level of interest rates remaining at 5% it is estimated that interest earned will be c £1m above budget which will fund the depreciation and interest payment overspends.
81. The high level of working balance is available to start repaying the £121.5m debt that the HRA incurred as part of self-financing in 2012. The first repayment of £1.9m was paid in 2023/24 and a second payment on £8.4m is due to be repaid at 31st March 2025. These are to be funded from general HRA reserves.
82. The HRA working balance position as at 31st March 2024 was £30.0m and are forecast to reduce to which is higher than assumed when the budget was set. The latest forecast balance at 31st March 2025 is estimated to reduce to £21.4m.
83. The government has announced additional flexibility around the uses of right to buy receipts for 2024/25 and 2025/26 and it is anticipated that there will be further announcements made as part of the budget which will be held on 20th October 2024. This may impact HRA opportunities and implications will be reported back to members in due course.

Corporate & Central Services

84. The forecast outturn position for the remaining areas of the Council is a net underspend of £69k and the table below summarises the latest forecasts by service area.

	2024/25 Budget £'000	Forecast Outturn Variance £'000	Forecast Outturn Variance %
Director of Finance	3,654	0	0
CO HR & Support Services	11,271	-75	-0.7
Director of Governance	3,795	6	-0.2
City Development	710	0	0

Public Health	13	0	0
Other Corporate & Treasury Mgt	25,280	0	0
Contingency	500	-500	-100
Total	45,224	-569	-1.3

85. Within the corporate services directorates it is forecast at Monitor 1 that expenditure can be broadly contained within budgets.
86. Within the Director of Finance area there are forecast shortfalls in income within Property Services as areas of West Offices remain unlet. The service is working with a number of potential tenants to reduce this value and it is hoped that the building will be fully let for future years however there remains a shortfall of £600k for 2024/25.
87. It is envisioned that this overspend can be mitigated by additional income from DWP relating to unclaimed reimbursement of benefits regarding hostels. This is subject to audit and an updated position will be provided at Monitor 2.
88. There remains £500k set aside as a contingency and this is assumed to be used to offset other financial pressures across the council.

Performance – Service Delivery

89. This performance report is based upon the city outcome and council delivery indicators included in the Performance Framework for the Council Plan (2023-2027) which was launched in September 2023. Wider or historic strategic and operational performance information is published quarterly on the Council's open data platform; www.yorkopendata.org.uk
90. Progress against priority actions contained within the Council Plan has been published here: <https://www.york.gov.uk/CouncilPlanProgress> and will be updated every 6 months to regularly provide details of activity, as the council works to deliver the Council Plan.
91. The Executive for the Council Plan (2023-2027) agreed a core set of indicators to help monitor the Council priorities and these provide the structure for performance updates in this report. Some indicators are not measured on a quarterly basis and the DoT (Direction of Travel) is

calculated on the latest three results whether they are annual or quarterly.

92. A summary of the city outcome and council delivery indicators by council plan theme are shown in the paragraphs below, and the latest data for all of the core indicator set can be seen in Annex 1.
93. Local government continues to be in challenging times, with worsening performance in a number of sectors nationally. The majority of performance indicators chosen to support and monitor the Council Plan in York, continue to show a generally positive and stable trend against this difficult financial picture and shows the hard work from staff, partners and the city to tackle these challenges. The Council plan indicators are the high level measurable element of our performance framework, and underneath there has been positive direction in wide variety of business areas such as staffing, with a significant reduction in temporary staffing in key areas, our major projects continue to report good progress, and the Council has introduced large business changes such as the Garden Waste subscription scheme for eligible residents; introduced at the end of Q1 and to date of report writing, more than 33,000 households in the city have signed up to the scheme.
94. A summary of the city outcome and council delivery indicators that have an **improving** direction of travel based on the latest, new, available data are as follows:
- Number of children in temporary accommodation (paragraph 96)
 - GVA per head (£) (paragraph 116)
 - % of dwellings with energy rating in A-C band in the EPC register (paragraph 129)
 - Net Additional Homes Provided (paragraph 132)
 - Number of homeless households with dependent children in temporary accommodation (paragraph 134)
 - % of repairs completed on first visit (paragraph 140)
 - Number of Void Properties – Major Works (paragraph 141)
 - % of Talkabout panel who give unpaid help to any group, club or organisation (paragraph 147)
 - Number of Trees planted (CYC) (paragraph 148)
 - FOI & EIR - % of Requests responded to in time (YTD) (paragraph 151)
95. Indicators that have a **worsening** direction of travel based on the latest, new, available data are;

- Percentage of household waste sent for reuse, recycling or composting (paragraph 143)
- % of 4Cs Complaints responded to in-time (paragraph 152)

Performance - Health and Wellbeing: A health generating city

96. **Number of children in temporary accommodation** – at the end of 2023-24, there were 45 children in temporary accommodation in York which, although an increase from 39 children the previous quarter, is a reduction from 63 at the end of 2022-23. The majority of these children are in stable family setups, do not show evidence of achieving worse outcomes, and York continues to report no households with children housed in Bed and Breakfast accommodation.
97. **%pt gap between disadvantaged pupils and their peers achieving 9-4 in English and Maths at KS4** – The gap at age 16 widened in York and Nationally to 43% in summer 2023. A legacy of Covid-19 is that school attendance of disadvantaged groups has been slower to recover, and has been worse than for the same group nationally. The work currently being undertaken through the Attendance Graduated Response is seeing improvements in attendance. Data for 2023-24 will be available in December 2024.
98. **% of reception year children recorded as being overweight (incl. obese)** – The participation rates for the National Child Measurement Programmes (NCMP) in York for 2022-23 were 97.2% for reception aged children and 95.1% for Year 6 pupils. Data for 2023-24 will be available in November 2024.
- The 2022-23 NCMP found that 19.9% of reception aged children in York were overweight (including obese), compared with 21.3% in England and 22.5% in the Yorkshire and Humber region. York has the second lowest rate of overweight (including obese) for reception aged children in the Yorkshire and Humber region.
 - Of Year 6 children in York, 32.5% were overweight (including obese) in 2022-23 compared with 36.6% in England and 38.1% in the Yorkshire and Humber region. York has the lowest rate of overweight (including obese) for Year 6 children in the Yorkshire and Humber region.
99. **% of adults (aged 16+) that are physically active** – The latest data from the Adult Active Lives Survey for the period from mid-November 2022 to mid-November 2023 was published in April 2024. Data for 2024-25 will be available in April 2025. In York, 515 people aged 16 and over took part in the survey, and they reported higher levels of

physical activity, and lower levels of physical inactivity, compared with the national and regional averages. Positively:

- 69.8% of people in York did more than 150 minutes of physical activity per week compared with 63.4% nationally and 61.7% regionally. There has been no significant change in the York value from that 12 months earlier.
- 18.8% of people in York did fewer than 30 minutes per week compared with 25.7% nationally and 27.7% regionally. There has been no significant change in the York value from that 12 months earlier.

100. **Percentage of people who use services who have control over their daily life – Disabled People** – In 2022-23, 78% of all York’s respondents to the Adult Social Care Survey said that they had “as much control as they wanted” or “adequate” control over their daily life, which was the same as the percentage in the Y&H region as a whole. It is higher than the corresponding percentage who gave one of these responses in England as a whole (77%). It has slightly decreased in York from the 2021-22 figure (79%). Data for 2023-24 will be available in December 2025.
101. **Percentage of people who use services who have control over their daily life – Older People** – In 2022-23, 77% of older people in York that responded to the Adult Social Care Survey said that they had “as much control as they wanted” or “adequate” control over their daily life. This is higher than the corresponding percentages experienced by older people in the Y&H region and in England as a whole (both 74%). It has also increased in York from the 2021-22 figure (71%). Data for 2023-24 will be available in December 2025.
102. **Overall satisfaction of people who use services with their care and support** – Data at LA and national level for 2022-23 was published in December 2023, and the data shows that there has been a slight increase in the percentage of York’s ASC users who said that they were “extremely” or “very” satisfied with the care and support they received from CYC compared with 2021-22 (up from 65% to 67%). The levels of satisfaction experienced by York’s ASC users in 2022-23 were slightly higher than those in the Y&H region (66% said they were “extremely” or “very” satisfied with the care and support from their LA) and in England as a whole (64% gave one of these answers). Data for 2023-24 will be available in December 2025.

103. **Health Inequalities in wards** – The ‘health gap’ indicators show the difference between the wards with the highest and lowest values. A lower value is desirable as it indicates less variation in health outcomes based on where people live within the City. Trend data for these indicators helps to monitor whether the gaps are narrowing or widening over time. New data will be available in December 2024.

- Absolute gap in % of Year 6 recorded overweight (incl. obesity) between the highest and lowest York ward (3 year aggregated) - The value for this indicator for the 3 year period 2020-21 to 2022-23 was 24.7% (the gap between 43.4% in Westfield and 18.8% in Heworth Without). The trend in this gap indicator shows a widening in the difference between the values in the highest and lowest ward over time (12.6% in 2011-12 to 2013-14 to 24.7% in the most recent 3 year period).
- Absolute gap in % of children who reach expected level of development at 2-2.5 years of age between highest and lowest York ward (4 yr aggregated) - The value for this indicator for the 4 year period 2019-20 to 2022-23 was 13.7% (the difference between 96.6% in Bishopthorpe and 82.9% in Fulford & Heslington). At present there is only one previous value for this indicator (13.1% for the period 2018-19 to 2021-22) so it is not yet possible to identify a trend.
- Absolute gap in % of children totally or partially breastfeeding at 6-8 weeks between highest and lowest York ward (4 year aggregated ward data) - The value for this indicator for the 4 year period 2019-20 to 2022-23 was 40% (the gap between 79.8% in Heworth Without and 40.8% in Westfield). There is not a long trend history for this indicator but there has been slight widening of the gap from the 4 year period 2017-18 to 2020-21 (36.5%) to the most recent 4 year period (39%).

104. **Children and young people in care per 10k, excluding short breaks** – At the end of June 2024, 245 children and young people were in York’s care, with a steady reduction from 262 in March 2023. As a rate per 10k population, this is just below the national average and within York’s expected range. Unaccompanied Asylum Seeking Children (UASC), a sub-group of children in care, are expected to increase in number in York. At the end of June, 19 of York’s children in care were UASC, compared to 14 in March 2023. The National Transfer Scheme now mandates that “the Home Office will not transfer UASC to an authority that is already looking after UASC in line with, or

greater than, 0.1% of their child population”. For York, this is equivalent to approximately 34 young people.

105. **Children subject to a Child Protection Plan** – 138 children were the subject of a Child Protection Plan at the end of June 2024. As a rate per 10k population, York is currently below the most recently released National average. The number of children subject to a Child Protection Plan in York has been within our expected range (133-150 for 2024-25) for over a year.

Performance - Education and Skills: High quality skills and learning for all

106. **% of working age population qualified to at least L2 and above** – In 2023-24, 90% of the working age population in York were qualified to at least L2 and above (GCSE grades 9-4), which is higher than the national and regional figures (86.5% and 85.1% respectively). This result ranks the city of York first regionally. This latest figure is a slight decrease from 2022-23 (94.2%). It should be noted that there has been a slight change in methodology from 2022-23. Data for 2024-25 will be available in May 2025.
107. **% of working age population qualified to at least L4 and above** – In 2023-24, 53.8% of the working age population in York were qualified to at least L4 and above (certificate of higher education or equivalent), which is higher than the national and regional figures (47.3% and 41.2% respectively). This result ranks the city of York fourth regionally. The 2023-24 figure is a decrease from 2022-23 (60.3%) but higher than in previous years. Data for 2024-25 will be available in May 2025.
108. **% of pupils achieving 9-4 or above in English and Maths at KS4** – DfE data shows strong performance for York pupils when compared with National averages. In 2022-23, 70.2% of York’s Year 11s achieved grades 9-4 in English and Maths (considered a standard pass), compared to 65.3% Nationally. Data for 2023-24 will be available in December 2024.
109. **% of children who have achieved a Good Level of Development at Foundation Stage** – In 2022-23, 69.7% of our 5-year-olds achieved a Good Level of Development compared to 67.2% Nationally, and 66.2% in Yorkshire and Humber. Data for 2023-24 will be available in December 2024.

Performance - Economy: A fair, thriving, green economy for all

110. **Universal Credit Claimants** – At the end of June 2024 there were 13,387 people, in York, on Universal Credit. This is the highest figure to date, surpassing the previous high of 13,236 in February 2021. The figures dropped to a low of 11,054 in May 2022 but they have steadily increased since then. This is a mixture of increased claimants and people who have been converting over from other schemes, with this picture becoming clearer in 2024-25 as DWP predicts/plans for all people to have moved over to Universal Credit. This represents 10% of the working population in York, compared to 18.9% regionally and 16.8% nationally.
111. There are two types of claimant: those in employment and those not. Both types have been gradually increasing in the last 12 months with the number of those not in employment increasing as claimants of health-related legacy benefits (e.g. Employment and Support Allowance) are migrated across to Universal Credit. The increase in the number of those in employment may be attributed to a higher percentage of part time workers (29.1% in York, 26.5% regionally and 23.7% nationally).
112. **Earnings gap between the 25 percentile and the median (£)** – In York, the latest figures show that this gap has reduced by 7.3%, in 2023, to £152.20. This is the lowest gap since 2018-19. Nationally, there has been an increase of 1.4% to £163.20 and regionally an increase of 4.7% to £139.50. Data for 2024-25 will be available in December 2024.
113. **Housing affordability (median house prices to earnings ratio)** – In 2023, full-time employees, in York, could expect to spend around 9.3 times their annual earnings buying a home. The equivalent figure in England is 8.3 times their annual earnings, with 6.1 times in the region. In York this has increased by 3.8% on last year whilst at the national and regional level, these ratios are similar to 2022, and represent a return to the pre-coronavirus (COVID-19) pandemic trend. Data for 2023-24 will be available in March 2025.
114. **% of vacant city centre shops** – Whilst acknowledging that a number of city centre streets and prime commercial locations seem to be experiencing higher vacancy levels than York's average, overall at the end of June 2024, there were 53 vacant shops in the city centre (four more than the number at the end of June 2023), which equates to 8.4% of all city centre shops. This is much lower than the national

benchmark in 2022-23 of 13.8%. The York figures have remained stable for a number of years.

115. **Business start ups** – Figures for 2022-23 showed 870 new business start-ups for York, which is higher than in the previous year (746 in 2021-22). The York figure is at only a slightly lower level to that seen before the pandemic (932 in 2019-20). The year to date figure up to the end of February 2024 of 767 new start ups is at a similar level to last year. The monthly figures for business start ups in York came from a regionally paid for dataset but this has now come to an end. Alternative sources of this information are being sought.
116. **GVA per head (£)** – In 2022-23, the GVA per head in York was £37,313 which was the second highest figure regionally. This latest figure is an increase from last year (£33,571). Annually since 2009-10, the GVA per head has generally been increasing (from £25,976 per head).
117. **% of working age population in employment (16-64)** – In 2023-24, 78% of the working age population were in employment, which is higher than the national and regional figures (75.5% and 73.1% respectively) and the York performance gives the city a ranking of second regionally. The figure for 2023-24 in York remains fairly high overall but is lower than the figures seen for the previous two years.
118. **% of Total Employees working for an Accredited Living Wage/Good Business Charter employer** – 16% of employees worked for an Accredited Living Wage employer and 13% worked for an Accredited Good Business Charter employer in 2022-23, which are both higher than in the previous year (14% and 12% respectively). Data for 2023-24 will be available in October 2024.
119. **Survival of Newly Born Businesses post 1 year** – In York, 175 businesses were created in Q3 2023-24, up 6% on a year ago. There were 160 business closures in the same quarter, down 8% on the year before. The survival rate post 1 year has been consistently above 94% in York for the last 4 years, with the latest figure of 94.4%. The York figures have been consistently higher than the National and Regional rates. Data for 2023-24 will be available in November 2024.

Performance - Transport: Sustainable accessible transport for all

120. The majority of the indicators in this Transport section are annual indicators, therefore data is not yet available for all indicators for 2023-

24. As soon as new data becomes available, narrative will be included in future versions of this report.

121. **Area Wide Traffic Levels** – Between 2011-12 and 2016-17, the number of vehicles on the city’s roads increased year on year to a high of 2.2 million. Following this, the numbers decreased to a low of 1.75m in 2020-21. However, the covid pandemic brought with it numerous national lockdowns and local restrictions so the decrease in traffic levels was to be expected. Since then, figures have been increasing again to the latest figure of 2.08m in 2022-23. Data for 2023-24 will be available in Summer 2024.
122. **Index of Cycling activity** – Prior to the pandemic, cycling levels in the city were around 41% (2019) above the baseline taken in 2009. The latest data shows that cycling levels in 2023 were 13% above the baseline. The pandemic had a huge effect on how people travel around, and how much they travel. Other cities with high levels of cycling have also seen falls in activity. In York, cycling levels appear to have fallen because of a decline in commuting (as a result of more working from home), although travel patterns are still settling down. York has a strong walking and cycling heritage, but if we are to achieve our climate and traffic reduction targets and see a long-term, sustainable increase in rates of cycling, we need to enable more people to choose the bicycle as the primary way of getting around. There is much more to be done to encourage even more people towards riding, wheeling and walking in the future, and we have recently carried out an extensive consultation to better understand what changes we can make to help support residents to make the change to cycling, and how we can support our cycling communities. Data for 2024 will be available in early 2025.
123. **Index of pedestrians walking to and from the City Centre** – From a baseline in 2009-10 (37,278), there has been a 23% increase in the number of pedestrians walking to and from the city centre in 2022-23. This is 19 %pts higher than in 2021-22 and the highest increase seen for a number of years. Data is gathered on an annual basis over the course of one day; it is a count of pedestrians crossing an inner cordon set just beyond the inner ring road and includes off-road routes such as riverside paths. Data for 2023 will be available in Summer 2024.
124. **% of customers arriving at York station by sustainable modes of transport** – In 2023, 78% of customers arrived at York station by sustainable modes of transport which is an increase from 60% in 2022 (the survey was delayed in 2022 so didn’t take place until January

2023 which may have affected the result, and in addition, two of the usual counting locations were missed which may explain the lower than usual percentage). The data is usually gathered by an annual survey which takes place for a five-hour period in seven locations around the station. Members of the public are asked how they arrive at the station and the results are flow weighted to take into account the split of people arriving at each entrance.

125. **The number of CYC electric vehicle recharging points** - There were 103 CYC electric recharging points at the end of Q1 2024-25, which is seven fewer than at the same point in the previous year.
126. **% of Principal/Non-principal roads where maintenance should be considered** – In 2023-24, the percentage of principal roads in York where maintenance should be considered was 11% (the same as in 2021-22). This is considerably higher than the latest benchmarks in 2022-23 (National average 4% and Regional average 3%). The percentage of non-principal roads in York where maintenance should be considered was 25% in 2023-24 (slightly higher than 23% in 2021-22). This is also considerably higher than the latest benchmarks in 2022-23 (National average 6% and Regional average 3%).

Performance - Housing: Increasing the supply of affordable housing

127. **Number of new affordable homes delivered in York** – During 2023-24, affordable housing completions have been significantly below the identified level of need with 122 homes delivered (109 in 2022-23). National scale challenges are facing many areas with buoyant housing markets such as a shortage of sites for affordable housing and labour and supply chain constraints, and these have affected delivery in York. The council itself is maximising delivery opportunities currently, and has accessed a range of funding opportunities for direct delivery in addition to securing over half of the total completions during 2023-24 through Section 106 planning agreements.
128. There remains a significant future pipeline of affordable homes with planning permission in place across the council's own newbuild development programme and section 106 planning gain negotiated affordable housing. Inclusive of applications with a resolution to approve from Planning Committee, there are over 1,000 affordable homes identified in approved planning applications. The progress ranges from sites that are being built out currently to others with substantial infrastructure or remediation challenges to resolve prior to

development. Over 600 of these have progressed through detailed planning, either as a Full application or Reserved Matters. The remainder are at Outline stage, with more uncertainty on timescales and final delivery levels, including the York Central affordable housing contribution. Data for Q1 2024-25 will be available in September 2024.

129. **% of dwellings with energy rating in A-C band in the EPC register** – An Energy Performance Certificate (EPC) gives a property an energy efficiency rating from A (most efficient) to G (least efficient) and is valid for 10 years. Apart from a few exemptions, a building must have an EPC assessment when constructed, sold or let. Whilst the EPC register does not hold data for every property, it can be viewed as an indication of the general efficiency of homes. The rating is based on how a property uses and loses energy for example through heating, lighting, insulation, windows, water and energy sources. Each area is given a score which is then used to determine the A-G rating. In 2023, the median energy efficiency rating for a dwelling in England was Band D and a rating of A-C is generally considered to be good energy performance.
130. The % of properties on the register for York with an EPC rating of A-C at the end of June was 45.1%. This measure has increased incrementally month on month since CYC began reporting on the information 16 months ago when 42% of properties were rated A-C. The largest changes continue to be in the middle categories with around 3% less properties rated D-E and around 2.5% more rated C. The median grade for York as at June was band D which follows the latest national benchmark. Data is based on the last recorded certificate for 60,218 properties on the register for York, some of which will have been last assessed more than ten years ago.
131. **Net Additional Homes** – Between 1st April 2023 and 31st March 2024, a total of **462 net additional homes** were completed. This total comprises two elements:
- There has been a total of 529 net housing completions. This represents 69 more completed homes compared to the previous twelve-month monitoring period. The main features of the housing completions that were carried out are:
 - 480 homes (90.9%) were completed on housing sites (Use Class 3). Of this, 390 were new build homes (81%).
 - 8 homes were demolished during the monitoring period.

- Individual sites that saw the construction of five or less dwellings during the monitoring period contributed just 56 (10.6%) homes.
 - Significant sites providing housing completions (Use Class C3) over the monitoring period have been Germany Beck (117), The Cocoa Works, Haxby Road (Phase 1 Blocks B and C) (107), Former Civil Service Club, Boroughbridge Road (79) and the Former Vacant Site, Eboracum Way (62).
 - A net total of 29 (5.5%) off campus, privately managed student 'cluster flats' were completed at Aubrey House Foss Islands Road.
 - 143 (27.1%) net additional homes were a result of changes from other uses to residential homes.
- A loss of 66 net equivalent homes resulted from the closure of three care homes within the authority area during the twelve-month monitoring period.

132. **Net Housing Consents** – Planning applications determined during the full monitoring period of 1st April 2023 to 31st March 2024 resulted in the approval of **658 net additional homes**. This compares to 1,559 net approvals granted the previous year. However, a further 513 homes were approved at Planning Committee during the monitoring period and are still awaiting legal agreement sign off.

133. The main features of the housing approvals are:

- 577 of all net homes consented (87.7%) were granted on housing sites (Use Class C3).
- Significant sites granted approval for housing (Use Class C3) includes Land at New Lane, Huntington (300), Os Field South of & Adjacent to 1 Tadcaster Road, Copmanthorpe (158), Land East of Middlewood Close, Rufforth (21) and Clifton Without County Junior School, Rawcliffe Drive (15).
- 59 homes were approved on sites of 5 or less homes.
- A net total of 33 new homes across three sites were granted 'prior approval', the most significant of which was at Gateway 2, Holgate Park Drive (31).
- 44 net new retirement homes were allowed on appeal at 11 The Village, Wigginton.
- A further 513 homes have been approved through a resolution to grant consent at Planning Committee over the last twelve months

and are currently subject to the execution of a section 106 legal agreement. These sites include:

- Land to the East of Millfield Industrial Estate, Main Street, Wheldrake (139).
- Enterprise Rent-a-car, 15 Foss Islands Road (133).
- Paddock lying between Park Lodge and Willow Bank, Haxby Road (117).
- Land to the South-East of 51 Moor Lane, Copmanthorpe (75).
- Tramways Club, 1 Mill Street (35).

134. **Number of homeless households with dependent children in temporary accommodation** – The overall number of households in temporary accommodation has reduced during 2023-24, from 73 in Q1 to 63 at the end of Q4. The number of those with dependent children has fluctuated between 26 and 30 households throughout the year and was 29 households at year-end. Although the council would like these to reduce further, some progress has been made from the peaks seen at the end of 2022-23.
135. Of the 29 households with children in temporary accommodation at quarter end, 27 were recorded as accommodated in hostels and two within Local Authority or Housing Association housing stock. York continues to report no households with children housed in Bed and Breakfast accommodation at quarter end.
136. During 2023-24, an upward trend in overall numbers can be seen both nationally and regionally, however York has been moving in the opposite direction. When looking at the total number of households in temporary accommodation per households in area (000s), York continues to perform positively compared to benchmarks (0.71 in York compared to 4.9 Nationally, 1.4 Regionally and 17.8 in London). It should be noted that these figures are snapshot figures and therefore may fluctuate between the snapshot dates.
137. **Number of people sleeping rough** – Every Thursday, Navigators carry out an early morning street walk checking known rough sleeping hot spots and responding to intel or reports of rough sleepers. The monthly figure is based on the number of rough sleepers found bedded down on the last Thursday of each month. The latest figure shows that there were 22 people sleeping rough in York in June 2024, which is a slight decrease from 23 people at the end of 2023-24.

138. **% of dwellings failing to meet the decent homes standard –** Provisional data submitted through the Local Authority Housing Statistics Return shows that at the end of 2023-24, 140 council properties were considered to be non-decent which is 1.9% of council housing stock. This return is awaiting sign off by the Department for Levelling Up Housing and Communities but is not expected to change. The 2023-24 figure is a slight increase from 1.6% of properties at the end of 2022-23 but is below the regional and national benchmarks for that year (2.4% properties in Yorkshire and the Humber and 8.4% in England). The latest benchmarking is awaited.
139. An increase in the number of non-decent properties for York was anticipated following the commissioning of a Full Stock Condition Survey to be carried out on HRA housing stock during 2024. The extensive survey provides a range of information on the internal, external and communal safety and condition of each property. By the end of 2023-24, 36% of stock had been inspected and whilst strengthening the information held on housing, has surfaced further properties requiring work. Survey information received has highlighted in particular an increase in the number of properties with a category 1 hazard which causes an instant fail against the decent homes criteria, these are being responded to by the service as a matter of priority.
140. **% of repairs completed on first visit –** The percentage of repairs completed on the first visit was 86% in Q1 2024-25, which is 6 percentage points higher than at the end of 2023-24.
141. **Number of void properties –** Numbers of standard void properties reduced throughout 2023-24 from 73 at the start of the year to 52 in March 2024. This has increased slightly to 59 at the end of Q1 2024-25. There were 3 major works voids at the end of June 2024 which is a large decrease on the 18 major works voids in June 2023.
142. **% of tenants satisfied that their landlord provides a home that is well maintained –** In 2023-24 in York, 64% of tenants were satisfied that the landlord provides a well maintained home. There are no national benchmarking figures available, as yet, however Leeds have released their results and they have a 67% satisfaction rate. Data for 2024-25 will be available in February 2025.

Performance - Sustainability: Cutting carbon, enhancing the environment for our future

143. **Percentage of household waste sent for reuse, recycling or composting** – The latest provisional data for the amount of household waste sent for reuse, recycling or composting was 34.3% within Q4 2023-24, which is an increase from 33.4% during Q4 2022-23, however the annual rate is 40.7% which is a small decrease from 41.3% in 2022-23. Whilst there has been a small increase in the total household waste collected to 883kg per household from the same time last year (857kg), the amount sent for reuse, recycling or composting has only increased to 359kg (from 354kg in 2022-23) which means that there has been an increase in residual (approx. non-recycling) household waste – now around 524kg per household (504kg last year).
144. This continues the national trend from 2022-23 which DEFRA suggested was primarily due to weather conditions reducing plant growth coupled with increases in the cost of living reducing expenditure on food and the home and rises in the number of people returning to a place of work maybe further reducing waste generation in the home.
145. **Level of CO2 emissions across the city and from council buildings and operations** – Carbon emissions across the city have been reducing over recent years, from 936 kilotonnes of carbon dioxide equivalent in 2018, to 816 in 2020. Emissions from councils buildings and operations have also been reducing, from 3,658 tonnes of carbon dioxide equivalent in 2020-21 to 3,462 in 2022-23. Data for 2021 and 2023-24 will be available in October 2024.
146. **% of Talkabout panel satisfied with their local area as a place to live** - The first biannual resident satisfaction survey taken by the Talkabout panel took place during Q1 2024-25. Results from the Q1 2024-25 Talkabout survey showed that 85% of the panel were satisfied with York as a place to live, up 5% from the previous survey. 81% were satisfied with their local area, consistent with results from Q3 2023-24. A slight decline in satisfaction with the local area can be seen over recent years but York continues to perform well against the latest national figure of 76% (Community Life Survey 2021-22).
147. **% of Talkabout panel who give unpaid help to any group, club or organisation** - Results from the Q1 2024-25 Talkabout survey found that 64% of panellists had given unpaid help to any group, club or organisation within the last 12 months. This is a slight increase from Q3 2023-24 (60%), and higher than the latest national figure of 55% taken from the government's Community Life Survey 2021-22.

148. **Number of trees planted (CYC)** – During 2023-24, CYC planted 40 standard trees in the city’s parks and on highways. In addition, 1,200 trees (whips) were planted by the council’s ‘York Green Streets’ project, fully funded by a grant from White Rose Forest (secured in February 2024) including three years aftercare to support successful establishment. This forms part of the Council Plan 2023-2028 commitment to support biodiversity and nature by planting 4,000 new trees. The YGS project team is itself 100% externally funded by a £150,000 Forestry Commission grant to 31 March 2025. A further £40,000 has been secured from DEFRA to plant two new micro-woods in York’s urban area in the 2024-25 planting season and site selection is currently underway following a successful resident consultation for site suggestions in January.
149. Full year data for 2024-25 will not be available until May 2025, but numbers are likely to be comparable to last year as York Green Streets planted c1,800 trees (whips and standards) in April 2024.
150. **% of Talkabout panel who think that the council are doing well at improving green spaces** - The results for Q1 2024-25 showed that 37% of respondents agreed the Council and its partners are doing well at improving green spaces, consistent with results from Q3 2023-24.

Performance - How the council will operate

151. **FOI and EIR – % of requests responded to in-time (YTD)** – 98% of requests were responded to in-time during Q1 2024-25 which is the highest figure seen for a number of years.
152. **% of 4Cs complaints responded to in-time** – In 2023-24, there had been a large decrease in the number of corporate complaints received compared to 2022-23 (1,310 in 2023-24 compared to 1,866 in 2022-23). This decrease has continued into 2024-25 with 278 corporate complaints received in Q1 (compared to 479 in Q1 2023-24). However, there has been a large reduction in performance for the percentage of corporate complaints responded to in time (85.5% in 2023-24 but only 51.8% in Q1 2024-25).
153. **% of the Talkabout panel reporting an excellent, good, satisfactory or poor experience when they last contacted the council about a service** – The results for this indicator show that the majority of the panel report having a ‘good’ (22%) or ‘satisfactory’ (28%) experience when they last contacted the Council, with 8%

reporting an 'excellent' experience and 17% reporting a 'poor' experience.

154. **Average sickness days per full time equivalent (FTE) employee –** At the end of May 2024, the average number of sickness days per FTE (rolling 12 months) had increased slightly to 11.44 days from 11.34 in May. Recently released benchmarks show that the CIPD public sector benchmark is 10.6 days per FTE, putting us in line with national trends.
155. **York Customer Centre average speed of answer –** Phones were answered, on average, in 42 seconds during Q1 2024-25 by the York Customer Centre. This remains low, although is slightly higher than the average of 13 seconds during 2023-24.

Consultation Analysis

156. Not applicable

Options Analysis and Evidential Basis

157. Not applicable

Organisational Impact and Implications

158. The recommendations in the report potentially have implications across several areas. However, at this stage
- **Financial implications** are contained throughout the main body of the report. The actions and recommendations contained in this report should ensure the continued financial stability and resilience of the Council both in the current year and in future years.
 - **Human Resources (HR)**, there are no direct implications related to the recommendations.
 - **Legal** The Council is under a statutory obligation to set a balanced budget on an annual basis. Under the Local Government Act 2003 it is required to monitor its budget during the financial year and take remedial action to address overspending and/or shortfalls of income.
 - **Procurement**, there are no specific procurement implications to this report.
 - **Health and Wellbeing**, there are no direct implications related to the recommendations.

- **Environment and Climate action**, there are no direct implications related to the recommendations.
- **Affordability**, there are no direct implications related to the recommendations.
- **Equalities and Human Rights**, there are no direct implications related to the recommendations.
- **Data Protection and Privacy**, there are no implications related to the recommendations.
- **Communications**, there are no direct implications related to the recommendations.
- **Economy**, there are no direct implications related to the recommendations.

Risks and Mitigations

159. An assessment of risks is completed as part of the annual budget setting exercise. These risks are managed effectively through regular reporting and corrective action being taken where necessary and appropriate.
160. The current financial position represents a significant risk to the Council's financial viability and therefore to ongoing service delivery. It is important to ensure that the mitigations and decisions outlined in this paper are delivered and that the overspend is reduced.

Wards Impacted

161. All.

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Annexes

Annex 1: Annex 1 - Q1 Performance Tables - City Outcomes and Council Delivery Indicators 2023-2027

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Annex 1 - Performance - City Outcomes and Council Delivery Indicators 2023-2027

Financial Health (Council)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Forecast Budget Outturn (£000s Overspent / -Underspent) - CYC Subtotal (excluding contingency)	£3,661 (2023/24)	£3,896 (Q1 2024/25)	→	Quarterly	Not available	Q2 2024/25 data available in November 2024
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Health and wellbeing: A health generating city (City)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Income Deprivation Affecting Children Index (IDACI)	0.12 (2022/23)	0.1 (2023/24)	→	5 yearly	National Rank 2023/24: 253	2024/25 data available in October 2024
Number of children in temporary accommodation - (Snapshot)	63 (2022/23)	45 (2023/24)	↓ Good	Quarterly	Not available	Q1 2024/25 data available in November 2024
%pt gap between disadvantaged pupils (eligible for FSM in the last 6 years, looked after and adopted from care) and their peers achieving 9-4 in English & Maths at KS4	32.00% (2021/22)	43.60% (2022/23)	↑ Bad	Annual	National Data 2022/23 43.30%	2023/24 data available in December 2024
% of reception year children recorded as being overweight (incl. obese) (single year)	22.70% (2021/22)	19.90% (2022/23)	→	Annual	National Data 2022/23 21.31%	2023/24 data available in November 2024
Slope index of inequality in life expectancy at birth - Female - (Three year period)	6.2 (2019/20)	5.7 (2020/21)	→	Annual	Regional Rank 2020/21: 3	2021/22 data available TBC
Slope index of inequality in life expectancy at birth - Male - (Three year period)	8.3 (2019/20)	8.4 (2020/21)	→	Annual	Regional Rank 2020/21: 3	2021/22 data available TBC
% of adults (aged 16+) that are physically active (150+ moderate intensity equivalent minutes per week, excl. gardening)	70.4% (2022/23)	69.8% (2023/24)	→	Annual	National Data 2023/24 63.4%	2024/25 data available in April 2025
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Health and wellbeing: A health generating city (Council)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Percentage of people who use services who have control over their daily life - Disabled People (ASC User Survey)	79% (2021/22)	78% (2022/23)	→	Annual	Not available	2023/24 data available in December 2024
Percentage of people who use services who have control over their daily life - Older People (ASC User Survey)	71% (2021/22)	77% (2022/23)	↑ Good	Annual	Not available	2023/24 data available in December 2024
Overall satisfaction of people who use services with their care and support	65.10% (2021/22)	66.50% (2022/23)	→	Annual	National Data 2022/23 64.40%	2023/24 data available in December 2024
Health Inequalities in wards	See below	See below	→	Annual	Not available	See below
Absolute gap in mortality ratio for deaths from circulatory disease (under 75) between highest and lowest York ward (5 year aggregated)	153.8 (2019/20)	141.1 (2020/21)	→	Annual	Not available	2021/22 data available in December 2024
Gap in years in Life Expectancy at birth for Males between highest and lowest York ward (5 year aggregated)	10.2 (2019/20)	11.7 (2020/21)	→	Annual	Not available	2021/22 data available in December 2024
Gap in years in Life Expectancy at birth for Females between highest and lowest York ward (5 year aggregated)	8.2 (2019/20)	11.1 (2020/21)	→	Annual	Not available	2021/22 data available in December 2024
Absolute gap in hospital admission ratio for self-harm between highest and lowest York ward (5 year aggregated)	133.2 (2019/20)	119.6 (2020/21)	→	Annual	Not available	2021/22 data available in December 2024
Absolute gap in hospital admission ratio for alcohol-related harm (narrow definition) between highest and lowest York ward (5 year aggregated)	70.7 (2017/18)	88.8 (2020/21)	→	Annual	Not available	2021/22 data available in December 2024
Absolute gap in % of children who reach expected level of development at 2-2.5 years of age between highest and lowest York ward (4 yr aggregated)	13.10% (2021/22)	13.65% (2022/23)	→	Annual	Not available	2023/24 data available in October 2024
Absolute gap in % of Year 6 recorded overweight (incl. obesity) between highest and lowest York ward (3 year aggregated)	24.40% (2021/22)	24.68% (2022/23)	→	Annual	Not available	2023/24 data available in December 2024
Absolute gap in % of children totally or partially breastfeeding at 6-8 weeks between highest and lowest York ward (4 year aggregated ward data)	36.70% (2021/22)	38.98% (2022/23)	→	Annual	Not available	2023/24 data available in October 2024
Number of children in care, excluding Short Breaks - (Snapshot)	243 (2023/24)	245 (Q1 2024/25)	→	Quarterly	National Data 2022/23 71	Q2 2024/25 data available in October 2024
Number of children subject to a Child Protection Plan - (Snapshot)	142 (2023/24)	138 (Q1 2024/25)	→	Quarterly	National Data 2022/23 43.2	Q2 2024/25 data available in October 2024
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Education and Skills: High quality skills and learning for all (City)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
% of working age population qualified - to at least L2 and above (New methodology from 2022/23)	94.2% (2022/23)	90% (2023/24)	➡	Annual	National Data 2023/24: 86.5%	2024/25 data available in May 2025
% of working age population qualified - to at least L4 and above (New methodology from 2022/23)	60.3% (2022/23)	53.8% (2023/24)	➡	Annual	National Data 2023/24: 47.3%	2024/25 data available in May 2025
% of pupils achieving 9-4 or above in English & Maths at KS4 (C or above before 2016/17)	75.30% (2021/22)	70.20% (2022/23)	➡	Annual	National Data 2022/23 65.30%	2023/24 data available in December 2024
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Education and Skills: High quality skills and learning for all (Council)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
% of children who have achieved a Good Level of Development (GLD) at Foundation Stage - (Snapshot)	70.90% (2021/22)	69.70% (2022/23)	➡	Annual	National Data 2022/23 67.20%	2023/24 data available in December 2024
Number of children who are eligible for a free school meal in the primary sector (excluding Danesgate) - (Jan Census snapshot)	2,197 (2022/23)	2,320 (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
% of children who are eligible for a free school meal in the primary sector (excluding Danesgate)	15.88% (2022/23)	16.99% (2023/24)	➡	Annual	National Data 2023/24 24.29%	2024/25 data available in July 2025
Number of children who are eligible and taking a free school meal in the primary sector (excluding Danesgate) - (Jan Census snapshot)	1,760 (2022/23)	1,938 (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
% of children taking a free school meal in the primary sector (excluding Danesgate) - (Jan Census snapshot)	12.72% (2022/23)	14.19% (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
Number of children who are eligible for a free school meal in the secondary sector (excluding Danesgate) - (Jan Census snapshot)	1,621 (2022/23)	1,729 (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
% of children who are eligible for a free school meal in the secondary sector (excluding Danesgate)	14.26% (2022/23)	15.15% (2023/24)	➡	Annual	National Data 2023/24 24.12%	2024/25 data available in July 2025
Number of children who are eligible and taking a free school meal in the secondary sector (excluding Danesgate) - (Jan Census snapshot)	1,159 (2022/23)	1,299 (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
% of children taking a free school meal in the secondary sector (excluding Danesgate) - (Jan Census snapshot)	10.20% (2022/23)	11.38% (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
Total number of children who are eligible for a free school meal - (York LA Local Measure) - (Jan Census snapshot)	3,985 (2022/23)	4,246 (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
Total number of children who are eligible and taking a free school meal - (York LA Local Measure) - (Jan Census snapshot)	2,987 (2022/23)	3,289 (2023/24)	➡	Annual	Not available	2024/25 data available in July 2025
Total number of active EHCPs overseen by SEND Services (Snapshot)	1,400 (2023/24)	1,432 (May 2024)	➡	Monthly	Not available	Q1 2024/25 data available in August 2024
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Economy: A fair, thriving, green economy for all (City)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Universal Credit: Claimants	13,258 (2023/24)	13,387 (Q1 2024/25)	➡	Quarterly	Not available	Q2 2024/25 data available in October 2024
Earnings gap between the 25 percentile and the median (£) (York)	£164.20 (2022/23)	£152.20 (2023/24)	⬇️ Good	Annual	Not available	2024/25 data available in December 2024
Housing affordability (median house prices to earnings ratio)	8.85 (2021/22)	9.3 (2022/23)	⬆️ Bad	Annual	National Data 2022/23 8.14	2023/24 data available in March 2025
% of vacant city centre shops	8.87% (2023/24)	8.40% (Q1 2024/25)	➡	Monthly	National Data 2022/23 13.80%	Q2 2024/25 data available in October 2024
Business Startups - (YTD)	796 (February 2023)	767 (February 2024)	➡	Quarterly	Not available	TBC
GVA per head (£)	33,571 (2021/22)	37,313 (2022/23)	⬆️ Good	Annual	Regional Rank 2022/23: 2	2023/24 data available in May 2025
% of working age population in employment (16-64)	83.60% (2022/23)	78.00% (2023/24)	➡	Quarterly	National Data 2023/24 75.50%	Q1 2024/25 data available in October 2024
% of Total Employees working for an Accredited Good Business Charter employer	12.10% (2021/22)	13.40% (2022/23)	➡	Annual	Not available	2023/24 data available in October 2024
% of Total Employees working for an Accredited Living Wage employer	14% (2021/22)	16% (2022/23)	➡	Annual	Not available	2023/24 data available in September 2024
Survival of Newly Born Businesses post 1 year	94.00% (2021/22)	94.40% (2022/23)	➡	Annual	Not available	2023/24 data available in November 2024

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

Transport: Sustainable accessible transport for all (City)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
P&R Passenger Journeys	2m (YTD Dec 21)	2.4m (Prov) (YTD Dec 22)	⬆️ Good	Quarterly	Not available	TBC
Local bus passenger journeys originating in the authority area (excluding P&R)	5.54m (YTD Dec 22)	7.26m (Prov) (YTD Dec 22)	⬆️ Good	Quarterly	Not available	TBC
Area Wide Traffic Levels (07:00 -19:00) (Excluding A64) from 2009/10 baseline (2.09m)	2.07m (2021/22)	2.08m (2022/23)	➡	Annual	Not available	2023/24 data available in Summer 2024
Index of cycling activity (12 hour) from 2009 Baseline (31,587)	115.00% (2022)	113.00% (2023)	➡	Annual	Not available	2024 data available early 2025
Index of pedestrians walking to and from the City Centre (12 hour in and out combined) from 2009/10 Baseline (37,278)	104.00% (2021)	123.00% (2022)	➡	Annual	Not available	2023 data available in Summer 2024
% of customers arriving at York Station by sustainable modes of transport (cycling, walking, taxi or bus - excluding cars, Lift, Motorcycle, Train)	60% (2022)	78% (2023)	➡	Annual	Not available	2024 data available June 2025

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

Transport: Sustainable accessible transport for all (Council)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
The number of CYC electric vehicle recharging points in York	103 (2023/24)	103 (Q1 2024/25)	➡	Quarterly	Not available	Q2 2024/25 data available in October 2024
% of Principal roads where maintenance should be considered	11% (2021/22)	11% (2023/24)	➡	Annual	National Data 2022/23 4%	2024/25 data available in June 2025
% of Non-principal classified roads where maintenance should be considered	23% (2021/22)	25% (2023/24)	➡	Annual	National Data 2022/23 6%	2024/25 data available in June 2025

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

Housing: Increasing the supply of affordable housing (City)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Number of new affordable homes delivered in York	109 (2022/23)	122 (2023/24)	➡	Quarterly	Not available	Q1 2024/25 data available in September 2024
% of dwellings with energy rating in A-C band in the EPC Register - Snapshot	44.60% (2023/24)	45.10% (Q1 2024/25)	⬆️ Good	Monthly	Not available	Q2 2024/25 data available in November 2024
Net Additional Homes Provided - (YTD)	459 (2022/23)	528 (2023/24)	⬆️ Good	Bi-annual	Not available	2024/25 mid-year data available in December 2024
Net Housing Consents - (YTD)	1,559 (2022/23)	658 (2023/24)	⬇️ Bad	Bi-annual	Not available	2024/25 mid-year data available in December 2024
Number of homeless households with dependent children in temporary accommodation - (Snapshot)	35 (2022/23)	29 (2023/24)	⬇️ Good	Quarterly	Not available	Q1 2024/25 data available in October 2024
Number of people sleeping rough - local data - (Snapshot)	23 (2023/24)	22 (Q1 2024/25)	➡	Monthly	Not available	Q2 2024/25 data available in October 2024
HMO's as % of properties in York	NA	NA	➡	Annual	Not available	TBC
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Housing: Increasing the supply of affordable housing (Council)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
% of dwellings failing to meet the decent homes standard	4.88% (2021/22)	1.60% (2022/23)	⬇️ Good	Annual	Not available	2023/24 data available in September 2024
% of Repairs completed on first visit	80.26% (2023/24)	86.08% (Q1 2024/25)	➡	Quarterly	Housemark Median 2022/23 86.02%	Q2 2024/25 data available in October 2024
Number of Void Properties - Standard Voids - (Snapshot)	52 (2023/24)	59 (Q1 2024/25)	➡	Monthly	Not available	Q2 2024/25 data available in October 2024
Number of Void Properties - Major Works Voids - (Snapshot)	6 (2023/24)	3 (Q1 2024/25)	⬇️ Good	Monthly	Not available	Q2 2024/25 data available in October 2024
Number of Void Properties - Capital Projects Voids - (Snapshot)	26 (2023/24)	19 (Q1 2024/25)	➡	Monthly	Not available	Q2 2024/25 data available in October 2024
Number of Void Properties - Total Voids (Excludes Not Offerable) - (Snapshot)	84 (2023/24)	81 (Q1 2024/25)	⬇️ Good	Monthly	Not available	Q2 2024/25 data available in October 2024
Number of Void Properties - Not Offerables - (Snapshot)	77 (2023/24)	77 (Q1 2024/25)	➡	Monthly	Not available	Q2 2024/25 data available in October 2024
% of tenants satisfied that their landlord provides a home that is well maintained	NC	63.58% (2023/24)	➡	Annual	Not available	2024/25 data available in February 2025
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Sustainability: Cutting carbon, enhancing the environment for our future (City)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
The average of maximum annual mean Nitrogen Dioxide concentration recorded across three areas of technical breach (at points of relevant public exposure) - Calendar year	44.1 (2022/23)	38.8 (2023/24)	➡	Annual	Not available	2024/25 data available in April 2025
Percentage of household waste sent for reuse, recycling or composting	41.26% (Prov) (2022/23)	40.68% (Prov) (2023/24)	➡	Quarterly	National Data 2022/23 41.70%	Q1 2024/25 data available in October 2024
Carbon emissions across the city (tonnes of carbon dioxide equivalent) - (Calendar Year)	912 (2019)	816 (2020)	↓ Good	Annual	Not available	2021 data available in October 2024
% of Talkabout panel satisfied with their local area as a place to live	79.68% (Q3 2023/24)	81.00% (Q1 2024/25)	➡	Bi-annual	Community Life Survey 2021/22 76%	Q3 2024/25 data available in January 2025
% of Talkabout panel who give unpaid help to any group, club or organisation	60.17% (Q3 2023/24)	64.42% (Q1 2024/25)	↑ Good	Bi-annual	Community Life Survey 2021/22 55%	Q3 2024/25 data available in January 2025
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

Sustainability: Cutting carbon, enhancing the environment for our future (Council)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Level of CO2 emissions from council buildings and operations (tonnes of carbon dioxide equivalent)	3,633.3 (2021/22)	3,462.4 (2022/23)	➡	Annual	Not available	2023/24 data available in October 2024
Number of trees planted (CYC)	1,099 (2022/23)	1,240 (2023/24)	↑ Good	Annual	Not available	2024/25 data available in May 2025
% of Talkabout panel who think that the council are doing well at improving green spaces	36.84% (Q3 2023/24)	36.70% (Q1 2024/25)	➡	Bi-annual	Not available	Q3 2024/25 data available in January 2025
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

How the Council will operate (Council)						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
FOI & EIR - % Requests responded to In time - (YTD)	88.99% (2023/24)	97.64% (Q1 2024/25)	↑ Good	Monthly	Not available	Q2 2024/25 data available in October 2024
% of 4Cs Complaints responded to 'In Time'	85.54% (2023/24)	51.79% (Q1 2024/25)	↓ Bad	Monthly	Not available	Q2 2024/25 data available in October 2024
The % of the Talkabout panel reporting an 'excellent' experience when they last contacted the council about a service	8.56% (Q3 2023/24)	8.42% (Q1 2024/25)	➡	Quarterly	Not available	Q3 2024/25 data available in January 2025
The % of the Talkabout panel reporting a 'good' experience when they last contacted the council about a service	27.35% (Q3 2023/24)	22.11% (Q1 2024/25)	➡	Quarterly	Not available	Q3 2024/25 data available in January 2025
The % of the Talkabout panel reporting a 'satisfactory' experience when they last contacted the council about a service	27.07% (Q3 2023/24)	28.16% (Q1 2024/25)	➡	Quarterly	Not available	Q3 2024/25 data available in January 2025
The % of the Talkabout panel reporting a 'poor' experience when they last contacted the council about a service	15.47% (Q3 2023/24)	17.37% (Q1 2024/25)	➡	Quarterly	Not available	Q3 2024/25 data available in January 2025
Average Sickness Days per FTE - CYC (Excluding Schools) - (Rolling 12 Month)	11.34 (May 2023)	11.44 (May 2024)	➡	Monthly	CIPD (Public Sector) 2022/23 10.6	Q1 2024/25 data available in September 2024
York Customer Centre average speed of answer	00:00:13 (Phone) (2023/24)	00:00:42 (Phone) (Q1 2024/25)	➡	Monthly	Not available	Q2 2024/25 data available in October 2024
The DoT (Direction of Travel) is calculated on the latest three data points whether they are annual or quarterly. All historic data is available via the Open Data Platform						

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Meeting:	Executive
Meeting date:	12/09/2024
Report of:	Debbie Mitchell Director of Finance
Portfolio of:	Councillors Katie Lomas & Anna Baxter Executive Members for Finance, Performance, Major Projects, Human Rights, Equality & Inclusion

Decision Report: Treasury Management 2024/25 Quarter 1 report and review of Prudential Indicators

Subject of Report

1. The purpose of this report is to provide a regular update to the Executive Member for Finance on treasury management activity for the first quarter of the 2024/25 financial year and to provide the latest update of the prudential indicators which are included at Annex A to this report.

Benefits and Challenges

2. Treasury Management is the effective management of the Council's cash flow. Doing this effectively protects the Council from risks and ensures the ability to meet spending commitments as they fall due.

Policy Basis for Decision

3. The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management 2021 requires that full Council be updated with, review and approve, as a minimum three reports annually. These reports are the Treasury Management Strategy Statement setting out policy for the forthcoming year, a mid-year review report, and an annual report detailing the treasury activities and performance for the previous year. Quarterly reports are also required to provide an update on treasury

management activities and can be assigned to a designated committee or member as deemed appropriate.

4. This report is the Treasury Management quarterly report detailing the activities undertaken so far, performance, and monitoring of the Prudential Indicators. It provides an update on activity for the period 1st April 2024 to 30th June 2024. This report ensures this Council is implementing best practice in accordance with the Code.

Financial Strategy Implications

5. The Treasury Management function is responsible for the effective management of the Council's investments, cash flows, banking, and money market transactions. It also considers the effective control of the risks associated with those activities and ensures optimum performance within those risk parameters.

Recommendation and Reasons

6. Executive is asked to note:
 - The 2024/25 treasury management activity up to the first quarter date ending 30th June 2024.
 - The Prudential Indicators outlined in Annex A (updated where applicable) and note the compliance with all indicators.

Reason: To ensure the continued effective operation and performance of the Council's Treasury Management function and ensure that all Council treasury activity is prudent, affordable and sustainable and complies with policies set.

7. It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the first quarter of the 2024/25 financial year, the Council has operated within the Treasury and Prudential Indicators set out in the Council's Treasury Management Strategy Statement for 2024/25.
8. There are no policy changes to the Treasury Management Strategy Statement 2024/25 for members to agree and approve; the details in this report update the Treasury Management position and Prudential Indicators in the light of the updated economic position and budgetary changes already approved.

Background

9. This quarterly treasury management report has been prepared in compliance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management, and covers the following:
- A brief economic update for the first quarter of the 2024/25 financial year.
 - A review of the Treasury Management Strategy Statement and Annual Investment Strategy.
 - A review of the treasury position as at 30th June 2024.
 - A review of the Council's investment portfolio.
 - A review of the Council's borrowing strategy.
 - A review of compliance with the Treasury and Prudential Limits.
 - An update to the prudential indicators (set out at Annex A).

Economic Update

10. The first quarter of the 2024/25 financial year saw:
- The Bank of England base rate maintained at 5.25% in May and June.
 - CPI inflation falling from 2.3% in April to 2.0% in May. (In line with the Bank's 2% target for the first time since July 2021).
 - Core CPI inflation decreasing from 3.9% in April to 3.5% in May.
 - UK GDP flatlining in April following positive growth of 0.7% in quarter 4 2023/24.
 - A stalling of downward trend in wage growth.
 - A degree of volatility in the gilt market, 10 year gilt yields climbing to 4.35% in April, before closing out at 4.15% in June.
 - On 1st August 2024 the Bank of England's Monetary Policy Committee (MPC) announced it had voted by a majority of 5–4 to cut the base rate by 0.25% from 5.25% to 5.00%.
11. In its latest monetary policy meeting ending on 31st July 2024, the Bank of England's Monetary Policy Committee (MPC) voted by a majority of 5–4 to cut the base rate by 0.25% from 5.25% to 5.00%. Previous to this cut, the Bank of England had left interest rates unchanged at 5.25% (since 3rd August 2023). Guidance from the Bank of England since August 2023 had been that Monetary policy would need to remain restrictive for sufficiently long to return inflation to the 2% target sustainably in the medium term to ensure that inflation does not become embedded above the 2% target in line with the MPC's remit reflecting the primacy of price stability in the UK monetary policy framework.
12. A summary of the MPC meeting from 1st August 2024 said that while inflation forecasts are expected to fall in the next two years, there remains a risk that inflationary pressures may prove more enduring in the medium term such as stronger than expected demand and structural factors including

unemployment which could affect domestic wage and price-setting more persistently. The vote was finely balanced, but it was felt appropriate to reduce the degree of policy restrictiveness as the impact from past external shocks had abated and there had been progress in moderating risks of persistence in inflation. It was reiterated that Monetary policy will need to continue to remain restrictive for sufficiently long until the risks to inflation returning sustainably to the 2% target in the medium term have dissipated further.

Interest Rate Forecast

13. Current interest rates and the future direction of both long term and short term interest rates have a major influence on the overall treasury management strategy and affects both investment and borrowing decisions.
14. Table 1 is Link Groups Interest Rate forecast for both the bank base rate and long-term Public Works Loans Board (PWLB) Certainty borrowing rates (gilt yields plus 80 bps). This forecast was as at 28th May 2024. It was updated following the announcement of the Bank of England's 0.25% rate cut on 1st August 2024, however no changes were made to forecasts from September 2024 through to March 2027 and these forecasts are still current.

	Bank rate %	PWLB borrowing rates % (including certainty rate adjustment)			
		5 year	10 year	25 year	50 year
Jun 2024	5.25	4.90	5.00	5.30	5.10
Sep 2024	5.00	4.70	4.80	5.20	5.00
Dec 2024	4.50	4.50	4.60	5.00	4.80
Mar 2025	4.00	4.30	4.40	4.80	4.60
Jun 2025	3.50	4.10	4.30	4.70	4.50
Sep 2025	3.25	4.00	4.10	4.50	4.30
Dec 2025	3.25	3.90	4.10	4.50	4.20
Mar 2026	3.25	3.90	4.10	4.40	4.20
Jun 2026	3.25	3.90	4.00	4.40	4.20
Sep 2026	3.00	3.90	4.00	4.40	4.20
Dec 2026	3.00	3.90	4.00	4.30	4.10
Mar 2027	3.00	3.80	3.90	4.30	4.10

Table 1 – Link's interest rate forecast as at 28th May 2024 (no changes to forecasts following 1st August 2024 MPC decision)

15. Market expectations in quarter 1 were that Bank Rate had reached its peak at 5.25% and the Bank of England Monetary Policy Committee (MPC) had held rates at 5.25% at the two meetings (9th May 2024 and 20th June 2024) during this quarterly report period. Inflation had fallen in the first quarter of 2024/25

but both inflation and labour data had proven sticky and Markets expectation of several rate cuts throughout 2024 gradually reduced. Markets views are that Bank Rate will start to decrease from 5.25% in the second half of 2024.

Treasury Management Strategy Statement 2024/25

16. Full Council approved the Treasury Management Strategy Statement for 2023/24 on 22nd February 2024. Details can be viewed here <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MID=13928#A167008> and here <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13934&Ver=4>.
17. There are no investment policy changes and the details in this report do not amend the Statement.

Overall Treasury position at 30th June 2024

18. Table 2 shows the Councils net Treasury debt and investment position for the quarter end as at the 30th June 2024, shown with the financial year end 2023/24 position.

	30/06/24	30/06/24	31/03/2024	31/03/2024
	Principal	Average Rate	Principal	Average Rate
General Fund Borrowing	£185.79m	3.51%	£175.79m	3.42%
Housing Revenue Account (HRA) Borrowing	£149.26m	3.32%	£149.26m	3.31%
Total Borrowing	£335.05m	3.43%	£325.05m	3.37%
Other Long-term Liabilities	£43.29m		£41.74m	
Total External Debt	£378.34m		£366.79m	
Investment balance	£23.88m	5.06%	£5.04m	4.86%
Debt less Investments	£354.46m		£361.75m	

Table 2 Summary of the current treasury position as at 30th June 2024

Investment Portfolio

19. The Treasury Management Strategy Statement includes the Council's Annual Investment Strategy outlining the Council's investment priorities as follows:

- Security of capital
- Liquidity
- Yield

Environmental, Social & Governance (ESG) criteria, will be considered as a fourth criteria after the fulfilment of the three core investment priorities.

20. The Council's investment policy is governed by DLUHC guidance and sets out the approach for choosing investment counterparties based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.). The Council will also consider environmental, social and governance factors when placing investments after the core investment priorities of security, liquidity and yield have been assessed.
21. The Council continues to aim to achieve the optimum return (yield) on investments commensurate with the proper levels of security and liquidity and the Councils risk appetite. The Council had no liquidity difficulties during the first quarter of the 2024/25 financial year.
22. Investment returns the Council earns on its surplus cash is dependent on the level of cash held for investment purposes, cash backed reserves and cash flow requirements which is due to the timing of precept payments, receipt of grants, receipt of developer contributions, borrowing for capital purposes, payments to its suppliers of goods and services and spend progress on the Capital Programme. Cash balances are therefore only available on a temporary basis depending on cash flow movement.
23. The average level of cash balances available for investment purposes in the first quarter up to 30th June 2024 was £23.88m (£31.15m for quarter ending 30th June 2023). The average rate of return earned on cash balances in this period was 5.06% (4.29% for quarter ending 30th June 2023).
24. The Council uses a benchmark indicator to assess the Councils investment performance, and this is the average Sterling Overnight Index Average (SONIA). SONIA is based on actual transactions reflecting the average of the interest rates that banks pay to borrow sterling overnight.
25. The Council's average rate of return for the quarter ending 30th June 2024 in table 3.

	2024/25 (Quarter 1)	2023/24 (Quarter 1)	2023/24 (Full year)
Average CYC Rate of Return	5.06%	4.29%	4.86%
Benchmarks			

Average Overnight SONIA	5.20%	4.37%	4.96%
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Table 3: CYCs investment rate of return performance vs. SONIA benchmark

26. The average rate of return achieved for invested cash during the first quarter of 2024/25 has remained below the average overnight SONIA rate due to the Council keeping cash in highly liquid Money Market Funds which provide instant access to cash.
27. Figure 1 shows the average SONIA rates for a number of investment durations compared with the Bank of England base rate and the Council's rate of return achieved in the first quarter of 2024/25. It shows that the Council's average rate of return is tracking lower than, but broadly in line with, both Bank base rate and overnight SONIA rate. This is expected as cash has been held in liquid funds.

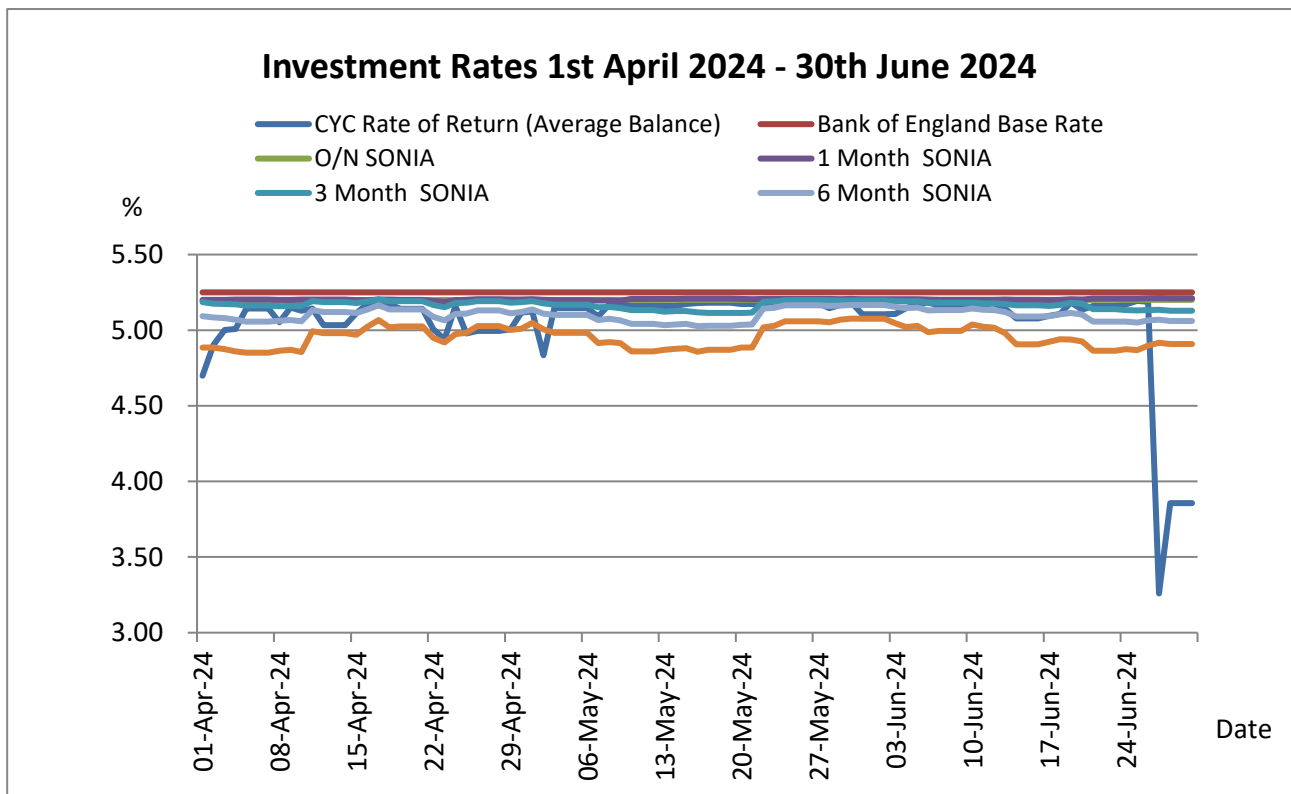


Figure 1 CYC Investments vs Bank of England base rate and SONIA up to 30th June 2024

28. Table 4 shows the current fixed term investments at 30th June 2024.

Institution Type	Principal Balance 31/03/24	Average Principal Balance	Average Rate
Fixed Term Deposits	£0.00m	£0.00m	0.00%
Call / Notice	£0.00m	£0.00m	0.00%

Money Market Funds	£16.00m	£23.17m	5.23%
Cash in bank	£5.73m	£0.70m	0.00%
Total Investments	£21.73m	£23.34m	5.06%

Table 4: Investment Portfolio by type at 30th June 2024

29. Figure 2 shows the investments portfolio split by cash in bank, deposits in short term call accounts, fixed term investments and Money Market Funds. Money Market Funds used have an AAAM credit rating and the cash bank account is AA- credit rating.

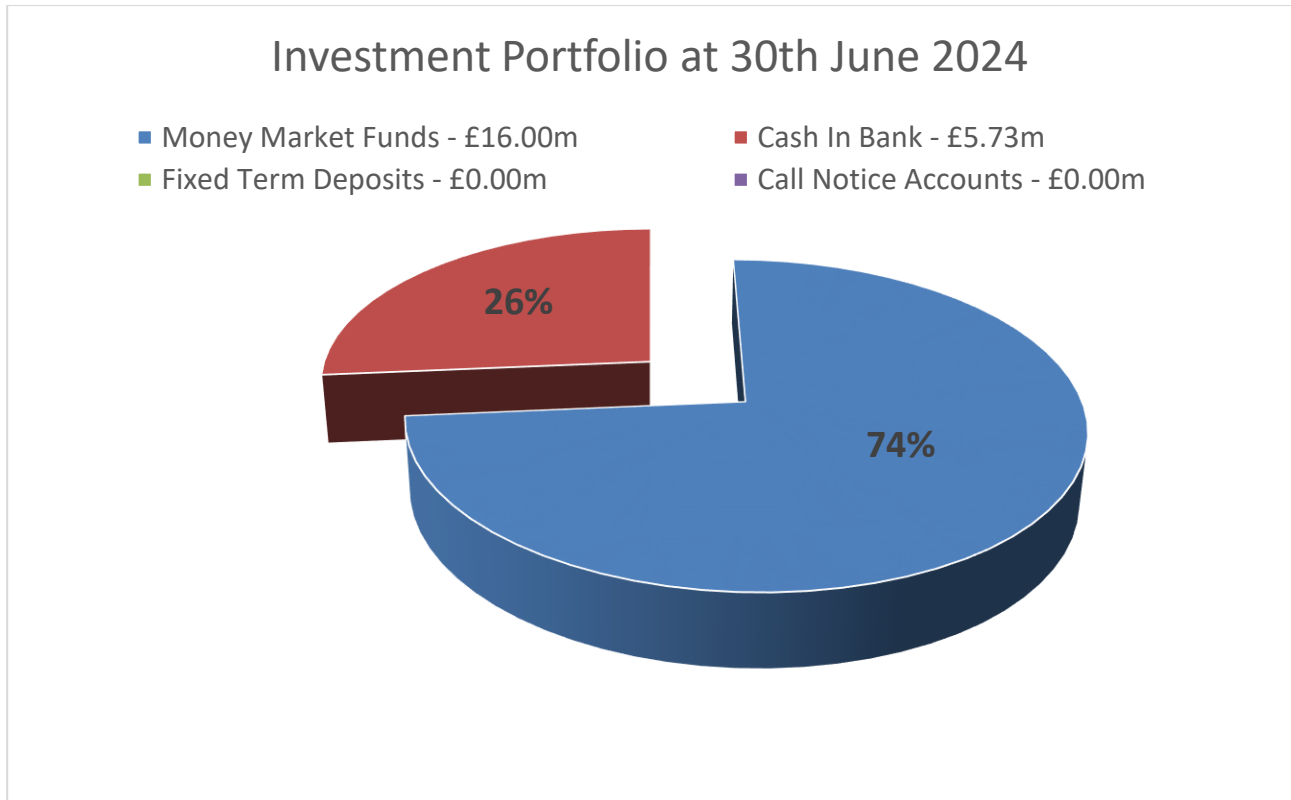


Figure 2 Investment Portfolio by type at 30th June 2024

30. The Council is using its cash balances to delay taking on long-term borrowing. The overall effect of using cash balances to support the Council's under borrowed CFR position is that as cash balances are used there is less cash available for longer term investment and cash balances are held in more liquid funds meaning lower interest returns.
31. Opportunities that arise for notice and fixed investments which could generate higher yields are considered in terms of the Councils short to medium term cash flow requirement and it's under borrowed CFR position.

Borrowing requirement and debt at 30th June 2024

32. The Council undertakes long-term borrowing in accordance with the investment requirements of the capital programme and all borrowing is therefore secured for the purpose of its asset base.
33. Under regulation, the Council can borrow in advance of need and Markets are therefore constantly monitored and analysed to ensure that advantage is taken of favourable rates and the increased borrowing requirement is not as dependant on interest rates in any one year.
34. The level of borrowing taken by the Council is determined by the Capital Financing Requirement (the Councils underlying need to borrow for capital expenditure purposes). Borrowing needs to be affordable, sustainable and prudent.
35. On the reverse side, the Council's level of borrowing can also be below the Capital Financing Requirement. This would mean that instead of increasing the Council's level of borrowing, surplus funds held for investment purposes would be utilised.
36. Table 5 shows the Council's underlying need to borrow to finance capital expenditure and is termed the Capital Financing Requirement (CFR).

	31 March 2025 Projected (30th Jun 2024)	31 March 2025 Budget (As at TMSS)	31 March 2024 Actual (As at Outturn)
CFR General Fund	£348.10m	£399.76m	£313.16m
CFR HRA	£149.33m	£149.33m	£147.34m
PFI	£43.29m	£43.21m	£41.74m
Total CFR	£540.72m	£592.30m	£502.24m

Table 5 Capital Financing Requirement as at 30th June 2024

37. The borrowing strategy takes into account the borrowing requirement, the current economic and market environments and is also influenced by the interest rate forecasts.
38. During the first quarter of 2024/25, the Council has maintained its under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), has not been fully funded with loan debt, and cash supporting the Council's reserves, balances and cash flow has continued to be used as an interim measure to fund the capital programme. The under-borrowed position can be seen on the Councils Liability Benchmark graph as shown by the gap between the loans outstanding and CFR.
39. While this strategy is still prudent in 2024/25 as long-term borrowing rates have remained elevated across the curve, where debt is required to finance the capital programme the Treasury team will look at temporary and short-

term borrowing options if internal borrowing cannot be maintained. Where there are opportunities to draw down long term debt at more favourable rates, through either PWLB or market borrowing, these will be considered in order to try to minimise the longer-term impact of debt costs.

40. In the first quarter of 2024/25 the Council has taken new debt to replace used cash balances. Short term debt was taken from the PWLB which will require refinancing in early 2025/26 (see Table 7). This has increased the Council's refinancing interest rate risk as a greater proportion of its overall debt will mature in late 2024/25 and early 2025/26 but this is still within the approved maturity limits set as part of Prudential Indicator 8. The decision to take short term debt from PWLB was felt prudent in the current climate as forecasts for longer term borrowing rates show a decrease in the second half of 2024/25. If this occurs, then borrowing rates should be cheaper when refinancing this short-term debt.

Borrowing Portfolio

41. The Councils long-term borrowing started the year at a level of £325.05m. The current borrowing portfolio position as at 30th June 2024 is £335.05m.

Institution Type	30 th June 2024			31 st March 2024		
	No. of Loans	Principal	Average Rate	No. of Loans	Principal	Average Rate
<u>Public Works Loan Board</u> PWLB – Money borrowed from the Debt Management Office (HM Treasury)	60	£327.70m	3.44%	59	£317.70m	3.38%
<u>Market Loans</u> LOBO Loans – Lender Option Borrower Option	1	£5.00m	3.88%	1	£5.00m	3.88%
<u>West Yorkshire Combined Authority</u> WYCA – Zero interest loans the purpose of which are to help to fund York Central infrastructure projects.	4	£2.35m	0.00%	4	£2.35m	0.00%

Total Borrowing (GF & HRA)	65	£335.05m	3.43%	64	£325.05m	3.37%
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Table 6 Current borrowing position at 30th June 2024

42. During the first quarter of 2024/25 financial year one new loan was taken totalling £10.00m. This is detailed in Table 7 below. This borrowing was anticipated because of continued capital expenditure, the increasing CFR requirement and the decrease in cash balances as a result of internal borrowing.

Lender	Issue Date	Repayment Date	Amount	Rate	Duration (years)
PWLB	30/04/2024	30/04/2025	£10.00m	5.39%	1.00
			£10.00m		

Table 7 New loans up to 30th June 2024

43. During the first quarter of 2024/25 financial year no existing loans have matured.

44. There are 9 scheduled repayments of long-term borrowing that will occur this financial year totalling £43.40m. These are detailed in Table 8 below.

Lender	Issue Date	Repayment Date	Amount	Rate	Duration (years)
PWLB	13/10/2009	13/10/2024	£3.00m	3.910%	15.00
PWLB	23/11/2000	05/11/2024	£1.00m	4.750%	23.95
PWLB	03/04/2001	05/11/2024	£1.00m	4.750%	23.59
PWLB	29/01/2024	29/01/2025	£10.00m	5.350%	1.00
PWLB	28/02/2024	28/02/2025	£10.00m	5.460%	1.00
PWLB	27/03/2024	27/03/2025	£5.20m	5.390%	1.00
PWLB	27/03/2024	27/03/2025	£4.80m	4.990%	1.00
PWLB	28/03/2012	31/03/2025	£4.00m	2.870%	13.01
PWLB	28/03/2012	31/03/2025	£4.40m	2.870%	13.01
			£43.40m		

Table 8 Maturing loans in 2024/25

45. No loan rescheduling was done during the first quarter of the 2024/25 financial year.

46. The Councils £335.05m of fixed interest rate debt, is split between £149.26m for HRA (£119.65m self-financing debt) and £185.79m for General Fund as shown in Figure 3.

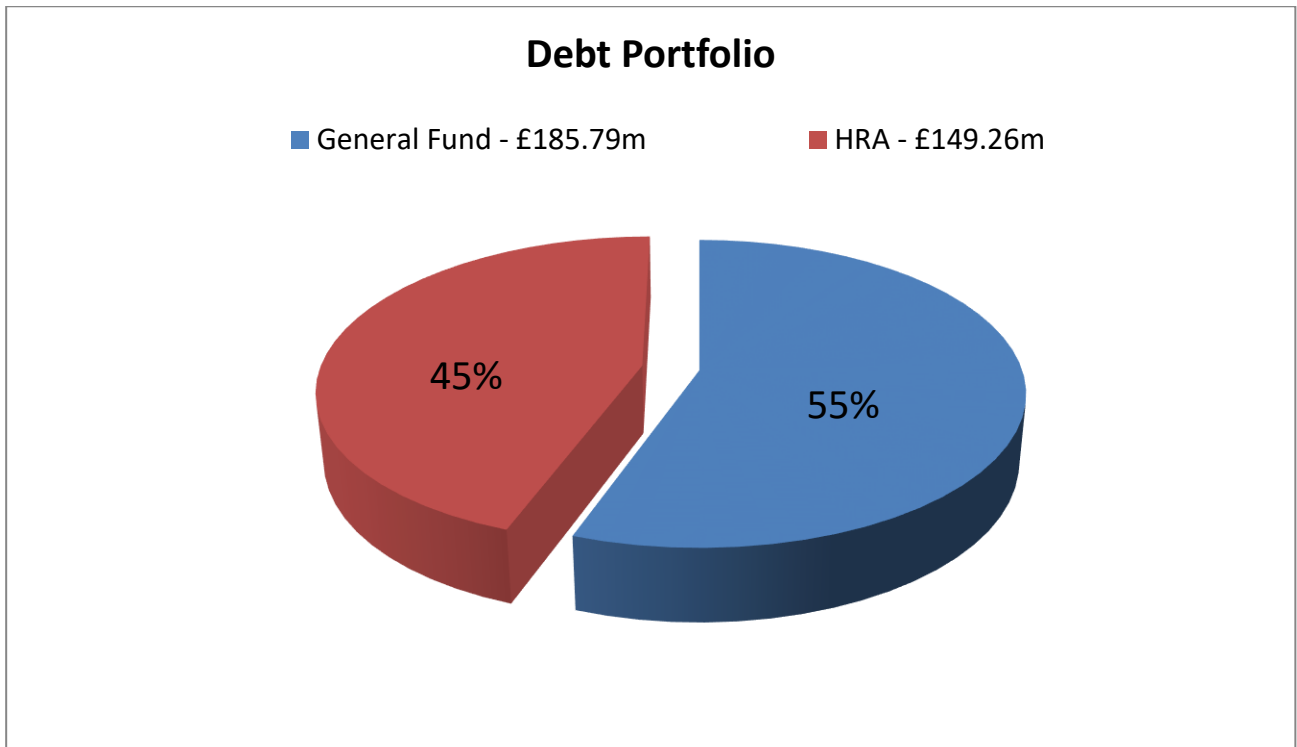


Figure 3 General Fund and HRA debt at 30th June 2024

47. Figure 4 illustrates the 2024/25 maturity profile of the Council’s debt portfolio at 30th June 2024. The maturity profile, aside from a total of £40,000,000.00 PWLB debt taken all with 1 year maturities taken in 2023/24 and the first quarter of 2024/25, shows that there is no large concentration of loan maturity in any one year, thereby spreading the interest rate risk dependency.

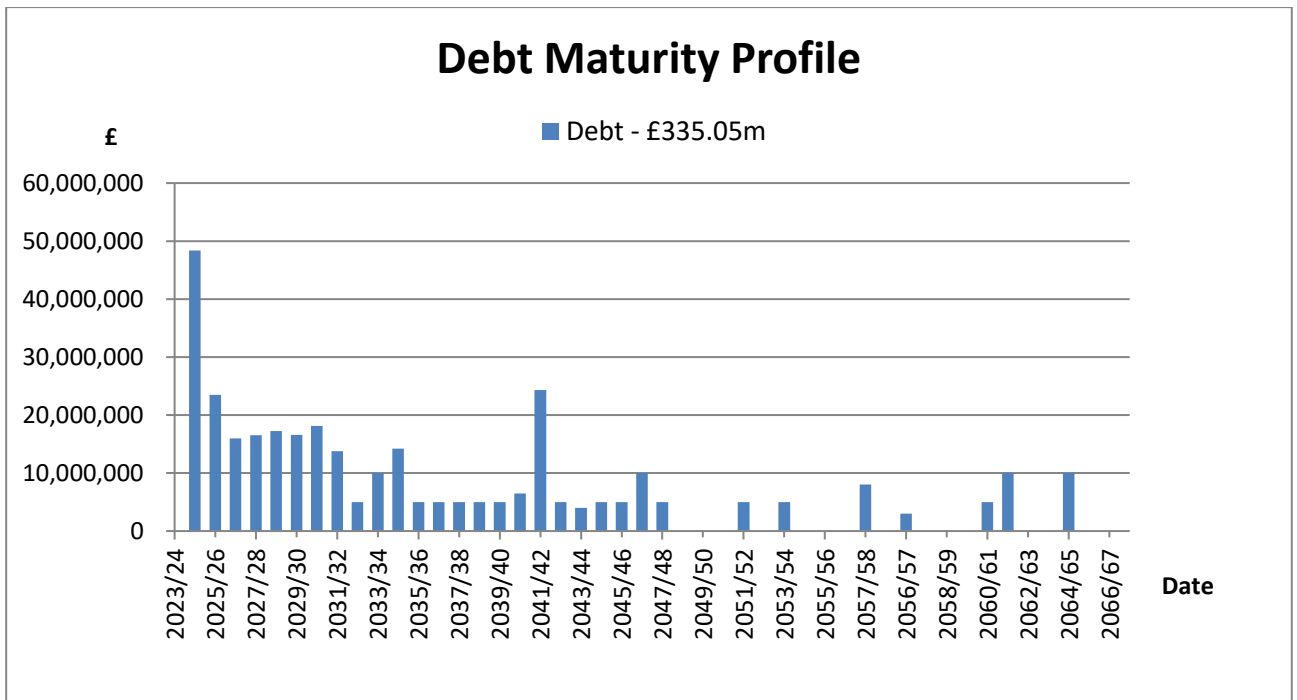


Figure 4 – Debt Maturity Profile at 30th June 2024

48. The timing of when that debt is drawn down depends on the progress of the capital programme. Where greater value can be obtained in borrowing for

shorter maturity periods the Council will assess its risk appetite in conjunction with budgetary pressures to minimise total interest costs. Temporary borrowing, including inter authority borrowing, is another borrowing option. Longer-term borrowing could also be undertaken for the purpose of certainty, where that is desirable, or for smoothing the maturity profile of debt repayments.

49. Table 9 shows PWLB Certainty borrowing rates available for selected loan durations between 1st April 2024 and 30th June 2024 at the highest, lowest and average rates.

	PWLB Certainty borrowing rates by duration of loan				
	1 Year	5 Year	10 Year	25 Year	50 Year
High	5.61%	5.14%	5.18%	5.61%	5.40%
Low	5.27%	4.70%	4.80%	5.28%	5.06%
Average	5.43%	4.92%	4.98%	5.42%	5.20%

Table 9 – PWLB Borrowing Rates 1st April 2024 to 30th June 2024

Compliance with Treasury policy Prudential Indicators

50. The Prudential Indicators for 2024/25 included in the Treasury Management Strategy Statement (TMSS) are based on the requirements of the Council's capital programme and approved at Budget Council on 22nd February 2024 and can be viewed here <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13934&Ver=4>.
51. The Treasury Management budget was set in light of the council's expenditure plans and the wider economic market conditions, based on advice from Link Group.
52. It is a statutory duty for the Council to determine and keep under review the "Affordable Borrowing Limits" included in the Prudential Indicators. During the first quarter of financial year 2024/25 the Council has operated within the treasury limits and Prudential Indicators set out in the TMSS for 2024/25.
53. An update of the Prudential Indicators is shown in Annex A.

Consultation Analysis

54. Treasury Management Strategy and activity is influenced by the capital investment and revenue spending decisions made by the Council. Both the

revenue and capital budgets have been through a corporate process of consultation and consideration by the elected politicians.

Options Analysis and Evidential Basis

55. The Treasury Management quarterly report and Prudential Indicators details the treasury management portfolio at 30th June 2024 and is for the review of the Executive Member for Finance to show compliance with treasury policy and ensure the continued performance of the treasury management function.

Organisational Impact and Implications

56. The Treasury Management function aims to achieve the optimum return on investments commensurate with the proper levels of security, and to minimise the interest payable by the Council on its debt structure. It thereby contributes to all Council Plan priorities.

- **Financial** - The financial details of the Treasury Management quarterly report are contained in the body of the report.
- **Human Resources (HR)** - n/a
- **Legal** – Treasury Management activities have to conform to the Local Government Act 2003, the Local Authorities (Capital; Finance and Accounting) (England) Regulations 2003 (SI 2003/3146), which specifies that the Council is required to have regard to the CIPFA Prudential Code and the CIPFA Treasury Management Code of Practice and also the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 (SI 2008/414), which clarifies the requirements of the Minimum Revenue Provision guidance.
- **Procurement** - n/a
- **Health and Wellbeing** - n/a
- **Environment and Climate action** - n/a
- **Affordability** - The financial implications of the Treasury Management Strategy are contained in the body of the report and set out in the Financial Strategy and Capital Strategy reports also on this agenda.
- **Equalities and Human Rights** - n/a

- **Data Protection and Privacy** - n/a
- **Communications** - n/a
- **Economy** - n/a.
- **Specialist Implications Officers** - n/a

Risks and Mitigations

57. The Treasury Management function is a high-risk area because of the volume and level of large money transactions. As a result, there are procedures set out for day-to-day Treasury Management operations that aim to reduce the risk associated with high volume high value transactions as set out as part within the Treasury Management Strategy Statement at the start of each financial year. As a result of this the Local Government Act 2003 (as amended), supporting regulations, the CIPFA Prudential Code and the CIPFA Treasury Management in the Public Services Code of Practice (the code) are all adhered to as required.

Wards Impacted

All

Contact details

For further information please contact the authors of this Decision Report.

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Date:	06/08/24

Background papers

- Treasury Management Strategy Statement and Prudential Indicators for 2024/25 to 2028/29 and Annexes A, B, C and D to that report.
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13934&Ver=4>.

Annexes

- Annex A – Prudential Indicators 2024/25 Quarter 1 (30.06.24)

Glossary of Abbreviations used in the report

CIPFA	Chartered Institute of Public Finance & Accountancy
CFR	Capital Financing Requirement
CYC	City of York Council
DLUHC	Department for Levelling Up, Housing and Communities
GF	General Fund
HRA	Housing Revenue Account
MPC	Monetary Policy Committee
MRP	Minimum Revenue Provision
PWLB	Public Works Loan Board
SONIA	Sterling Overnight Index Average

Prudential Indicators 2024/25 Mon 1 (30.06.24)

	Prudential Indicator		2024/25	2025/26	2026/27	2027/28	2028/29	
1	Capital Expenditure To allow the authority to plan for capital financing as a result of the capital programme and enable the monitoring of capital budgets.	GF	£92.1m	£84.2m	£58.3m	£49.2m	£33.4m	
		HRA	£42.0m	£25.7m	£12.7m	£12.1m	£12.3m	
		Other LT	£3.3m	£0.5m	£0.5m	£0.5m	£0.5m	
		<u>Total</u>	<u>£137.4m</u>	<u>£110.4m</u>	<u>£71.5m</u>	<u>£61.8m</u>	<u>£46.2m</u>	
2	CFR Indicates the Council's underlying need to borrow money for capital purposes. The majority of the capital programme is funded through government support, government grant or the use of capital receipts. The use of borrowing increases the CFR.	GF	£348.1m	£390.8m	£407.4m	£419.7m	£432.6m	
		HRA	£149.3m	£149.3m	£149.3m	£149.3m	£149.3m	
		Other LT	£43.3m	£41.9m	£40.6m	£39.3m	£38.0m	
		<u>Total</u>	<u>£540.7m</u>	<u>£582.0m</u>	<u>£597.2m</u>	<u>£608.3m</u>	<u>£619.9m</u>	
3	Liability Benchmark The Liability Benchmark is based on current capital plans and cash flow assumptions, therefore giving the Council an indication of how much it needs to borrow, when it is likely to need to borrow, and where to match maturities to its planned borrowing needs. The liability benchmark makes no assumption about the level of future prudential borrowing in unknown capital budgets.	<p style="text-align: center;">Liability Benchmark</p>						
4	Ratio of Financing Costs to Net Revenue Stream An estimate of the cost of borrowing in relation to the net cost of Council services to be met from government grant and council taxpayers. In the case of the HRA the net	GF	15.12%	15.66%	16.59%	16.92%	17.20%	
		HRA	13.48%	13.05%	12.59%	12.28%	11.97%	
		<u>Total</u>	<u>14.79%</u>	<u>15.15%</u>	<u>15.81%</u>	<u>16.03%</u>	<u>16.21%</u>	

	Prudential Indicator		2024/25	2025/26	2026/27	2027/28	2028/29	
	revenue stream is the income from rents. <i>Note that financing costs include debt and other long-term liabilities such as PFI and Leases.</i>							
5	External Debt To ensure that borrowing levels are prudent over the medium term the Council's external borrowing, net of investments, must only be for a capital purpose and so not exceed the CFR.	Gross Debt Invest Net Debt	£410.3m £5.0m <hr/> £405.3m	£460.0m £5.0m <hr/> £455.0m	£482.3m £5.0m <hr/> £477.3m	£504.0m £5.0m <hr/> £499.0m	£527.7m £5.0m <hr/> £522.7m	
6 a	Authorised Limit for External Debt The authorised limit is a level set above the operational boundary in acceptance that the operational boundary may well be breached because of cash flows. It represents an absolute maximum level of debt that could be sustained for only a short period of time. The council sets an operational boundary for its total external debt, gross of investments, separately identifying borrowing from other long-term liabilities.	Borrowing CFR / Other long-term liabilities	£602.3m £30.0m <hr/> £632.3m (£632.3m set at 2024/25 Strategy)	£592.0m £30.0m <hr/> £622.0m (Based on current CFR projection)	£607.2m £30.0m <hr/> £637.2m (Based on current CFR projection)	£618.3m £30.0m <hr/> £648.3m (Based on current CFR projection)	£629.9m £30.0m <hr/> £659.9m (Based on current CFR projection)	

	Prudential Indicator		2024/25	2025/26	2026/27	2027/28	2028/29	
6 b	<p>Operational Boundary for External Debt</p> <p>The operational boundary is a measure of the most likely, prudent, level of debt. It takes account of risk management and analysis to arrive at the maximum level of debt projected as part of this prudent assessment. It is a means by which the authority manages its external debt to ensure that it remains within the self-imposed authority limit. It is a direct link between the Council's plans for capital expenditure; our estimates of the capital financing requirement; and estimated operational cash flow for the year.</p>	Borrowing CFR / Short Term Liquidity Requirement	£540.7m	£582.0m	£597.2m	£608.3m	£619.9m	
			£61.6m	£10.0m	£10.0m	£10.0m	£10.0m	
			<u>£602.3m</u>	<u>£592.0m</u>	<u>£607.2m</u>	<u>£618.3m</u>	<u>£629.9m</u>	
			(£602.3m set at 2024/25 Strategy)	(Based on current CFR projection)	(Based on current CFR projection)	(Based on current CFR projection)	(Based on current CFR projection)	

	Prudential Indicator		2021/22	2022/23	2023/24	2024/25	2025/26	
7	Maturity Structure of Borrowing To minimise the impact of debt maturity on the cash flow of the Council. Over exposure to debt maturity in any one year could mean that the Council has insufficient liquidity to meet its repayment liabilities, and as a result could be exposed to risk of interest rate fluctuations in the future where loans are maturing. The Council therefore sets limits whereby long-term loans mature in different periods thus spreading the risk.	Maturity profile of debt against approved limits	Maturity Profile	Debt (£)	Debt (%)	Approved Minimum Limit	Approved Maximum Limit	
			Less than 1 yr	£61.4m	18%	0%	30%	In line with the TMSS Lobo loans are shown as due at their next call date as this is the date the lender could require payment.
			1 to 2 yrs	£10.5m	3%	0%	30%	
			2 to 5 yrs	£49.7m	15%	0%	40%	
			5 to 10 yrs	£70.3m	21%	0%	40%	
			10 yrs and above	£143.2m	43%	30%	90%	
			Total	£335.1m	100%	-	-	
7	Upper Limit for Total Principal Sums Invested for Over 364 Days The Council sets an upper limit for each forward financial year period for the level of investments that mature in over 364 days. These limits reduce the liquidity and interest rate risk associated with investing for more than one year.	Limit / (Current investments greater than 364 days maturing in year)	£15.0m (£0.0m)	£15.0m (£0.0m)	£15.0m (£0.0m)	£15.0m (£0.0m)	£15.0m (£0.0m)	



Meeting:	Executive
Meeting date:	12/09/2024
Report of:	Debbie Mitchell, Director of Finance
Portfolio of:	Councillors Katie Lomas and Anna Baxter, Executive Members for Finance, Performance, Major Projects, Human Rights, Equality & Inclusion

Medium Term Financial Strategy Update

Subject of Report

1. The purpose of this report is to provide an update to the Medium Term Financial Strategy along with an outline of the 2025/26 budget process.
2. The report also informs Executive of the key risks and challenges, along with an overview of the main assumptions used.

Benefits and Challenges

3. There is a clear benefit to having a medium term financial strategy that enables the Council to manage its budget within available funds. Understanding the financial outlook and the impact of finances on the delivery of the Council Plan helps to manage risk and effectively target increasingly scarce resources to key priorities.
4. The challenges continue to be the uncertainty around funding from Government alongside managing increasing demand across all services, especially within social care, and ongoing inflationary cost pressures.
5. Over the next few years the Council will see some of the most significant financial challenges we have ever experienced. The delivery of this strategy will be extremely challenging for residents, other partners, members, and officers. It is important that we do

not underestimate the scale of the challenge ahead. The level of savings required will inevitably require reductions in service levels and may result in some services stopping completely. Robust financial management, clear priorities and a focus on cost control are all essential to ensuring our continued financial sustainability and resilience.

Policy Basis for Decision

6. The Medium Term Financial Strategy aims to ensure that, as far as possible, resources are aligned to the Council's priorities.

Financial Strategy Implications

7. This report outlines the financial strategy, including key assumptions and identifies a budget gap of £30m over the next 3 years. It also outlines an approach to budget planning which should ensure savings are identified. This is essential to safeguard the Council's financial resilience and stability.

Recommendation and Reasons

8. Executive is asked to:
 - Agree the Medium Term Financial Strategy as outlined in this report

Reason: to ensure the Council meets future financial challenges and produces a robust budget.

Background

9. The Medium Term Financial Strategy sets out an overarching forecast of the financial position for the next three years. The focus is on the General Fund revenue budget as this involves the majority of the Council's day to day spending and income.
10. The report also sets out the key assumptions made in respect of Council Tax, pay, other inflationary pressures and Government grants. Members are reminded that these are financial planning assumptions, and no decisions will be made on the 2025/26 budget until Executive and Full Council in February 2025.

11. The financial challenges facing Local Government are a national concern. They are significant and the Council will have to make many difficult decisions in the coming years. Recent uncertainty regarding the funding position and the short term nature of funding settlements has made long term planning difficult, meaning the Council will need to be flexible in its approach to financial planning.
12. However, in recent weeks the new Government has begun to outline some of their plans in relation to public spending. There will be a Budget on 30th October which will announce taxation and spending plans. A full multi-year spending review covering at least 3 years from 2026/27 will be announced in Spring 2025.
13. The Chancellor has published an audit of spending pressures across the public sector which has found £22bn of unfunded pressures. This has led to several savings being announced, including a decision to not proceed with adult social care charging reforms.
14. The figures outlined in this report do not take into account the potential for any additional funding. Whilst it is accepted that the overall budget gap could therefore reduce should further funding become available, it is vital that we continue to plan for significant reductions in our expenditure. Given the recent announcements made by the Chancellor and her view of the national finances, it is clear that further savings will be needed in public spending, including within local government.
15. Budget reductions of £10m are needed in 2025/26 to allow for known costs, such as inflation and the national pay award. All Members will be aware that the Council has had to make significant budget savings over recent years as shown in the table below.

Year	Savings £m
2024/25	14,258
2023/24	6,633
2022/23	7,870
2021/22	7,892

Consultation Analysis

16. Starting in May 2024, the council is currently undertaking a comprehensive budget consultation which is due to conclude in December 2024, prior to more formal public participation in Executive in January 2025 and Council in February 2025.
17. By following a staged approach, the council is iteratively building an understanding of both the impact of proposals on different demographics and community groups, together with how partners, businesses and residents can work together to deliver our shared ambitions for the city.
18. The stages the budget consultation is following is below, with the first two phases completed and the third due to start later in October:

¹What	When	Purpose	Consultation activities
Stage 1 - Corporate Improvement Framework	May to June 2024	<p>To understand how to be a more efficient and effective organisation, informing the Corporate Improvement Action Plan and Working as One City transformation programme</p> <p>Feedback is published on the Opendata platform:</p> <p>Corporate Improvement Framework Consultation 2024/25 - Datasets - York Open Data</p>	<p>Resident online and offline consultation</p> <p>Workshops with Trade Unions, staff and partners who participated in the LGA Peer Challenge</p>

¹ [Our Big Budget Conversation – City of York Council](#)

Stage 2 - Our Big Budget Conversation - ideas	July to September 2024	To understand more about what York residents and businesses believe should be the council's priorities and where they would like to see cuts or reductions in services, with all the feedback independently assessed and published on the OpenData platform	Resident and business online/offline consultations Independently facilitated workshops with residents, community groups and businesses Workshops with partners Staff ideas hub
Stage 3 - Our Big Budget Conversation - budget proposals	October to December 2024	To understand the impact and considerations of the proposed cuts or reductions in service	Resident and business online/offline consultation
Stage 4 - Budget approval	January - February 2025.	Public participation in democratic decision making	Executive Full Council

National Context

19. The financial challenges facing Local Government are significant. As outlined in previous financial reports to Executive, many Councils across the country are experiencing significant financial pressures and are struggling to balance their budgets. This is a national challenge but clearly the current economic climate alongside inflationary cost pressures and increasing demand for our services continue to have a financial impact on the Council's budgets.
20. Changes in the way Local Government is funded have masked the reductions in funding for Councils since 2010/11. However, when comparing Core Spending Power (the measure used by Government) whilst this has increased by 6% since 2010/11, in real terms and mainly due to inflation, there has been a reduction in spending power of 28.5% for York.

21. As highlighted in a recent report by the Institute for Fiscal Studies, York is one of the lowest funded Councils in the country, with a national rank of 143 out of 150. If all services are included, such as NHS, Police and Schools York is the lowest funded in the country ranked at 150 out of 150. Based on 2022/23 information, this shows local government funding per person of £727 in York compared to a national average of £865. Just being funded at the national average would increase City of York Council resources by some £27m per year. The continued delays to Fair Funding Reform therefore have a significant negative impact on York and the council will continue to work with the local authority sector to lobby for fairer funding.

Local Issues and Challenges

22. As outlined in previous reports to Executive, the Council is continuing to see significant financial pressures because of inflation and increased demand for our services. There remain underlying budget pressures across both adult and children's social care, despite the allocation of growth each year. All services across the Council are operating in an extremely challenging environment. Whilst these are statutory services that the Council will always deliver to best of our ability, by looking for efficiencies now, we are able to preserve preventative investment that can help to control demand for services in future years.
23. Demand for services continues to increase with an ageing population and with increased complex needs in respect of social care. There are also significant challenges in the health sector, including challenging financial positions for health partners, which are in turn a financial risk to the Council.
24. Nationally there is significant pressure on budgets in children's services. Despite the National Care Review, where Josh MacAlister recommended an injection of £2.6 billion to change the trajectory of future demand and spiralling costs, very little new funding has been announced.
25. It is vital that the financial strategy supports the Council's priorities as outlined in the Council Plan. However, delivering Council priorities at a time of significant financial challenge will require a more transformational, long term approach to continue to reduce

costs overall whilst ensuring resources are prioritised to where they are needed most.

Medium Term Forecast

26. The table below outlines the latest forecast and shows a cumulative budget gap of £29.5m.

	2025/26	2026/27	2027/28
Costs	£m	£m	£m
Pay & Prices	6.5	6	5.5
Cost of capital	1.8	1.9	2.0
Service growth and demographics (social care)	7.9	6.5	6.5
Total costs	16.2	14.4	14.0
Income			
Council Tax	-5.9	-3.9	-3.9
Business Rates growth	-0.4	-0.5	-1
Total funding	-6.3	-4.4	-4.4
Budget Gap	9.9	10	9.6
Cumulative gap	9.9	19.9	29.5

27. The forecast above is based on several assumptions. As referred to earlier in the report, whilst there are indications that the new Government will carry out a spending review and provide multi-year settlements, the national economic picture continues to be unpredictable, and several factors can influence the Councils finances. Any variations from the assumptions used will have an impact on the overall resources available to the Council.
28. At the time of writing, the 2024/25 pay award has not been agreed. An assumption of 5% was made in the budget. For the period ahead a lower rise has been assumed (in line with reducing inflation) of 3%. An allowance has also been made for energy and other contract inflation of 3%.
29. The main assumptions included within the income budgets include a modest growth in business rates income along with a general council tax increase of 2.99% plus a 2% Social Care Precept again for 2025/26. Whilst the MTFS currently assumes a lower increase in future years, it is acknowledged that rises could continue at the higher level.

30. In terms of a strategy to close this forecast budget gap, several strands of activity are proposed. It remains important to ensure we can effectively control our costs in year and therefore the current cost control measures in place across the Council will continue. This will ensure that expenditure continues to be scrutinised and challenged, helping to deliver value for money, identify opportunities to reduce costs whilst also improving accountability and visibility of spend.
31. Officers will continue to closely monitor any Government funding announcements and incorporate the impacts into the financial strategy, as well as reviewing the growth assumptions to minimise these where possible.
32. The strategy for identifying options to close the budget gap over a three year period will include:
 - Prioritisation / service cuts. Given the scale of the financial challenge, it will be necessary to make cuts to some services. It is therefore important to understand that some services may need to reduce or stop completely.
 - A continued focus on organisational efficiency, including restructuring and integrating services to remove duplication and overlap, exploiting the use of technology where possible and appropriate.
 - Developing the capacity to drive transformation across all areas of the Council, including investing in core corporate services to deliver savings. It is vital that we can both transform **and** reduce levels of service provision, so that remaining services continue to be as high performing as possible.
 - A focus on early intervention / prevention solutions that proactively reduce demand on statutory services.
 - A focus on working closely with city partners to explore new and innovative operating models, such as community asset transfer or building community wealth through delivering shared social value outcomes across the council and partners.
 - A focus on securing external funding.
 - An ongoing review of the assumptions used in the MTFs to ensure they are not overly cautious but are realistic and updated regularly to reflect any changes in Government funding.

33. This overall strategy for closing the budget gap will therefore be delivered through a combination of service cuts, cost reductions and efficiencies alongside securing additional external funding. The work that has already begun on shaping a series of service reviews, bringing together an overarching programme of work across the organisation known as the Working as One City Programme will continue. The overall aim of this programme will be to drive change and provide the best outcomes within the overall funding available. This approach will ensure the Council can meet financial savings targets whilst also delivering improved services.

Organisational Impact and Implications

34. **Financial**, this report itself doesn't have any direct financial implications at this stage, but the report outlines that further significant savings are required. The ability of the Council to control its spending and future Government funding announcements will influence the level of savings that are needed.
35. **Human Resources (HR)**, there are no direct implications arising from the budget planning process. Any savings proposals with staffing implications will follow appropriate consultation and HR policies and procedures.
36. **Legal**, there are no direct legal implications related to the recommendations. The Council is under a statutory obligation to set a balanced budget on an annual basis. Any budget proposals and decisions relating to the 2024/25 budget process will be subject to future decision making processes in which legal implications will be considered.
37. **Procurement**, there are no direct implications arising from the budget planning process.
38. **Health and Wellbeing**, there are no direct implications arising from the budget planning process.
39. **Environment and Climate action**, there are no direct implications related to the recommendations.
40. **Affordability**, there are no direct implications arising from the budget planning process. Where any future budget decisions impact on residents on a low income these impacts will be recorded in the individual Equalities and Human Rights Impact Analysis referred to below.
41. **Equalities and Human Rights**, whilst there are no specific implications within this report, the budget itself will be accompanied by an equalities impact assessment and equality issues are considered at all stages of the budget process. Equality

Impact Assessments will be completed for any individual budget proposals.

- 42. **Data Protection and Privacy**, there are no implications related to the recommendations.
- 43. **Communications**, the information set out in this report necessitates both internal and external communications. With ongoing interest in the current state of Local Government funding, we anticipate this report will attract media attention. A communications plan is being prepared to facilitate the communication with residents, staff, and others, that will be required between now and February, when the budget will be set.
- 44. **Economy**, there are no direct implications related to the recommendations.

Risks and Mitigations

- 45. The increased demand for services and ongoing cost pressures across all services, along with the limited funding available to the Council, could mean that there are not enough resources available to support the delivery of the Council Plan. Continued overspending will weaken the Council’s financial position, reducing financial stability and resilience.

Wards Impacted

- 46. All

Contact details

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Background papers

None

Annexes

None

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Meeting:	Executive
Meeting date:	12 th September 2024
Report of:	Pauline Stuchfield, Director of Housing and Communities Sara Storey, Corporate Director of Adults and Integration
Portfolio of:	Executive Member for Housing, Planning and Safer Communities Executive Member for Health, Wellbeing and Adult Social Care

Decision Report: Delivering Supported Housing for Adults with Learning Disabilities and/or Autism at Lowfield Green

Subject of Report

1. Supported housing is a concept that was developed as an alternative to existing care solutions for disabled people. The main principles of supported housing are that disabled people and/or those with autism have control over the support they get, who they live with (if anyone) and how they live their lives. Supported housing assumes that all disabled people and/or those with autism, regardless of the level or type of impairment or medical diagnosis they have, are able to make choices about how to live their lives even if the person does not make choices in conventional ways. Good quality supported housing is vital: providing a safe, stable and supportive place to live can be the key to unlocking better outcomes for disabled people, from tackling poverty and disadvantage to managing crises, rehabilitation or maintaining people's independence.
2. Supported housing supports City of York Council priorities for our population by reducing the number of people who go into long term residential and nursing care as well as reducing the number of

preventable hospital readmissions. It also facilitates timely hospital discharge and enable people to live in a supported environment.

3. Lowfield Green is a new community in the heart of Acomb. The development hosts 140 recently completed homes along with 6 completed self-build homes and a community housing project which is currently under construction. Lowfield Green is an inclusive and welcoming mixed tenure community which aspires to bring generations together. The site delivers a wide range of house types from one- and two-bedroom apartments for over 55s, fully accessible bungalows to large family houses. The development is set around an acre of village green to connect residents with accessible green spaces.
4. The proposal within this paper seeks to complete the community at Lowfield Green. There are currently two undeveloped plots on Lowfield Green; the smaller site is known as **Plot A** and is located at the Dijon Avenue entrance to the site (0.22ha), and **Plot B** (0.44ha) is located overlooking the central green space. These two plots are the final undeveloped areas of the masterplan.
5. This paper presents recommendations for the delivery of specialist housing on Lowfield Green to develop high quality housing provision on Lowfield **Plot A** for adults with learning disabilities and/or autism.
6. The future development of Lowfield **Plot B** has been agreed by Executive in a related report entitled '*Update on the Housing Delivery Programme and the Disposal of Surplus Sites*' which was approved in July 2024.
7. Increasing the specialist housing provision is essential for promoting independence and enhancing quality of life whilst also building a robust housing offer to meet current and future needs and reducing the reliance on out of area placements.
8. Supported housing accommodates people in our communities with significant additional needs; it is therefore essential that it is safe, of good quality, meets residents' needs and fits with the local community. It must also provide value for money for the resident, commissioner, and taxpayer.
9. The quality ultimately determines outcomes – higher quality means individuals are more likely to experience better outcomes, whether that means successfully living independently, navigating and staying out of crisis or managing their health effectively. This not only

results in a better quality of life for residents but can also support more effective use of resources elsewhere for public services and local councils.

10. This paper takes stock of the current housing provision for adults with additional needs within York and sets a vision for supported housing provision in the city to respond to increasing demand and to raise standards.

Benefits and Challenges

11. Creating high-quality specialist housing within the city enhances quality of life for the individuals and their families by ensuring they can stay close to existing support networks within York. The accommodation can be designed and built to meet the needs of the customer group following best practice guidance for supported accommodation.
12. As well as helping to improve people's quality of life by supporting them to live independently, supported housing provides significant benefits to the city and wider partners. Every pound spent on supported housing contributes to positive outcomes for individuals, which can lead to more effective use of resources. This in turn enables these services to deliver better outcomes for vulnerable groups.
13. This paper proposes to utilise Lowfield Green as a first step to providing this new model of accommodation, giving the council greater control of specialist housing provision. The development of Lowfield Green Plot A for specialist housing sits within a wider strategy for increasing supported housing stock across the city which is being developed in response to the future population growth and local needs assessment detailed in paragraphs 40 to 55 of this report.
14. It is proposed that the development of Plot A would be led by the Housing Delivery team utilising the existing skills and resources within the council to expediate delivery and build a council-owned asset which will be available for supported housing in perpetuity. The design of the homes as self-contained apartments will also give flexibility for future use if the demand from emerging cohorts should change. This direct delivery option does require significant financial resource from the council to build the accommodation however the rental income demonstrates that the proposal is indicatively viable and would reduce the future spending on specialist accommodation.

15. The proposal to develop Lowfield Plot A is part of a wider review of the current model of accommodation for adults with learning disabilities in the city. All supported housing for adults with learning difficulties and/or autism within the city is owned by third parties which reduces the council's ability to strategically manage the accommodation options for this cohort. This proposal supports the development of a clear pathway for individuals to access the right accommodation and support at different life stages to promote independence and improve wellbeing.

Policy Basis for Decision

16. The recommendations within this paper intersect with all the core commitments outlined in the Council Plan (2023-27). The development of both plots at Lowfield Green for specialist housing broaden the housing offer for residents who require additional support to provide housing options that promote independence and equality resulting in a positive impact on health and wellbeing.
17. All the homes proposed for development at Lowfield Green Plot A will be developed as recognised affordable housing tenures. The homes will be developed to high environmental standards removing the dependence on fossil fuels and utilising renewable energy to reduce the impact on the environment and reduce the costs to future residents.

Financial Strategy Implications

18. Lowfield Green Plot A is proposed to be delivered directly by the Council and therefore this will require financial resource. The financial viability of the proposal has been modelled extensively to ensure that whilst an initial investment will be required, the development provides a financial return on this investment. To determine viability the appraisal looks at how many years it takes the rental income to pay off the initial borrowing needed to build the properties. The rental income has been stress tested thoroughly and based on the high-level information currently available the project is viable as a housing project.
19. As part of the proposal thorough analysis has been undertaken to understand the current spend on existing provision through third party organisations and the future cost saving that this development

would yield if the housing provision were owned and managed by the council. By clustering the homes in this purpose-built development, the cost of care can be distributed more effectively than it can with the current model where shared houses are located around the city. A clustered accommodation type, as proposed here, brings efficiencies of staffing costs.

20. This paper does not seek a construction budget for the project at this stage, the funding required is to support the initiation of the project and progress the design in order to submit a planning application. A full business case will be presented to the Executive once planning has been submitted.
21. The viability of the proposal will be tested at each RIBA design stage to ensure that as plans develop it is still an affordable proposal. A project team with colleagues from Housing and Adult Social Care will be set up to ensure the design of the project reflects the needs of the future residents and that future residents are engaged in the design process.

Recommendation and Reasons

Executive are asked to:

22. approve the development of Plot A at Lowfield Green for specialist housing for adults with learning disabilities and / or autism utilising the resources of the Housing Delivery Programme working in partnership with Adult Social Care.
23. agree to the allocation of £480k from the Housing Revenue Account for the design development of Plot A at Lowfield Green to carry out design work and allow for the submission of a planning application and note that a future paper will be brought to the Executive to present a full Business Case prior to procuring and appointing a building contractor.
24. approve the use of the York and North Yorkshire Combined Authority Brownfield Housing Fund grant allocation for this site to support the delivery of housing on this plot and to delegate authority to the Director of Housing and Community Services (in consultation with the Director of Governance and the Director of Finance) to enter into the resulting funding agreement.
25. approve the procurement of an external multidisciplinary team to design the homes and submit a planning application for supported

accommodation on Lowfield Plot A and to delegate authority to the Director of Housing and Community Services and the Director of Adults Services and Integration (in consultation with the Director of Governance and the Head of Procurement) to take such steps as are necessary to procure, award and enter into the resulting contracts.

26. Note that officers are considering the options for specialist care providers to deliver support services once the property is constructed and will carry out soft market testing with providers and bring back a recommendation to Executive to accompany the full business case.

Reason: To increase the supply of affordable housing options for specialist housing provision in the City. To mitigate future costs of expensive out of area placements and improve the standard of supported housing in the City.

Background

27. Supported living is a combination of suitable accommodation with some form of care and support on site or in reach. There is usually, but not always a partnership arrangement between the care and support provider and the housing provider or landlord. Care and support can be a condition of tenancy but not always. Essential to the offer is the ability to support people to access quality and affordable housing.
28. The City of York council do not currently hold any stock for the supported living housing offer. Tenancy-based accommodation includes property rented from registered social landlords, not-for-profit and charitable landlords or through private rentals. This is then leased to a care provider, the latter which the authority secure. This leaves the authority with no choice and control should a provider no longer wish to lease this premise, and more commonly should the landlord choose to serve notice in order to return the stock back to general housing needs, some landlords are now considering this is a more secure option.
29. Additionally, the housing offer for supported housing for adults with learning difficulties and/or autism often does not meet the best practice guidance set out in the government's 'National Statement of Expectation' for supported housing as most of the properties in York are shared houses with shared facilities. York's own market position statement tells us that adults with additional needs wish to

transition out of shared houses and into self-contained accommodation as they reach adulthood.

Commissioning model

30. To date, June 2024, there are 41 provisions across nine (9) providers with capacity to accommodate 205 individuals. There are 4 voids across these properties and 32 individuals awaiting a supported living placement.
31. The offer available across York has seen a decline in supported living provisions over the last ten years but more noticeably since the pandemic reducing capacity despite rising demand with little or no plans for new provisions. The last ten years has looked like so;
 - 31.1 In 2013 there were fifty-five (55) premises across nine (9) providers with the capacity to accommodate 188 individuals. The average weekly gross placement cost was £987 per customer.
 - 31.2 In 2018 we saw an increase of both providers and provisions with sixty-three (63) premises across fifteen (15) contracted providers accommodating 225 individuals. The average weekly gross placement cost was £1,391 per customer.
 - 31.3 In 2023, there were 49 provisions across nine (9) providers with capacity of 235, 225 individuals were accommodated within these provisions and there were ten (10) voids on average over the year at a cost of £361k. The average weekly gross payment cost was £1,722 per customer.
32. An ongoing review of our supported living stock and the longevity and sustainability of these as supported living settings suggest that 2 (two) more provisions (5 placements) have given notice to close within this financial year further depleting stock.
33. The lack of capacity within the city has led to costly out of area placements. To date, there are eight (8) OOA placements costing a total of 29k weekly. The last ten years has looked like so;
 - 34.1. In 2013 there were twenty (20) OOA placements costing 15k weekly, an average cost of £750 per individual
 - 34.2. In 2018 there were twenty-seven (27) OOA placements costing 34k weekly, an average cost of £1259 per individual
 - 34.3 In 2023 there were thirteen (13) OOA placements costing 25k weekly, an average of £1923 per individual

35. Given historic trends and emerging cohort data, if no action is taken to increase the provision of supported housing within the city, then the Council will become increasingly reliant on out of area placements. It is predicted that by 2028 the anticipated cost of supported housing could increase by 33%.
36. Though the number of placements has decreased the average cost has increased significantly and this hasn't factored individuals placed in residential services outside of the city as a result of complexity of needs. The decision to place outside the region is usually one with little or no choice given the lack of suitable alternatives within the city.
37. In recent years there has been limited opportunities for providers to develop their services differently towards enabling longer-term, better outcomes and greater independence, and market conditions have limited the ability to effectively steer and shape the market. Ageing tenants and adaptations, age of property and compatibility issues between tenants due to the complexity of needs is causing an increase in the number of voids. The increase in these voids leave providers and landlords liable for the rental costs another deterrent to develop further provisions, the void cost for shared care costs also falls to the authority.
38. The dwelling for any single provision can offer anything from 2-8 bedrooms allowing for capacity of 1-7 individuals. These house types could be considered institutions on a smaller scale none of which aligns with the national published agendas or allows the option of own front door approach. As these dwellings are in fact shared houses this causes a number of issues around compatibility and suitability in such a specific cohort of people.
39. The composition of those living in supported living accommodation has changed over time. There is a greater proportion of those in supported living who are likely to present with more complex needs and require more complex packages of support.

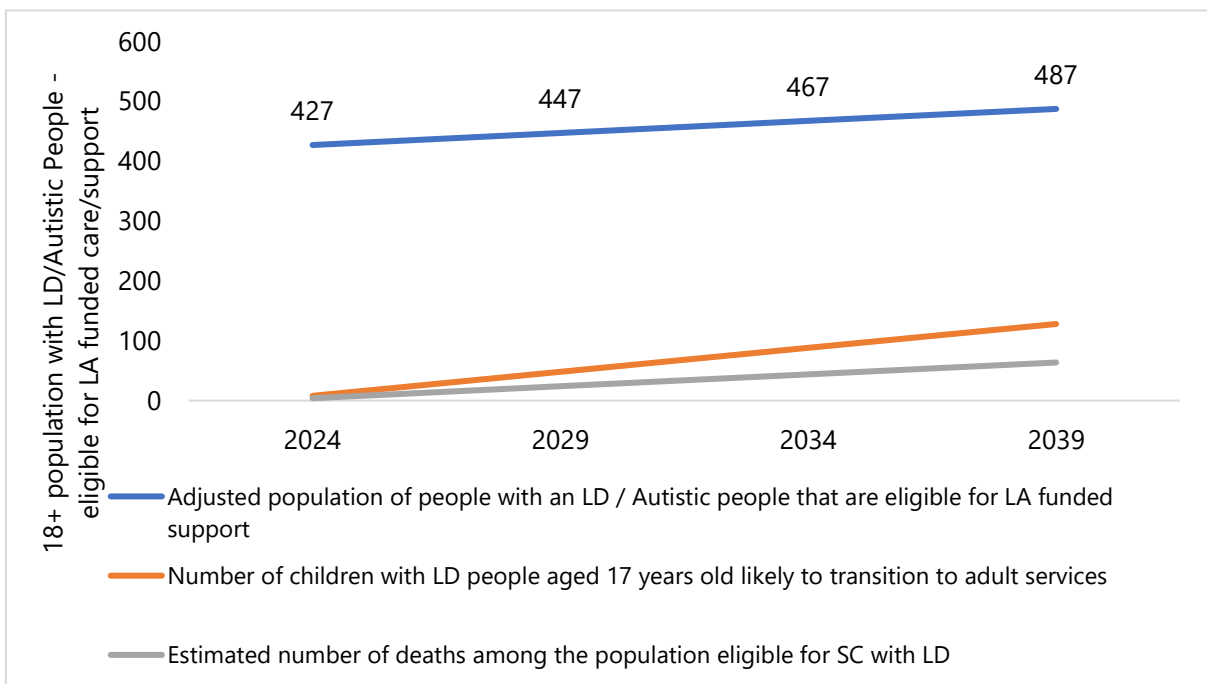
Baseline population and future population estimates

40. To identify the relevant population of people with learning disabilities and/or autism aged 18 and over, who are or who are likely to be eligible for social care and/or health services, the following data has been used:
 - The NHS Short- and Long-term Support (SALT) dataset has been combined with local internal data to provide information on

the number of people with learning disabilities and/or autism aged 18 and over, who are eligible for adult social care support provided by the Councils.

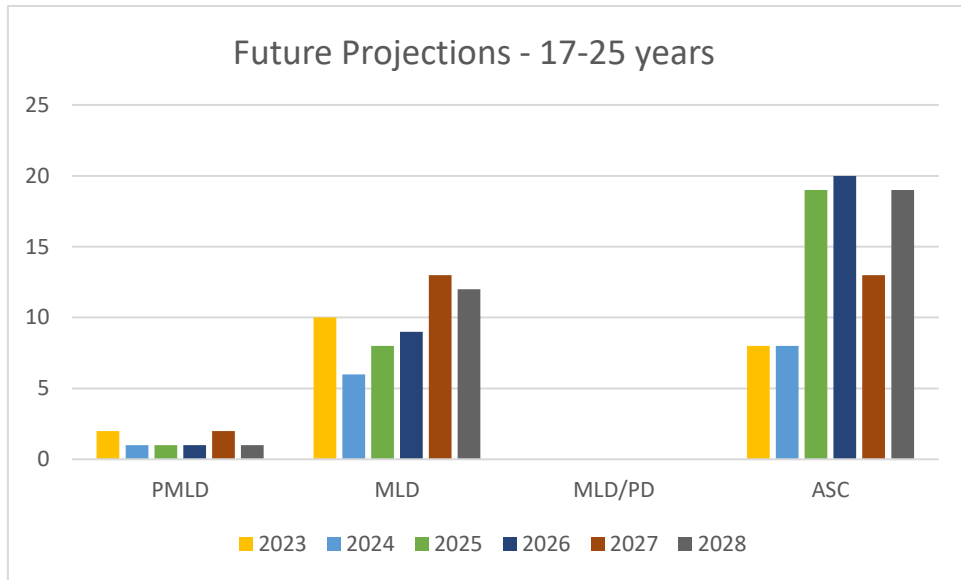
- Internal council data has been provided to supplement figures accessed through NHS SALT data and has been used where more up to date figures are available through the local councils' data.
- PANSI estimates of the population within North Yorkshire aged 18+ with learning disabilities and Autistic people in England and the 2021 ONS census. This is used to estimate the number of people with moderate and severe learning disabilities among the wider population.
- Internal Council data on the number of children and young people with SEN, of which a proportion is likely to have a learning disability and/or autism.

41. Population with learning disabilities and/or autism , who are eligible for council funded care/support in City of York, projected forward to 2039.



42. Based on the evidence considered, the estimated population of people with learning disabilities and/or autism aged 18 and over is anticipated to increase in City of York from 427 in 2024 to 487 in 2039.

43. The chart below shows the needs that are coming through from Education into adult services from age 17-25. These all still have an Education package through their Education and Health Care Plan (EHCP). Some of these individuals already get support from ASC but this may increase as the Education package decreases. There are already three of these individuals in supported living and a further three needing supported living from September 2024.



PMLD Profound and multiple LD MLD Moderate learning disability
 MLD/PD Moderate learning disability/physical disability ASC Autism spectrum condition

Estimated need for supported accommodation for people with learning disabilities:

- 44. The estimate of need for supported housing and accommodation for people with learning disabilities and/or autism is based on the following approach.
- 45. Projections in relation to population growth and estimated need for supported housing and accommodation are based on the following assumptions/considerations:
- 46. There are an estimated 427 people aged 18+ years with learning disabilities living in York City who are eligible for adult social care accommodation with support.
- 47. The 18+ population of people with learning disabilities is projected to increase by 2039, modelled to change in line with the number of deaths across the population with learning disabilities and the

number of 17-year-olds transitioning to eligibility for adult social care in York. This growth takes into account:

- A growing older population of adults with learning disabilities.
 - Young people with disabilities becoming adults
48. Evidence from the council and its NHS partners that there is a need to develop a housing 'pathway' for people with learning disabilities
 49. The use of residential/nursing care is expected to decrease by c.50% by 2039, from c.14% in 2024 to c.6% by 2039.
 50. Supported housing/supported living is expected to increase due to the increasing overall population including young people who will become eligible for adult social care at 18 years, a projected reduction in the use of residential care and the likelihood of people living with older carers (typically parents) becoming unsustainable.
 51. Need for mainstream housing with a care/support package is expected to increase slightly due to the increase in the overall population of adults with a learning disability.
 52. A modest level of growth has been assumed for Shared Lives.
 53. Living with family/friends/informal carers: based on similar assessments with local authorities elsewhere, it is assumed that the percentage of people living with family carers, particularly older carers will decrease by 20% by 2039 as a proportion of older carers are no longer in a position to be able to accommodate and support their adult children with learning disabilities.
 54. Changes in additional supported housing requirements to meet projected housing need and changes in the types of accommodation/supported housing required are based on applying the assumptions above. This is adjusted for identified population change over time.
 55. Assessment of need for housing and accommodation for people with learning disabilities/autism (with eligible care needs), in summary, it is estimated that:
 - 55.1. an additional 30 units of supported housing and 5 shared lives places are needed by 2029;
 - 55.2. an additional 60 units of supported housing and 7 shared lives places are needed by 2034;

- 55.3. an additional 90 units of supported housing and 10 shared lives places are needed by 2039.
56. Developing self-contained accommodation will not only meet best practice guidance and respond to feedback from current customers, it will reduce the cost of void placements as the accommodation will be purpose built, accessible and residents will not be required to share bathroom and kitchen facilities. Each unit of accommodation can be occupied. The purpose-built accommodation will have flexibility and will be better able to meet the needs of these residents.
57. The location of Lowfield Plot A within a newly established and thriving community of Lowfield Green, where 140 new homes have recently completed, makes for an ideal setting for supported accommodation. The development is within close-proximity of the vibrant community of Acomb which hosts a range of amenities such as doctors, day services, a library, shops and cafes all located a short walk away.
58. To date a high-level feasibility has been undertaken which indicated the plot could accommodate approximately 14 homes. The development would be designed to be consistent with the outline planning approval which is sensitive to neighbouring homes adjacent to the site. These properties would be self-contained one-bedroom flats with communal space for socialising and support along with office space for staff. The homes would be designed to high accessibility standards which is critical to supporting adults with learning difficulties as they age or require additional adaptations because of medical conditions.

Consultation Analysis

59. North Yorkshire Council, City of York Council and Humber & North Yorkshire Integrated Care Board are currently drafting a strategic housing needs assessment to provide an understanding of the housing and accommodation needs of people with learning disabilities and/or autism in North Yorkshire, in York, and at the HYICB level (covering North Yorkshire and York). It is intended to provide an evidence base to inform future commissioning intentions and market position statements, to shape the local housing market and to allow for long-term planning to meet the housing and accommodation needs of people with learning disabilities and/or autism.

60. This proposal is part of a larger review incorporating views of current supported living landlords, providers and residents as well as analysis of future need for accommodation with support. The review has emphasised that if the current offer is not improved and additional capacity is not created, the lack of provision would continue to lead to individuals being placed in expensive out of area placements or with other expensive community-based support options creating significant additional budgetary pressures. The review has highlighted ageing within the supported living population and the requirement of specialist focussed services. Alongside this, there is no provision for younger people who may, with training in independent living, move on into more independent living with less support.
61. If approval is granted for the development of supported housing on Lowfield Green Plot A then the principles set out in the Housing Delivery Programme's Engagement Strategy would be enacted to work to design the building in collaboration with local residents and stakeholders in the wider community. Communication regarding the proposal will be issued to local residents and if approval is received, a consultation event will be organised to discuss the proposals and the timeline for development.
62. It will be critical to the success of the project to ensure that individuals with learning disabilities and/or autism along with wider support networks such as families, charitable organisations and the future care provider are central to the co-design process and this will be a key area of focus for the project team when developing the design proposals.

Options Analysis and Evidential Basis

63. A high-level massing study has been undertaken to understand the number of homes that the site could accommodate and it is anticipated that approximately 14 self-contained apartments along with a communal space and staff facilities could be provided on the plot. This provision will aim to provide housing for individuals with mild to moderate care needs. The properties will be designed to high accessibility standards to support individuals to stay in their homes as their needs change.
64. The proposal for 14 dwellings owned by CYC will allow for more certainty of provision than current arrangements as well as

increasing the quality of accommodation available. The proposal will start to reshape and change the offer of supported living within the city. These house types will allow individuals to have their own homes whilst still being able to access regular care and support. The care will be delivered by the provider in a community cluster allowing costs to be proportioned more strategically than it is at present.

65. The new accommodation will be entirely self-contained with no requirement for individuals to share kitchens and bathrooms. This should lead to a reduction in the number of voids across the system as it will make it easier to appropriately place customers. In 2023/24 there was an average of 10 voids in supported living accommodation at any one time, at a total cost to the Council of £361k.
66. An analysis of the current customer base shows that the average cost for individuals in self-contained accommodation is around £31k p.a. less than the cost of individuals placed in shared houses. This is largely due to staffing efficiencies as fewer staff are needed to look after 14 individuals in one setting than would be the case if the customers were placed across a number of smaller shared houses. The new accommodation will allow the Council to place customers at a lower average cost than would be the case if placed in more typical shared house supported living places in York.
67. As outlined in paragraph 31 above the number of available supported living placements in York has fallen over the last year and is likely to reduce further in 2024/25. If no suitable local placements can be found the Council may have to look at placing customers in out of area settings. Currently there are eight customers in such placements, at a total weekly cost of 29k. An analysis of these customers shows that on average the annual cost of placing an individual out of area is £35k p.a. higher than the average annual cost of a customer currently placed in York. Part of that higher cost may be due to the complexity of individual customer needs, however it is reasonable to conclude that the addition of 14 new placements in York will enable the Council to reduce current, and avoid future, out of area placements, and therefore reduce future spend on the supported living budget.

68. The current model is inefficient as properties cannot be filled to maximum capacity due to the requirement for staff areas, for example a 5-bed house can only accommodate 4 residents. Lowfield Green would provide a purpose-built model with separate staff facilities to provide care efficiently at a reduced cost.
69. The proposal has also been subject to a detailed analysis to ensure that this proposal is financially viable based on the rental income generated from the accommodation paying back the initial loan needed to build the property. Supported housing is classed as exempt accommodation and therefore higher rents are charged for these properties compared to general needs stock. Rent in supported housing is higher for a range of reasons for example, the building requires a larger footprint to accommodate communal facilities for support and social activities, the properties and communal areas such as corridors are bigger to allow for adaptations and specialist equipment, there will need to be staff facilities on-site and the specification of homes may be more bespoke to respond to the individuals' needs.
70. The amount of rent payable in supported housing varies considerably and therefore rent levels have been stress tested to ensure that even at lower rental levels the project remains viable.
71. This paper seeks to establish a budget to take the proposal through design stages (RIBA 0-3) and therefore a budget requirement of £480k is requested to cover the multidisciplinary team fees, cost consultant and project management fees, legal costs, surveys and internal staffing costs. These are set out below:

Description	Design Stage costs
Legal Fees	£10,000
Valuation Fees	£1,000
Planning Fees	£6,000
Design team	£230,000
PM Fees	£30,000
QS Fees	£23,000
Staffing Cost	£50,000
Surveys	£65,000
Contingency	£65,000
Total	£480,000

72. This work will allow the submission of a planning application. The funding requirement of £480k will be met using a combination of allocated Brownfield Grant from the Mayoral Combined Authority (MCA) and s106 affordable housing contributions. To date, £140k of grant from the MCA has been secured on this site in the initial funding round however, this application was made on the basis of general needs affordable housing rather than supported housing. Given the increased costs of building supported housing, an increased bid of £392k has been submitted in the second funding round to support the proposals set out in this paper. The MCA have been supportive of the ambition to deliver housing for adults with learning disabilities and / or autism and it is expected a decision will be made in September 2024. Whilst we believe that is likely we will receive the grant funding from the MCA, in the event the bid is not successful we would seek to utilise additional s106 affordable housing contributions to ensure there is no borrowing requirement for this design work. A full business case will be brought forward to Executive once planning permission has been approved to request a construction budget.

Organisational Impact and Implications

73.

- **Financial**

The 2024/25 net budget for learning disability supported living placements is £13.3m. Total net spend in 2023/24 was £13.6m, an overspend of £508k against the 2023/24 budget.

As shown in paragraph 55 above the number of Supported Living placements needed in York is expected to grow over the next 15 years. Paragraph 31 demonstrates how the price of placements have increased over the last 10 years. The development of new accommodation at Lowfield will help to meet this increased demand. The accommodation will also allow the service to place customers at a lower average cost compared to existing shared accommodation due to efficiencies in staffing costs, and reductions in voids and out of area placements (para 64 to 66 above). The development of Lowfield should therefore reduce the amount of growth that is likely to be required in the Supported Living budget over the next few years to meet the predicted increase in demand.

As outlined in paragraph 20 a full business case will be presented to Executive once planning has been submitted. A more detailed analysis of the impact of the proposed new accommodation on future costs / growth will be included in the business case.

- **Human Resources (HR)**
No implications.
- **Legal**

Planning Law Implications

Any necessary planning permission will need to be obtained for the site referred to within this report (by whoever wishes to develop the site(s)). Each Section 106 affordable housing contribution received by the Council will have to be spent in accordance with the terms and conditions of the Section 106 agreement, which has secured the contribution.

Contract Law Implications

Any grant funding arrangements sought to deliver the proposals set out in this report will need to be reviewed to understand whether the Council's acceptance and use of any such grant funding will comply with the requirements set out within the Subsidy Control Act 2022.

Property Law Implications

The Council has power to dispose of its land (including granting a lease of it). The power is subject to statutory conditions if the disposal is of General Fund/non-HRA land at below market value or for any disposal of HRA land.

Adult Social Care Law Implications

The Council's duties under the Care Act 2014 include the general duty to promote individual wellbeing under s1 and a duty under s5 to promote the efficient and effective operation of the market for adult care and support as a whole and with a view to ensuring that any person in its area wishing to access services has a variety of

providers and high-quality services to choose from. It is considered that this proposal is compliant with the above duties.

In addition, the Statutory Guidance to support implementation of the Adult Autism Strategy includes guidance on local planning and leadership in relation to the provision of services for adults with autism. It is understood that York's new All Age Autism Strategy is currently in progress.

- **Procurement**

Any proposed works or services will need to be commissioned via a compliant procurement route under the Council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015 (soon to be Procurement Act 2023). All tenders will need to be conducted in an open, fair, and transparent way to capture the key principles of procurement. Further advice regarding the procurement routes, strategies and markets must be sought from the Commercial Procurement team.

- **Health and Wellbeing**

The ten-year joint health and wellbeing strategy describes good housing as one of the three key building blocks of health. This paper sets out how the proposed development achieves safe, stable and high-quality supported housing that is near to family members and is designed specifically to meet the needs of people with autism and/or a learning disability.

- **Environment and Climate action**

Efforts should be made to ensure that the development of Plot A at Lowfield Green for specialist housing for adults with learning disabilities and / or autism is delivered in a way that supports the delivery of the Climate Change Strategy.

- **Affordability**

The affordability of housing is a key issue for residents of York particularly those in low-income groups. Whilst rents in supported housing are higher than general needs accommodation, these proposals present lower cost options for supported housing than the current provision within the city.

- **Equalities and Human Rights**

The EIA is attached in Appendix A.

- **Data Protection and Privacy**

Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.

DPIAs helps us to assess and demonstrate how we comply with all our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.

The DPIA screening questions were completed for this report and as there is no personal, special categories or criminal offence data being processed for the options set out in this report, there is no requirement to complete a DPIA at this time. However, this will be reviewed where required, on the approved options from this report.

- **Communications**

This is a project that will undoubtedly provide an improved standard of supported housing. As with most development schemes, there are several minor associated risks that we will prepare for with a robust communications plan, as well as being responsive to any media enquiries.

- **Economy**

There are no economic implications arising from the recommendations in this report.

Risks and Mitigations

74. Rental income generated from the development of Lowfield Plot A: Due to regulation around benefits and the definition of exempt accommodation there is a risk that as a unitary authority it may not be possible for the council to charge the slightly higher rents generally required to make supported housing schemes viable. To overcome this, extensive research has been carried out with other local authorities who develop and own their own supported accommodation along with liaison with sector leaders such as Housing LIN to understand the risk. It is perceived the risk is low however, rental income in the viability model has been stress tested extensively and when combined with the benefits to adult social care budgets the proposal is viable.
75. Rising construction costs: The cost of construction has seen significant increases in recent years and whilst the market has steadied in recent months, there is still potential for cost increases. The high-level design has been costed by an external cost consultant to provide confidence at this stage. Prior to appointing a design team, a clear brief will be written jointly between Housing Delivery and Adult Social Care to set clear expectation around cost per m2. Throughout the design process, cost estimates will be carried out at the middle and end of each RIBA stage to ensure the project remains viable. Gateway reports will be undertaken at the end of each RIBA stage prior to continuing and the contracts with the multidisciplinary team will be structured to allow termination if the project is no longer viable. This reduces the risk of abortive costs.
76. Demand for the service changes: As demonstrated within the report, there is currently a significant undersupply for this type of supported accommodation in the city. There has been analysis of the emerging cohort and this supports that this demand is likely to increase rather than reduce therefore there is minimal risk in that demand will reduce. In the unlikely event that demand for housing for adults with learning disabilities and/or autism reduces, the self-contained design of the building will provide ongoing flexibility so the homes could be used for affordable or supported housing.
77. Consultation with neighbouring community: There is a newly established community at Lowfield Green and ongoing construction work will cause some disruption to both new and existing residents of the neighbourhood and surrounding areas. Early engagement

will be needed to ensure the community feel that their views are incorporated into the design. All future development will need to reduce impacts on neighbouring residents both within the new development and in surrounding residential streets and this will be a primary consideration throughout the design and construction process.

Wards Impacted

78. All

Contact details

For further information please contact the authors of this Decision Report.

Authors

Name:	Sophie Round and Clair-Lou Bailey
Job Title:	Housing Delivery Programme Manager & Commissioning Manager
Service Area:	Housing & Adult Social Care
Telephone:	01904 552 598
Report approved:	Yes
Date:	02/09/2024

Background papers

July 2024 - Update on the Housing Delivery Programme and the Disposal of Surplus Sites' makes recommendations on the disposal of Lowfield Plot B Annexes

All annexes to the Decision Report must be listed.

- Annex A: Equalities Impact Assessment (EIA)
- Annex B: Red line boundary – Lowfield Plot A

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City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Housing and Communities / Adult Social Care		
Service Area:	Housing Delivery and Commissioning		
Name of the proposal :	Delivering Supported Housing for Adults with Learning Disabilities and/or Autism at Lowfield Green		
Lead officer:	Sophie Round		
Date assessment completed:	26 th July 2024		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Clair-Lou Bailey	Commissioning Manager	City of York Council	Housing
Sophie Round	Housing Delivery Programme Manager	City of York Council	Housing

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>To deliver a small plot of land, known as Lowfield Plot A, for the delivery of supported housing for Adults with Learning Difficulties and/or Autism. The report seeks a budget to carry out design and survey work to submit a planning application.</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>The new housing would be designed to meet the guidance from the government 'National Statement of Expectation for Supported Housing'.</p>
1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>Internal stakeholders including Adult Social Care's Commissioning team and operational team, Housing Management and Housing Delivery.</p> <p>External stakeholders will be the future residents and their families as well as the wider community of disabled people. Community engagement with residents living on or around Lowfield green will also be critical.</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 (2023-2027) and other corporate strategies and plans.</p>

The paper seeks support to deliver a small plot of land at Lowfield Green, known as Plot A, for supported housing for adults with learning disabilities and/or autism. This aligns with all 4 Core Commitments made in the Council Plan.

1) Equalities and Human Rights

The paper proposes the delivery of affordable housing for adults with a learning disability and/or autism. The new build homes will be built to a minimum standard of Part M4(2) 'Accessible and Adaptable dwelling' ensuring that the homes provide a good level of accessibility for residents throughout their lives and the ground floor properties will be delivered as Part M4(3) 'Wheelchair accessible dwelling'. Improving the quality of accommodation available to individuals with learning disabilities and / or autism has significant benefits and providing self contained accommodation aligns with the governments 'National Statement of Expectation for Supported Housing' which promotes the individuals right to choice about where they live and the principle of having your own front door rather than sharing facilities with others.

2) Affordability

The affordability of housing is a key issue for residents of York. Whilst rents in supported housing are higher than general needs accommodation, these proposals present lower cost options for supported housing than the current provision within the city.

3) Climate

All new homes will meet high energy efficiency standards and remove the reliance on fossil fuels.

4) Health and Wellbeing

Good quality affordable housing has a positive benefit to the health and wellbeing of the residents. This paper aims to improve access to good quality housing for the city's residents, creating more choice for people with Learning disabilities and / or autism than there is currently available within the city. Reducing the reliance on out of area placements ensure York residents remain in their communities and close to support networks which has benefits to the health and wellbeing of the individual and their wider families and friends.

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	
NHS Short- and Long-term Support (SALT) dataset	Shows the current and emerging need in the LD & Autism cohort to support need for improved and increased housing offer.	
North Yorkshire Council, City of York Council and Humber & North Yorkshire Integrated Care Board draft strategic housing needs assessment	The assessment involved engagement and feedback to input into the increased demand for supported housing in York.	

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	
Engagement work to be carried out directly with both neighbouring community and community of people with learning disabilities and / or autism throughout the design development so we can best design to meet the needs of those impacted by the development.	Community engagement to take place once design team is appointed. Design panel to be set up with adults with LD and Autism to input into plans.	

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	The proposals do not directly relate to age although increasing the accessibility of the homes will help to support disabled people to remain independent in their homes as they age.	Positive	Medium
Disability	The proposals should have a positive impact on disabled people as there will be a greater housing offer to meet the needs of adults with learning disabilities and / or autism.	Positive	Medium
Gender	The proposals do not relate directly to gender. There are no known implications related to gender.	Neutral	Low
Gender Reassignment	The proposals do not relate directly to those undergoing gender reassignment. There are no known implications related to gender reassignment.	Neutral	Low
Marriage and civil partnership	The proposals do not relate directly to marriage and civil partnership. There are no known implications related to marriage and civil partnership.	Neutral	Low
Pregnancy and maternity	The proposals do not relate directly to pregnancy and maternity. There are no known implications related to pregnancy and marriage.	Neutral	Low

Race	The proposals do not relate directly to race. There are no known implications related to race.	Neutral	Low
Religion and belief	The proposals do not relate directly to religion and belief. There are no known implications related to religion and belief.	Neutral	Low
Sexual orientation	The proposals do not relate directly to sexual orientation. There are no known implications related to sexual orientation.	Neutral	Low
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	There is likely to be some positive impact on carers as there may be some adults with learning disabilities and/or autism living at home with parents, who may wish to live independently outside the family home and this proposal offers a supported housing option within the city.	Positive	Low
Low income groups	The proposals benefit low income groups. The homes will be an affordable housing tenure and affordable housing is more accessible to low income groups.	Positive	High
Veterans, Armed Forces Community	The proposals do not relate directly to veterans or the armed forces community.	Neutral	Low
Other	None		
Impact on human rights:			
List any human rights impacted.	Should have positive impact on the right to adequate housing as the policy intends to improve quality of supported accommodation in York.	Positive	Low

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Use the following guidance to inform your responses:

Indicate:

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

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

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

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>The Equalities Impact Assessment at the Annex demonstrates that the proposals have a positive impact on those who are disabled and on low incomes. The Housing Delivery Programme is committed to creating inclusive and welcoming communities and will work collaboratively with stakeholders to ensure the voice of local communities and future residents is heard throughout the design process.</p>	

Step 6 – Recommendations and conclusions of the assessment

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

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

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

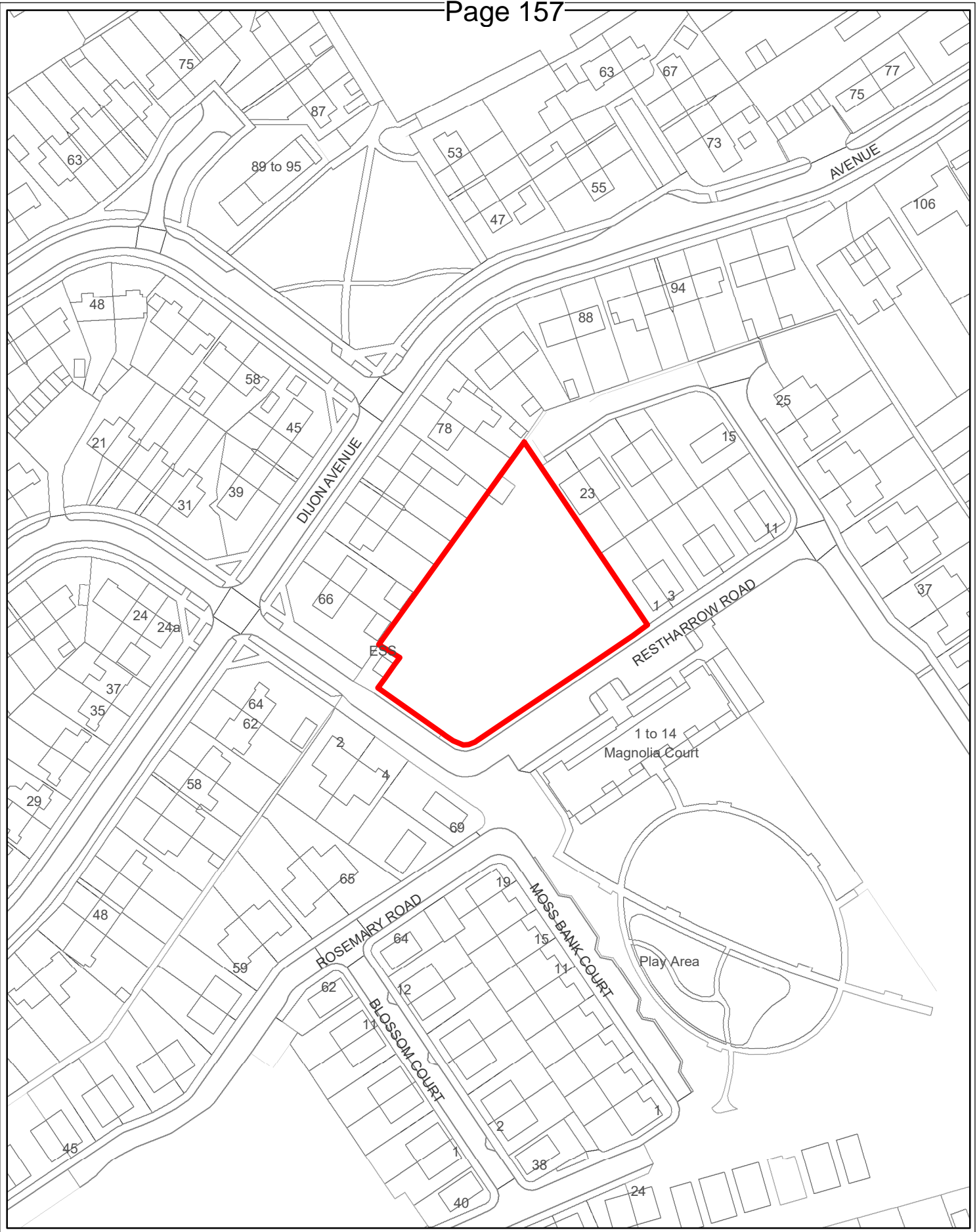
Option selected	Conclusions/justification
No major change to the proposals	The analysis demonstrates that the proposals are robust with no direct impact to individuals or communities with protected characteristics. The Housing Delivery Programme is committed to creating inclusive and welcoming communities and will work collaboratively with stakeholders to ensure the voice of local communities and future residents is heard throughout the design process.

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
Create a design panel to get views of disabled community throughout the design process	Carry out stakeholder engagement and create panel.	Sophie Round / Clair-Lou Bailey.	Nov 2024 onwards
Community engagement to neighbouring resident	Lead engagement events to involve neighbouring community	Sophie Round	Nov 2024 onwards

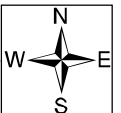
Step 8 - Monitor, review and improve

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?
	Monthly project monitor and Gateway reviews at key milestones. An updated EIA will be presented to the Executive to accompany the full business case once the design work has progressed. The updated EIA will track progress of the actions in section 7 above, and further detail any changes to the impacts of the project.



**Asset & Property
Management**

Lowfield Green Vacant Plot A



SCALE 1:1,250

DRAWN BY: CC

DATE: 05/01/2023

Originating Group:

Asset & Property Management

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Meeting:	Executive
Meeting date:	12/09/2024
Report of:	Director of Children Services and Education
Portfolio of:	Bob Webb Lead Member Children Services and Education

Developing a Special Educational Needs and Disabilities (SEND) Family Hub

Subject of Report

1. Support to families for Children who have SEND can often be a very complex landscape to navigate, despite the best efforts of professionals to reduce handoffs. Support is often needed across multiple services and many different agencies, particularly where a child requires specialist interventions.
2. Whilst we have seen some improvement to support parents through a digital local offer, which puts a map of services in one place, the services themselves and individual specialisms often remain fragmented.
3. The development of a SEND Family Hub in the city would bring practitioners together across different disciplines and agencies within a single physical environment. This would enhance service offers, improve partnership practice, and ensure greater accessibility for families to specialist early advice.
4. A SEND hub will be developed and truly coproduced with families and voluntary providers to ensure it is built and flexibly develops over time from lived experience. As well as bringing together different agencies we will close the gap between professional disciplines and the voice of families by co-locating the parent carer forum and SENDIAS (Special Educational Needs and Disabilities Information Advice and Support Service) within the hub. This will give families a central voice in developing future support, interventions and services.

5. The hub will focus on three strands (see Annex A):
- a) **Provider Services** – Co-locating established provision to provide activity-based support (SNAPPY), Autism focussed activity (York Inspirational Kid’s Autism Hub) and Specialist Early Years Provision (St Pauls Nursery), whilst having multi use space for other voluntary organisations to access.
 - b) **Accessible Advice including Short Breaks and Benefits** – Co location of professional disciplines including Portage, health visitors, Educational Psychology, SENDIASS, YILTS, SEND casework officers, Specialist Teaching Team, a school SENCo drop-in, NHS therapist drop-ins, CAMHS, GP etc, to offer surgery style accessible support as well as work together across professional domains.
 - c) **Inclusive Outreach** – Providing professional advice, support and challenge across the city to ensure accessible early support provision in other key settings including other family hubs, Early Years and Schools

Benefits and Challenges

6. We have undertaken some early engagement work with families to understand their views on the development of a SEND Family Hub. The Parent Carer Forum have shared their full support to develop a SEND Family Hub and have identified several ways **they feel** it would significantly benefit families in York.
- a) **Improved Access to Services:** Central signposting to relevant services.
 - b) **Availability of Support:** Easier access to both professional and peer support.
 - c) **Timely Assistance:** Improved More timely access to support while waiting for specialist services
 - d) **Joint Partnership Working:** Improved cross organisational working for the best interests of young people with SEND.
 - e) **Facilitation of Coproduction:** Greater opportunity to gain parent carer voice to inform health, education and social care services for young people with SEND.
 - f) **Maximised Resources:** Increased awareness and optimal use of existing provisions in the City of York.

- g) Streamlined Services:** Potential for minimising duplication of service provision.
- h) Efficient Use of Funding:** More effective and efficient use of SEND funding.

7. It is well documented that the SEND system across England is under significant pressure and that families across the country share their experience of struggling to access the right support and services. The development of a SEND Family Hub can make an important contribution to helping partners work together and provide early access to specialist support. There are two important challenges to identify at this stage:

- a)** We want our city to be an inclusive city and for children and young people of all needs to be able to engage in all the city has to offer. In creating a SEND Family Hub we need to ensure this is done in a way that can drive inclusion across the city. To address this we are looking to work with partners in health to create a new 'Inclusion Officer'. The Inclusion Officer would reach out from the SEND Family Hub to share learning and drive inclusive practice across the city.
- b)** It is important to remember that the SEND Family Hub sits within a wider SEND Development Plan. The hub will be a great vehicle to improve key parts of the system locally, but it will not address all the challenges we see locally and will take time to fully develop.

Policy Basis for Decision

8. Creating a multi-agency Special Educational Needs (SEN) hub for children and young people is underpinned by several key pieces of legislation and policy. The Children and Families Act 2014 and SEND Regulations 2014 introduced significant reforms to the way support is provided to children and young people with SEN and disabilities. The Act emphasizes the need for coordinated and child-centred approaches, mandating local authorities to work closely with health services, social care, and education providers to create integrated Education, Health, and Care (EHC) plans. A multi-agency hub aligns with this by facilitating seamless collaboration among various stakeholders, ensuring that the diverse needs of our children and young people are met early and efficiently.

9. The SEND Code of Practice (2015), which offers statutory guidance for organizations working with children and young people with SEN and disabilities, reinforces the necessity for a coordinated approach. It calls for local authorities to foster partnerships across education, health, and social care to deliver better outcomes for children and their families. Establishing a multi-agency hub operationalizes this guidance by providing a physical or virtual space where professionals from different sectors can collaborate, share information, and co-develop strategies tailored to individual needs. This not only enhances the quality of support but also ensures that interventions are timely and effectively coordinated, reducing the likelihood of fragmented service delivery.
10. The establishment of a multi-agency SEN hub is firmly rooted in the legislative and policy frameworks aimed at improving the support system for children and young people with special educational needs in England. By promoting integrated service delivery, fostering cross-sector collaboration, and enhancing the personalization of care, the hub will significantly contribute to achieving the overarching goals of the Children and Families Act 2014, the SEND Code of Practice, and related policy directives. This initiative represents a proactive step towards building an inclusive and responsive support network that prioritizes the well-being and development of our most vulnerable young people.
11. The development of a SEND Family Hub aligns with a number of key local strategies. In particular:
 - a) The council plan 'One city for all' (2023 to 2027) – In particular two of our four core commitments; Equalities and Human Rights and Health. The hub could realistically be expected to impact positively on all seven of the council's priorities for the families it supports.
 - b) York's Children and Young People's Plan – The hub would make a contribution for families it serves across all four priority areas; best start in life, happy and healthy, staying safe and ready for the future.
 - c) City of York Local Area SEND Partnership Operational Plan (2023-2025) – The hub would make a direct contribution to the four priorities set out in the operational plan:

- i. **Voice** – the voice of children and young people is paramount
 - ii. **Sufficiency** – the right support is in place in the right place at the right time
 - iii. **Early Intervention** – children and young people’s needs are identified at the earliest opportunity.
 - iv. **Transition** – effective transition is secured so that young people are able to live the best adult lives they can.
12. There is a developing Integrated Care System (ICS) Strategy which strengthens Children and Young People as a priority for which SEND is a key focus. Officers in the Council and the Integrated Care Board (ICB) are exploring the option to form a joint committee. This will formalise partnership arrangements and maximise opportunities to deploy joint funds to develop and deliver on shared priorities. SEND is potentially an area that could be included, and the creation of a SEND Family Hub is an opportunity to test joint planning and integration, setting outcomes together and with providers willing to collaborate.

Financial Strategy Implications

13. The driving aim of creating the SEND Family Hub is to improve access to services and specialist advice and support at an earlier stage. By doing so this will improve outcomes for children and families. It will also provide an opportunity to identify potential areas of financial pressure in the SEND system that could be addressed by working differently. Throughout the development of the hub further work would need to be undertaken to identify specific area of financial pressure that could be addressed.
14. The creation of a SEND Family Hub would be a collaborative effort bringing together local authority resource alongside a contribution from health as well as jointly commissioned services and partner agencies. There may be an opportunity to build on the positive success of the York Community Fund (linked to the Hungry Minds initiative). This could provide a mechanism to develop alternative funding models to help Voluntary & Community Sector partners deliver and build better support in response to need, securing longer term funding shown to be possible through the example of The Place at Sanderson House: <https://theplace.york.ac.uk/>

15. At this early stage of planning, it is proposed to test two new roles:
- a) **Inclusion Officer** – The role of an Inclusion Officer working out of a SEND family hub is pivotal in promoting inclusive practices across the entire city. This officer acts as a central coordinator and advocate for inclusive education, health, and social care services, ensuring that best practices and successful strategies are shared with other family hubs and partners. By leveraging their expertise and the resources of the SEND hub, the Inclusion Officer will enhance the capacity of various stakeholders to meet the diverse needs of children and young people with special educational needs.
 - b) **Hub Front of House** – Learning from the Family Hub pilot activity so far shows that the front of house role in a SEND Family Hub will be crucial in creating a welcoming and supportive first point of contact for families. This role would be responsible for greeting and assisting families, providing them with essential information, and guiding them to the appropriate services and professionals within the hub and beyond. By offering a friendly and efficient service, the front of house staff play a key role in fostering a positive and inclusive atmosphere that sets the tone for the high-quality support provided by the SEND family hub. It is envisaged that this element would be commissioned through the parent carer forum so that the first point of contact is through people who have or are closely associated to lived experience.

Recommendation and Reasons

16. This report seeks approval to create a SEND Family Hub within one of our existing Family Hubs. We have identified that the Clifton Family Hub presents the greatest opportunity to deliver the SEND hub.
17. This will strengthen our local offer to families in time and ensure a more coordinated response to developing complex need.

Background

18. A key impact of well-intended but unsustainable national policy in relation to SEND is that locally families often experience overlapping and disjointed pathways. For families these systems often place process and assessment above practical advice and support.

19. Developing a multi-agency hub of services to support children and young people with additional needs makes strategic and practical sense, primarily due to the benefits of integrated working. By bringing together professionals from education, health, and social care under one roof, the hub puts trust, relationships and seamless support at the heart of how we work together.
20. We would hope that by ensuring that families can access the support they need at an earlier stage this could help to reduce families needing to go through assessments. This would reduce the waiting time for those needing to go through an assessment process. Early and coordinated access to specialist advice and interventions not only addresses issues before they escalate but also ensures that tailored support plans are developed and implemented swiftly.
21. In the last year we have been developing a wider programme of Family Hubs across the city through the Raise York Network (www.raiseyork.co.uk). At its heart the ambition of Raise York is to drive all partners to work together with children and families to improve lives.
22. We will use the learning from Raise York developments so far as a platform from which to develop a SEND Family Hub as set out in this paper. We will also reach out to other local areas that are beginning to develop this approach to learn from them what works well.
23. Our work to develop Raise York and a SEND Family Hub is in the context of closer joint working with health partners. In particular exploring opportunities to bring local authority and health services together in localities. We will ensure the development of our SEND Family Hub is connected with our wider ambitions to work together with health in local communities.

Consultation Analysis

24. Co-Production will be at the heart of developing a SEND Family Hub. We have had initial conversations with key partners and forums representing families with SEND children and young people. The Parent Carer Forum has provided a letter of support outlining the reasons why they feel a SEND Family Hub is needed and the difference they hope this could make. A copy of the letter of support is provided in Annex B.

25. The Parent Carer Forum frequently encounters parents and carers struggling to access the right information at the right time due to various barriers, such as emotional exhaustion, difficulty engaging online, or simply not knowing where to start. The value of a physical location where individuals can walk in, be greeted, and receive appropriate guidance cannot be overstated. As there will be access to multiple services under one roof, this hub will help working parent carers minimise the time taken off to seek support. Additionally, the proposed outreach work will ensure that families unable to travel to the hub can still access necessary services.
26. We are designing co-production in from the outset in how the SEND Family Hub will operate. We expect to bring together various specialists working in the building into a SEND Hub 'committee' or leadership team. This would meet monthly to review what is working well and any gaps/opportunities in how the hub is working. Directly within these meetings would be representatives of SENDIASS and the Parent Carer Forum. This would provide a simple and clear means by which families are instrumental in how the hub develops and responds to areas of need.

Options Analysis and Evidential Basis

27. **Option 1: Continue with current provision and digital local offer** – Failing to develop services and innovate for Children with SEND risks the system becoming more fragmented as demand increases. Families will become frustrated and missed opportunities for early support will increase demand on scarce statutory and specialist resources.
28. **Option 2: Develop a SEND Family Hub** – This will reduce fragmentation across organisations with the targeted outcome of a better customer experience in a complex landscape of services and support. It will provide the foundations for best practice to organically develop with the voice of families placed at the centre of decision making.
29. Although, it can't be the panacea for all complex system issues, it will make a significant contribution in creating an innovative think tank environment for improving future services.

Organisational Impact and Implications

30. **Financial,**

The additional activity to create and run the SEND Hub will require revenue budget to fund the proposed new roles (x2) The final amount will be subject to final gradings but expected to be circa. £90,000 with a proposed 50/50 responsibility across Local Authority and Health. The financial burden to the LA will be met through existing revenue for staffing.

The current Family Hub at Clifton is funded by a combination of revenue budget and income from third party providers. Increasing the number of providers ensures the income is maintained longer term.

If any alterations or adaptations are required to the current premises to allow the operation of the new SEND hub, then capital funding will need to be identified within the Children and Education capital programme.

There will be an element of early years provision within the building which should protect the local authority from capital clawback associated with Sure Start capital grant which funded some of this facility.

31. **Human Resources (HR)**

There will be some requirement for HR support as the service begins to develop the front of house delivery model i.e. through a third sector organisation.

There are no immediate HR implications as the proposal is to create two new posts. This should not impact on current employees. Once the job descriptions are drafted, they will need to be formally evaluated to establish a grade outcome for both. Normal recruitment and selection processes will need to be followed to recruit to these posts.

32. **Legal,** the Children and Families Act 2014 sets out the general principles to which local authorities must have regard when exercising their powers and duties in relation to children with special educational needs and disabilities. The key ideas include having the child and their parents being heard, participating, being kept informed and promoting integration of health and social care provision.

Childrens services is heavily regulated and inspected within a complex and extremely rigorous area SEND inspection Framework.

A SEND hub is likely to contribute effectively to the discharge of the Council's legal duties under the Act and provide the inspectorate evidence of strong and ambitious collaboration.

33. **Procurement**, The service is intending to provide accommodation for existing providers to deliver their services in one place. All the providers being considered are already supported in this respect. Bringing the providers in to one space provides some assurance for service continuity in the future should any single agency fail.

34. **Health and Wellbeing**, The challenges to both the system and to children and families noted in the proposal report are recognised by the Healthy Child Service (HCS), in particular, the lack of join up between services and the resulting delay to children and families in getting timely advice and support following the identification of developmental delay.

The HCS has recently created the role of Specialist SEND Health Visitor/School Nurse following a restructure. (Recruitment planned July 2024). This leadership role is to develop service practice but it's primary remit is in partnership and system development. This role would be well-placed to be a key member within the SEND Hub leadership team and to coordinate activity of other members of HCS staff in the Hub.

35. **Environment and Climate action**, whilst there is no direct impact, repurposing an existing building which is already well equipped to meet the needs of children with SEND avoids the need for a new build or substantially redeveloping an older building.

36. This is an accessible site on a cycle route and therefore convenient for active travel. Professionals based in a single building avoids the need to travel across the city with a positive impact. The building is 2-minute walk from a main arterial road accessible by park and ride and other bus services and close to the outer ring road. Where children are accessing specialist provider provision there will be no additional impact as services of this nature are already in a single community building requiring some travel across the city. The additional role of an inclusion officer will ensure we maximise opportunity for increasing inclusive support across the city within communities. Providing early help will reduce the need for specialist support in some cases reducing the need for multiple appointments which will have a positive impact on the environment.

37. **Affordability**, the proposals in this report ensure that children and young people with SEND have the best start and early help to support their development and opportunities in later life. Those that may struggle to access the service due to low income and/or access to transport will benefit from any outreach service that is developed and resourced,
38. **Equalities and Human Rights**, the Council recognises and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010. It is expected that the proposals in this report will have a positive impact on at least one group with a protected characteristic, and in addition to that on their carers, who the council also considers when assessing the impact of any proposal. A comprehensive Equalities Impact Assessment will be completed once a full offer has been co-produced with families.
39. **Data Protection and Privacy**, data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.

DPIAs helps us to assess and demonstrate how we comply with all our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.

The DPIA screening questions were completed for this report and as there is no personal, special categories or criminal offence data being processed for the options set out in this report, there is no requirement to complete a DPIA at this time. However, this will be reviewed where required, on the approved options from this report.
40. **Communications**, there are no communications implications at present, though engaging families, and stakeholders in the development of the hub, and in shaping and sharing key messages will be an important element of the project if proposals are approved.
41. **Economy**, the recommendation in this report supports the creation of two posts. In addition, professionals working at the centre will contribute to the local ward economy.

Risks and Mitigations

42. The provider services in this model, particularly SNAPPY and YIKS currently have inherent risks associated with small voluntary organisations that rely on the good will and passion of individuals. There are single points of failure which are of concern as these services reduce demand on statutory provision. Bringing providers together to work alongside each other, with the potential to share resources and skills reduces the risk of a single point of failure to sustain them in the long term.
43. Both organisations rely heavily on voluntary contributions with very limited funds. It is hoped that being part of a much more collaborative system may give way for opportunity for larger grant application and/or funding opportunities that arise through government departments. Pilot funding can often favour collaboration between public services and voluntary organisations where there is a strong representation of parent and child voice.
44. Dedicating an existing building (Clifton Children Centre) for the exclusive purpose of a SEND family Hub, will displace a small number of existing professionals, including partners. It is believed the impact of this can be minimised as the project is developed utilising other community provision including the new Clifton Explore Community Hub.
45. The proposed building has extensive adaptations built into its design and therefore does not require further major works to meet the needs of SEND. This would be required of other buildings in the City making other sites cost prohibitive in delivering these ambitious proposals.

Wards Impacted

46. This provision will provide improved access to services for all families of Children with SEND across the city as a central base in which to gain the collective expertise of numerous partners. There will be some direct access to support through surgery type events and direct provision. It is envisaged the events will be replicated through other family hubs in the city through the coordination of an

inclusion officer and specialist provision is already made accessible where appropriate through supported transport.

47. As part of this work, if approved, there is ongoing assessment work required to map limited existing users of the building which may require relocation. It is expected that provision which requires a local base such as maternity would be suitably relocated locally. It is expected that the Family Hub concept would continue to be delivered through our Explore contract as with other Family Hubs in the City with further accessible space being accessed (when available) in the SEND hub.

Contact details

For further information please contact the authors of this Decision Report.

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Background papers

Annexes

Annex 1: SEND Multi Agency Local Offer in 'One Place'

Annex 2: Letter of Support from Parent Carer Forum

Annex 3: Equalities Impact Assessment



Dear [Martin](#),

We are writing on behalf of the Parent Carer Forum - York to express our full support for your proposal to establish a SEND Hub. We believe this initiative will significantly benefit York families in several key ways:

- **Improved Access to Services:** Central signposting to relevant services.
- **Availability of Support:** Easier access to both professional and peer support.
- **Timely Assistance:** More timely access to support while waiting for professional services.
- **Joint Partnership Working:** Improved cross organisational working for the best interests of young people with SEND.
- **Facilitation of Coproduction:** Greater opportunity to gain parent carer voice to inform health, education and social care services for young people with SEND.
- **Maximised Resources:** Increased awareness and optimal use of existing provisions in the City of York.
- **Streamlined Services:** Potential for minimising duplication of service provision.
- **Efficient Use of Funding:** More effective and efficient use of SEND funding.

The Parent Carer Forum frequently encounters parents and carers struggling to access the right information at the right time due to various barriers, such as emotional exhaustion, difficulty engaging online, or simply not knowing where to start. The value of a physical location where individuals can walk in, be greeted, and receive appropriate guidance cannot be overstated. As there will be access to multiple services under one roof, this hub will help working parent carers minimise the time taken off to seek support. Additionally, the proposed outreach work will ensure that families unable to travel to the hub can still access necessary services.

We hope your bid for a SEND Hub is successful and look forward to being actively involved.

Kind regards,

Jennie Hitchins and Emma Smith

Chair and Vice Chair

On behalf of the trustees and members of Parent Carer Forum - York

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SEND Multi Agency Local Offer in One Place



Inclusion Outreach

- Outreach Inclusion Officer
- Teaching Hub - Advice
- SENDIASS
- Parent Carer Forum
- Disability Networks
- Voice and Participation
- Parent Mentoring
- Parenting Classes



Easy Access Specialist Advice

- Portage
- Education Psychology
- Adult Transitions Worker
- Occupational Therapy (Inc Sensory)
- Speech and Language
- Healthy Child SEND Specialist
- Specialist Health Visitor
- CAMHS
- Clinical Psychology - FIRST
- Disabled Children Social Work



Provider Services

- SEND Nursery
- SNAPPY
- Autism Hub
- Specialist Teaching
- Accessible Rooms

← Early Help

Specialist Support →

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Meeting:	Executive
Meeting date:	12/09/2024
Report of:	Martin Kelly, Corporate Director of Children and Education
Portfolio of:	Councillor Bob Webb, Executive Member for Children, Young People and Education

Decision Report: Commissioning of New and Expanded Places for Childcare Reforms

Subject of Report

1. To inform Executive about Department for Education (DfE) capital and revenue grants to commission the creation of new places for the delivery of the childcare reforms and the approach for determining allocations. To seek approval from Executive to the overall programme spend.
2. By approving the overall programme spend it means the creation of new places can be delivered in line with government expectations for the phased introduction of new early education entitlements and expanded wraparound care and to meet demand from parents so that they are able to take up and remain in work.

Benefits and Challenges

3. The benefits of creating new places means that parents will be supported to be able to work full time, more hours and with flexible hours to make a positive difference to families.
4. Children and young people's capacity for positive development is enhanced if they are able to access the broadest range of environments and play opportunities and so the expansion of wraparound care benefits their health development and well being.

5. Access to high quality early education benefits young children's cognitive, language and social development leading to better outcomes at aged five and improving their life chances overall. By creating new early education places more eligible young children will benefit to give them a best start in life.
6. There is also the opportunity to create new jobs in the early years and wraparound sectors as high calibre staff at all levels are required to deliver new and expanded provision.
7. The challenges of this ambitious programme are the scale and pace to deliver the reforms over a phased period up until March 2026.

Policy Basis for Decision

8. *Education and Skills: High Quality Skills and Learning for All*
 - City of York Council 'CYC' has a statutory duty to secure sufficient early years and childcare provision for children aged 0-14 (and up to 18 for children with SEND) which includes early education places for eligible children.

Financial Strategy Implications

9. The expenditure described in this report will be funded from external resources. The revenue expenditure is chargeable to the revenue funding streams discussed in detail in the financial implications paragraphs 31-37 and the capital expenditure will be funded by Department for Education Capital Grant and relevant Section 106 Developer contributions as outlined in paragraph 36.

Recommendation and Reasons

Executive is asked to:

- approve the capital and revenue spend to create new early years and wraparound places to deliver this ambitious government programme.

- approve the use of the DfE 2023-34 Childcare Capital Expansion grant allocation to increase the capacity of early years and wraparound provisions in York and use the DfE Wraparound Programme revenue grant allocation to support the delivery of additional wraparound places for primary school children.
- delegate authority to the Corporate Director of Children and Education, the Director of Governance and the Director of Finance to take such steps as are necessary to develop the grant allocation process, procure, award and enter into the resulting grant agreements.

Reason: To ensure the delivery of new places in line with government expectations for the phased introduction of new early education entitlements and expansion of wraparound care.

Background

10. The Department for Education (DfE) have acknowledged the crucial role local authorities (“LAs”) will play in supporting local early years and childcare markets. From April 2024, eligible working parents of 2 year olds are eligible to access 15 hours early education and care. By September 2025, most working families with children aged between 9 months and 5 year olds will be eligible for 30 hours each week of early education and care. The changes are being introduced gradually to make sure that the providers can meet the needs of more families. The DfE’s 2023-24 Childcare Capital Expansion grant allocation to York is £333.6k. This funding should be used to increase the physical capacity of early years *and* wraparound provision in local areas where demand is likely to exceed existing supply. There are conditions of grant relating to the allocation alongside grant determination and guidance to support LAs how to best use their allocation.
11. The DfE has also allocated £579.2k revenue funding to York to support the creation of wraparound places to make sure all families of primary school children who need it can access childcare between 8am and 6pm. It also supports LA capacity for the delivery of this work. Allocations are administered by a non-ringfenced Section 31 grant. Alongside the allocations there is a programme handbook to give clarity on the programme expectations so that LAs can begin to plan for the implementation of the wraparound

programme, ready to deliver an increase in the availability of high quality, inclusive and sustainable wraparound care.

12. CYC has also been successful in securing £10k from the DfE to support the commissioning of specialist after school provision for children with complex needs. York is the only local authority to successfully secure this funding via a strategic support partner and is the first in the country to test the market for specialist provision, which is sustainable in the longer term. The DfE is keen to capture our learning so far and next steps so that good practice can be shared with other local authorities. As a result of scoping the Early Years and Wraparound Team have revised the timeline for this new specialist provision and aim to commission the specialist provision to be up and running for families in the latter part of the Spring Term 2025.
13. CYC is also in receipt of Section 106 contributions towards the creation of new early years places and these are based on a similar formula to the yields for primary schools. Where appropriate the Section 106 capital contributions should dovetail with the Childcare Reforms capital allocations where this is appropriate and be informed by an evidenced sufficiency need.
14. Timescales are very tight and by early June the DfE expected each LA to confirm its Delivery Plan for capital and revenue spend signed by the Section 151 Officer, so that a value for money assessment can be made by the strategic support partner prior to the release of funding. The assessment includes consideration about reach, increased supply of places, costs, addressing of barriers and alignment with the analysis of supply and demand. CYC's delivery plan has been submitted, assessed and Year 1 funding has now been signed off by the DfE.
15. The new government have confirmed their commitment to the Early Years and Wraparound childcare reforms. They have also have an ambition to open an initial 3,000 nurseries by upgrading space in primary schools to deliver the extension of the government funded hours families are entitled to.

Early Years and Wraparound Analyses

16. In preparing for the reforms a deep dive into sufficiency has been carried out for both early years and wraparound care.

17. Using **wraparound** data collected from a supply and demand analysis, including waiting list information, wards have been identified where there are higher levels of demand than supply. These include Dringhouses and Woodthorpe, Rural West York, Rawcliffe and Clifton Without, Guildhall and Heworth Without. There are also a small number of schools who do not offer or have access to breakfast and after school provision. Based on school census data the DfE has calculated 390 wraparound places should be created in York. However, this does not reflect PVI run provision and the LA calculates there should be 1008 places (629 are an expansion of opening times) created.
18. Using **early years** data collected from a supply and demand analysis the modelling suggests there may be a shortage of 0-2 year old places from September 2024 but there could be sufficient if providers convert some of their existing places to accommodate younger children. For September 2025 modelling suggests there will be a shortage of places for 0-under 3s.
19. For September 2025 a range of places are required. A best-case scenario is around 33 to 117 full time places to be created if existing places are converted for younger children. If providers are unable to convert places, then the maximum number of places needed would be 304 full time places.
20. Ward level analysis is more difficult for early years provision as children do not always access provision within the same ward as their home address however, the analysis suggests there could be a shortage of places during the first two phases of the reforms, assuming families want to access provision in the ward they live. These are: Acomb, Clifton, Fulford and Heslington, Haxby & Wigginton, Heworth and Heworth Without, Strensall and Wheldrake. For some areas the data suggests that there will be sufficient places available if existing vacancies for the 3 – 5 age group are converted to places for the younger age ranges, as is the case for Dringhouses and Woodthorpe, Heworth and Heworth Without and Holgate.
21. The deep dive analyses inform the development of new sustainable, high quality and inclusive places so that there is most focus on where places are needed and not just where the market can respond more easily. CYC is already aware that there should be a focus on more baby places in the Clifton Green area, after school provision in some areas and for children with complex needs, SEND provision and ensuring eligible two-year-olds of non-working parents are not displaced by the new reforms.

22. A facilitation of the childcare market to meet the identified priorities/reforms set out in the analyses should now take place by for example commissioning of opportunities with new and existing providers where there are gaps, targeted recruitment of childminders and encouraging individual providers with the potential for expansion and reconfiguration of existing premises priority areas to create new places.
23. New early years places as well as wraparound provision should grow in a sustainable way and therefore CYC will give careful consideration to the allocation of capital and where appropriate revenue funding, to those settings that can demonstrate they can show viability over a five term period. It will then be up to the market itself to financially sustain the provision.
24. Given tight service infrastructure a small panel and light touch process in line with council procurement requirements has already been tested for the recent creation of new places at Lowfield Green. This was effective and should be followed for future allocation processes.

Next Steps

25. A Procurement Project Board has been established with representation from Early Years and Wraparound, Commercial Procurement, Finance and Legal to support this work and work has commenced to develop the competitive grant application process and associated documentation.
26. It is proposed to set up an Early Years and Childcare panel made up of representatives from the education support service, quality improvement, inclusion, finance and the private, voluntary and independent sector. In line with procurement processes the local authority will promote this competitive grant application process opportunity to new and existing providers. Received grant application bids will be considered by the new panel who will evaluate and score the competitive grant application bids received against described quality and grant funds allocation criteria and make a recommendation to the Corporate Director of Children and Education for final approval.
27. There is an expectation that providers who bid for the funds should have a good or outstanding Ofsted judgement, provide evidence of a sound business plan and commit to creating the new places within a reasonable time frame including a focus on prioritising and

encouraging places for SEND, babies and other vulnerable children aged 0-5.

28. Advice is being taken from the council's procurement team representative on the Procurement Project Board in advance of commencing the competitive Grant application process to ensure that the planned process meets with all of the appropriate procurement guidelines.

Options Analysis and Evidential Basis

Option 1 – Approve the programme spend

29. By approving Option 1 the new places can be created to meet demand from parents for the new early education entitlements and expanded wraparound care.

Option 2 – Do nothing

30. This would mean the new places are not delivered and there would be unmet need across the city with parents being unable to take up or remain in work.

Organisational Impact and Implications

Finance

31. The DfE have made available both revenue and capital funding to support these childcare reforms.
32. Revenue funding for the increased early years entitlements is being provided within the Early Years block of the DSG. This includes provisional allocations for the new working parents of 2 year olds, and the under 2s entitlements. In addition, a small amount of Delivery Support Funding has been made available to local authorities to support the rolling out of these expanded early years entitlements. York will receive £55k from this grant in 2024/25 to fund additional staffing and associated costs to deliver the programme.
33. The creation of wraparound provision for primary aged children is also being supported by separate funding of £253m from the DfE for programme delivery, and £25m for capacity over two financial years,

2024/25 and 2025/26. York will receive a maximum of £579k from this funding (£8k in 2023/24, £385k in 2024/25 and £186k in 2025/26). This funding is to assist local authorities to deliver the objectives of the wraparound programme and it is expected that much of this funding will be distributed to providers to support in either expanding existing provision or setting up new provision. A small amount can be set aside to fund central costs, such as funding a programme lead, the approach which has been taken in York, where we have agreement to use £110k in total.

34. A condition of release of the first tranche of funding for the 2024/25 financial year is the submission of a delivery plan which has now been finalised and signed off by the Section 151 Officer.
35. The current proposals being designed are based around allocating an amount of funding to providers based on the additional places they plan to create, within three separate models of providing new places and wraparound facilities. These are: existing providers offering more places, existing providers offering longer opening hours, and new providers entering the market, with different levels of support being modelled for each, and tapering down the support available as the places become embedded and funded by the market.
36. Capital grant funding totalling £100m nationally has also been made available to support these roll-outs. York received £334k of un-ringfenced capital funding in 2023/24 which is the full allocation from this grant. A scheme is now included within the Children and Education Directorate section of the overall LA Capital Programme. Where appropriate this scheme will be increased by the addition of funding identified from relevant Section 106 developer contributions which have been agreed to fund Early Years provision. Any increases to the scheme and overall progress will be reported to Executive within the quarterly Capital Monitoring reports.
37. York has also been successful in gaining an additional £10k from the DfE to support the commissioning of specialist after school provision for children with complex needs and is the first in the country to test the market for specialist provision, which is sustainable in the longer term.

Human Resources (HR)

38. There are no HR implications.

Legal

39. The grant funding arrangements sought to deliver the proposals set out in this report will need to be reviewed to consider whether the Council's acceptance and use of any such grant funding will comply with the requirements set out within the Subsidy Control Act 2022.
40. Any grant funding agreements put in place to regulate the use of the grant funding by providers will need to ensure the provisions of the DfE grant agreements are reflected and that any Subsidy Control elements are captured appropriately.
41. The Council has a statutory duty under the Childcare Acts 2006 and 2016 and Part B of the Early Education and Childcare Statutory Guidance to secure sufficient early years and childcare provision for children aged 0-14 (and up to 18 for children with SEND) which includes early education places for eligible children.

Procurement

42. The Childcare Capital and Revenue Expansion grant allocation funding for York is provided through the DfE and therefore no direct CYC funding therefore there isn't a requirement to submit a report to the Procurement Challenge Board to obtain approval to commence this grants application process and award of grants. The council's Contract Procedure Rules (CPR's) include specific clauses, 4. Grants, that govern the processes to be followed in order to invite competitive grant applications and assess suitable providers and award grants that provides Best Value to the council and achieve the aims, outcomes for our childcare placements provision.
43. The Procurement Project Board are developing suitable grant application documentation, evaluation criteria, grant agreement legal terms in order to openly advertise the opportunity for suitable childcare placement providers to access the grant application documents on the council's e-Tendering website called Yortender. Suitable providers will be able to access the grants application documentation and consider if they wish to submit an application to be evaluated and considered for the award of grants for capital

works to increase capacity of placements that can be offered and/or revenue grant to deliver those childcare placements.

44. The Procurement Project Board includes representation from the councils Education Support Service team, Legal, Commercial Procurement and Finance teams who will ensure there is compliance with our CPR's, Financial Regulations and the grants are procured and awarded in alignment to the Council Plan and its aims and objectives.

Health and Wellbeing

45. Early childhood education and care can take many forms and is more than just preparation for primary school. It focuses on the holistic development of a child's social, emotional, cognitive and physical needs in order to build a solid and broad foundation for lifelong learning and well-being.
46. New research from the University of Leeds has found that the more time pre-schoolers spent in childcare the more sustained benefits were realised for their development, this included communication and problem-solving skills and personal-social skills. The study demonstrates the importance of early years and how this helps narrow the gap in early development and socioeconomic inequalities.
47. It is likely that the introduction of these extra places will benefit both children and their families for years to come and, for some, will narrow the inequalities they face.

Environment and Climate action

48. There is a risk that the creation of new places could increase private vehicle miles if children are driven individually to and from early years and wraparound provision, leading to increased emissions and reduced air quality. Active and sustainable travel options should be promoted as the primary travel option to parents by providers, and local travel plans addressed where necessary. Care providers should also consider implementing 'no engine idling' policies to ensure, where cars are used, the environmental and air quality impacts are minimised. Mitigation and adaptation provision is being developed locally wherever possible, care providers should take environmental consideration into account to reduce environmental and climate impact.

Affordability

49. Eligible two year olds are provided with early education places up to 15 hours per week (targeted). Three and four year olds are provided with up to 15 hours per week early education (universal). The targeted offer in particular will have a positive impact on low income families and those impacted by the cost of living crisis.

Equalities and Human Rights

50. The Council recognises, and needs to take into account its 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).
51. A full Equalities Impact Assessment has been carried out and is included at Annex A. This highlights positive impacts for lower income groups and disabled children and in particular, provision of specialist after school provision will provide a positive impact for children with profound and multiple learning difficulties (PMLD).

Data Protection and Privacy

52. As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a data protection impact assessment (DPIA). This is evidenced by completion of DPIA screening questions logged under the reference number AD-07975.

Communications

53. This report sets out a positive benefit for parents across the city and will require external communications, both immediately and in the longer term.

Economy

54. York's Economic Strategy 2022-32 recognises the significant role that childcare provides in enabling employment, and includes an objective to "work collaboratively with the childcare sector so parents are supported in taking on employment, children's development is progressed and providers are able to sustainably grow". The recommendations in this report support that objective and represent a positive potential impact on York's economy.

Risks and Mitigations

55. The key risk is the potential failure of CYC to facilitate and expand the childcare market to provide sufficient early years and wraparound places to meet parental demand in line with the reform national deadlines. Statutory sufficiency duties would not be delivered leading to possible legal challenge from parents and reputational risk for the local authority.
56. In preparation for this and to support plans to ensure local sufficiency to deliver the entitlements and wraparound the DfE are monitoring national readiness for implementation. A LA readiness self-assessment is completed on a termly basis to help the DfE understand where support for LAs may be needed going forward and to ensure delivery plans will be in place.
57. The Early Years Team works closely with the DfE and its strategic partner to update on progress, learn from good practice and to escalate issues that require a national solution for local areas.
58. Another possible risk associated with development is gaining planning permission. The planning process requires collaboration on all sides and the Council's planning department will work positively on any proposals with the providers. There is however the need to ensure that the providers work with the Planning Department and engage positively to ensure that there is a positive outcome and permission is secured in a timely manner. Any formal planning submission will need to have sufficient quality of information to support the planning application process, being mindful of local and national planning policy requirements. Education Support Services will work with the

planning department on this significant programme to ensure that there is an effective and expedient process.

59. In mitigation the application documentation will make it clear that any increase in financial costs arising from the planning process and any possible delays should be borne by the provider themselves.

Wards Impacted

60. All wards are impacted by this decision.

Contact details

For further information please contact the authors of this Decision Report.

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Background papers

Capital Programme Outturn report for 2023/24 – Executive Committee
18th July 2024

Early Years and Childcare Reforms – Children, Culture and Communities Scrutiny Committee 23rd January 2024

Annexes

- Annex A: Equalities Impact Assessment (EIA)

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	People		
Service Area:	Education and Skills, Children and Education		
Name of the proposal :	Commissioning of New and Expanded Places for Childcare Reforms		
Lead officer:	Maxine Squire, Assistant Director, Education and Skills		
Date assessment completed:	24 th July 2024		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Barbara Mands	Head of Education Support Service	CYC	Education Support

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>To inform Executive about Department for Education capital and revenue grants to commission the creation of new places for the delivery of the childcare reforms and the approach for determining allocations. To seek approval from Executive to the overall programme spend.</p>

1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>The council has a duty to provide:</p> <ul style="list-style-type: none"> - sufficient early years and childcare as far as is reasonably practicable to meet the requirements of parents in their area who require childcare or parents who need childcare to be able to work or to undertake training or education to prepare for work. - sufficient childcare for children aged 0-14 (and up to 18 for disabled children) and for early education places for eligible children. <p>Legislation and statutory government guidance supports the operational delivery of these statutory duties and this is subject to change on a frequent basis.</p> <p>The proposed reforms are to expand early education entitlements and increase the supply of wraparound care.</p>

1.3	<p>Who are the stakeholders and what are their interests?</p> <p>The key stake holders are:</p> <ul style="list-style-type: none"> • The Council to carry out their statutory duty to deliver sufficient childcare and early education places • Providers who deliver and early years and childcare places. • Parents/carers and their families who need early education places and childcare to be able to go out to work. • The children and young people who are attending early years and childcare provision. • Employers who need to recruit and retain staff to support their businesses.
1.4	<p>What results/outcomes do we want to achieve and for whom?</p> <p>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>To ensure sufficient early years and childcare places across the city to meet the needs of families in York. To ensure all eligible children are able to access a funded early education place. This links directly to the Council Plan 'A better start for children and young people' and the ambition to 'Continue to prioritise gaining improved outcomes for our most disadvantaged children and young people in the city'. It also ensures there is a focus on more baby places in the Clifton Green area, after school provision where there is unmet need and for children with profound and multiple learning difficulties, inclusive provision and ensuring eligible two-year-olds of non-working parents are not displaced by the new reforms.</p>

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>
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Source of data/supporting evidence	Reason for using
	<p>This is a national programme of early years and childcare reforms and should be rolled out locally. The local authority has carried out a local analysis of supply and demand and used local intelligence from the childcare sufficiency data provided by early years and wraparound care providers, provider and parental surveys, evidence from quality improvement visits to settings, information received by the early education entitlements team and feedback from the regular opportunities to engage with the sector during informal briefings and termly Leaders and Managers sessions. The DfE has also provided data to CYC on an early analysis of demand.</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	
Changing parental demand is difficult to predict including the additional financial impact of rising cost of living pressures on the settings. It is unknown how many parents taking up existing places will 'convert' to expanded entitlements.		Ongoing monitoring via surveys with parents and providers and ongoing sufficiency updates.	

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	The provision of places ensures that eligible children are able to access early education.	+	L
Disability	The provision of places must be accessible and reasonable adjustments should be made for SEND. The provision of specialist after school provision will provide a positive impact for children with profound and multiple learning difficulties (PMLD).	+	L

Gender	No Impact	0	
Gender Reassignment	No Impact	0	
Marriage and civil partnership	No Impact	0	
Pregnancy and maternity	No Impact	0	
Race	No Impact	0	
Religion and belief	No Impact	0	
Sexual orientation	No Impact	0	
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	No Impact	0	
Low income groups	Eligible two year olds are provided with early education places up to 15 hours per week (targeted). Three and four year olds are provided with up to 15 hours per week early education (universal).	+	L
Veterans, Armed Forces Community	Children of Armed Forces families can access early education places as part of the universal entitlement. Childcare for Service Children - Eligible Service personnel can register for up to 20 hours per week, per child, term time only (39 weeks per year) of wraparound childcare funding for 4 to 11 year old children (4 to 16 year old if in	+	L

	receipt of certain disability benefits) attending before and after school childcare in the UK.		
Asylum Seekers	Children of Asylum Seekers can access 15 hours per week for disadvantaged two year olds (targeted) and 15 hours per week for 3 and 4 year olds (universal entitlement).	+	L
Impact on human rights:			
List any human rights impacted.	None	0	

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	<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>A Childcare Sufficiency Assessment Action Plan and Wraparound Delivery Plan have been developed to mitigate against the challenges and potential sufficiency gaps highlighted in the annual assessment.</p> <p>The Local Authority will continue to maintain an overview of the market in terms of both supply and demand, working with other agencies and partners, including the skills team, economic development team, Job Centre Plus, Employers and colleges and universities to explore solutions to the current recruitment and retention issues which are impacting on sufficiency. Our excellent relationships with providers across all sectors will continue to be maintained in order that we fully understand the issues they are facing and work closely with them to understand how they can be supported to remain sustainable and continue to offer high quality, affordable and accessible early years and childcare places for children and young people. The early years teams are working closely with procurement, finance and legal services to ensure the correct procedures are followed in commissioning the new and expanded places. The early years teams has also been successful in securing £10k from the DfE to support the commissioning of specialist after school provision for children with complex needs and this should support those with profound and multiple learning difficulties.</p>	

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>	
	<ul style="list-style-type: none"> - No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review. 	
	<ul style="list-style-type: none"> - 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. 	
	<ul style="list-style-type: none"> - 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 	
	<ul style="list-style-type: none"> - 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>Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
	Option selected	Conclusions/justification
	Continue with the proposal	The impact has been reviewed and the report about commissioning the new and expanded places for the childcare reforms acknowledges the current challenges and risks to delivery and the impact on the early years and childcare sector and the mitigations put in place.

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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
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?
	Ongoing assessments and surveys will be carried out to understand the impact of activities.



Meeting:	Executive
Meeting date:	12/09/2024
Report of:	Sara Storey- Corporate Director of Adult services and Integration (DASS)
Portfolio of:	Cllr L. Steels-Walshaw -Member for Health, Wellbeing and Adult Social Care

Recommissioning of Advocacy Hub Services in York

Subject of Report

1. The Council of the City of York (“**CYC**” or the “**Council**”) and York Mind first entered a statutory contract on 1st April 2017 for the provision of the York Advocacy Hub (the “**Contract**”) after a full competitive tendering exercise was completed. The Contract is due to come to an end on 31st March 2025.
2. The purpose of this report is to seek approval from Executive to go out to the market and commence a competitive tender process to re-procure the Advocacy Hub service in York. This will enable CYC to go through a process that is fair, open, and transparent, and will ensure CYC secures value for money and the best outcomes for our residents.
3. The total contract value of the Advocacy Hub contract that will be advertised to invite competitive tenders is £1,994k over the term of the contract, which is for an initial term of 3-years, with an option to extend for up to a further 2-years from 1st April 2025. The Council and NHS Humber and North Yorkshire Integrated Care Board (“**HNYICB**”) both contribute towards the current contract. The ICB currently contributes £52k a year and has agreed to contribute this amount for the term of the contract including inflationary uplifts. The first year’s annual value will be £396k.

4. The commissioned service will be flexible enough to allow for the Council to respond to changes in demand, and changes in legislation; specifically, the possible implementation of the Liberty Protection Safeguards (“LPS”), Mental Capacity (Amendment) Act 2019.

Benefits and Challenges

Table 1 – Pros and Cons detail
<p>Advantages (Pros)</p> <ul style="list-style-type: none"> • The Council continues to meet its Statutory duties under the Care Act 2014, Mental Capacity Act 2005, the Health and Social Care Act 2012 and the Mental Health Act 2007. • There are no adverse effects to residents currently in receipt of advocacy services, in terms of the continuity of their advocacy support. • CYC will be fully compliant with CYC’s Contract Procedure Rules (“CPRs”) and the Public Contract Regulations 2015 (the “Procurement Regs”) and from 28th October 2024 the Procurement Act 2023 (the “Procurement Act”) by tendering the Advocacy Hub Service on our tender tool YORtender. • Offers an important opportunity to shape the Advocacy Hub Service with a re-developed specification outlining clear expectations of service delivery and outcomes for our customers. • Providers will progress through a neutral selection process with clear set obligations and the selection will be made based on a rigorous evaluation of what CYC requires. • The new Contract will have an initial term of 3-years, with an option to extend for up to a further 2 years (5-year Contract).
<p>Disadvantages (Cons)</p> <ul style="list-style-type: none"> • The expiration of the current contract without another in place to replace it would mean that the Council would fail to meet its statutory duty. • Previously (prior to April 2017), advocacy provision was not as joined-up as it could be, with an impact on resident experience and officer time. By continuing to take an open approach and combining the stages of the process, it will improve the offer to residents by making access faster and taking account of the different service needs.

Policy Basis for Decision

5. The All-Age Commissioning Strategy, Market Sustainability Plan and the 10-year vision 'People at the Heart of Care: adult social care reform paper' clearly outlines that the Council will work with existing providers within the market to provide sustainable, quality and value for money services.
6. The Council's statutory duties to provide rights to advocacy are set out in the following:
 - a) Care Act 2014 - Section 67-68
 - b) Mental Capacity Act 2005 - Sections 35-41
 - c) Mental Health Act 1983 - Section 130A.
 - d) Health and Social Care Act 2012- Section 185
7. Advocacy Services in York directly support the achievement of The Council Plan 2023 to 2027, One City, For All, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:
 - a) Health-Improve health and wellbeing and reduce health inequalities.
 - b) Equalities and Human Rights- Equality of opportunity.

Financial Strategy Implications

8. The total funding envelope for this procurement over the next 5 years is £1,994k. This includes £1,714k of Council funding and £280k of Health funding. This is affordable within the existing commissioning budget. However, in order to cover off a long standing overspend within this contract, the budgets managed directly by the Head of All Age Commissioning have been rebased which gives little flexibility to find future budget savings from this area.
9. There is no specific efficiency identified against the overall contract value due to the rising demand of advocacy services (see para 18).
10. It should be noted that there is a small element of non-statutory service provided within this contract which is felt to be preventing more serious of escalation of referrals (see para 18).

Recommendation and Reasons

11. Executive are recommended to:

- a) approve the procurement of a new Contract for the Advocacy Hub Service for an initial term of 3-years, with an option to extend for up to a further 2-years, and to delegate authority to the Corporate Director of Adult Services and Integration in consultation with the Head of Procurement (or their delegated officers) to take such steps as are necessary to carry out the procurement.
- b) delegate authority to the Corporate Director of Adult Services and Integration, in consultation with the Director of Governance and the Head of Procurement (or their delegated officers), to take such steps as are necessary to award and conclude the Contract for the Advocacy Hub Service and to determine the provisions of any subsequent modifications and/or extensions thereto post award.

Reason(s): The option proposed will comply with CYC's CPRs, the Procurement Regs and the Procurement Act in terms of completing an open, fair, and transparent process as the market has not been approached since 2017.

Further, the provision of the Advocacy Hub Service ensures the Council meets the statutory duty of the Care Act 2014, the Mental Capacity Act 2005, the Health and Social Care Act 2012 and the Mental Health Act 2007 to maintain a stable and sustainable care market. The Council would also meet the needs vulnerable adults identified as benefiting from non-statutory advocacy.

Background

12. The current Advocacy Hub model was commissioned in April 2017, for three years to 31st March 2020 plus the option of a further two-year extension, (with subsequent waivers) that expires on 31st March 2025, as a single referral point, holistic and coherent service pathway which meets all statutory advocacy requirements and a range of lower-level non-statutory interventions and materials which will impact on demand levels. A single contract minimises back office and transactional costs and deliver best value.

13. The Hub provides both statutory and non-statutory generic advocacy. They include:
- Independent Mental Capacity Advocacy (“**IMCA**”),
 - paid Relevant Person’s Representative (“**RPR**”),
 - Independent Mental Health Advocacy (“**IMHA**”)
 - Care Act Advocacy
 - NHS Complaints advocacy
 - Non-Statutory Generic Advocacy
14. Through a multi-skilled advocacy team, the Hub ensures responsiveness to fluctuations in demand whilst maintaining continuity of service to clients requiring different forms of advocacy provision.

15. **Legislation Update**

The Liberty Protection Safeguards (“**LPS**”) were introduced in the Mental Capacity (Amendment) Act 2019. LPS will provide protection for people aged 16 and above who are or who need to be deprived of their liberty to enable their care or treatment and lack the mental capacity to consent to their arrangements, in England and Wales. The previous government had committed to bringing LPS into force to replace the Deprivation of Liberty Safeguards (“**DoLS**”) and then announced on 5th April 2023 that the implementation of the LPS will be delayed "beyond the life of this Parliament". Further updates following the election are awaited. The service will be required to maintain responsiveness to evolving advocacy requirements, including adherence to the LPS regulations as they come into effect.’

Contract Monitoring and Performance

16. The Service has been able to demonstrate positive outcomes regarding the following areas.
- a) *Services are responsive/positive customer experience:* - advocates work in a person-centred way to understand the client and ensure that the client has a positive experience. The service has consistently responded in line with target timeframes for statutory streams except for **RPR** (Relevant Person’s representative) but have been able to reduce this significantly

with the triaging and prioritisation and how to allocate a set advocate for each care home.

- b) *Advocacy that is accessible for all:* - Information about the advocacy service is provided in multiple formats including easy read, in appropriate and accessible language. Training of staff example non-instructed advocacy, in recognising the different needs of those with more impaired cognition, in order that they are effectively supported. The Care Act advocacy and IMCA includes supporting young people (generally 16+) who require transition to care into adulthood.
- c) *Empowering vulnerable people:* - facilitate a Learning Disability self-advocacy forum for individuals to develop their self-advocacy skills, and we have an advocacy steering group. Though due to lack of funds the self-advocacy in York only has 1 hr a week for facilitation, this has been raised as an issue and the retendering offers new ways to remodel the contract. The York self-advocates are currently working to design a Learning Disability Partnership Board.
- d) *People with increased skills and confidence in advocating for themselves:* - The results show overall a significant positive impact, particularly in clients feeling they are being listened to more and have more access to services which meet their needs including increased confidence to interact with the community around them, for example, promotion of the NHS Complaints pack on the providers website leading to reduction in requests for an NHS advocate.
- e) *Partnership working:* - Advocates regularly signpost clients to a wide range of organisations and services and support them to access these. This includes Peasholme, with welfare benefits agencies, with the Council's social care, housing and other departments, Local Area Co-ordinators, York District Hospital, TEWV, Healthwatch, PALS team (York Hospital), Partners in Care, Foss Park, Mill Lodge and Clifton House hospitals, and care homes. This allows good communication, partnership working and information sharing which is beneficial for our clients.
- f) *The rights of vulnerable people are upheld:* - All advocacy provision, whether instructed or non-instructed, will involve a person's rights in some way and the advocate's role is to ensure that a client's rights are upheld. For non-instructed advocacy, there are a range of approaches which may be used to support

the client, including the 'rights-based' approach, which, for statutory advocacy (IMCA and RPR roles) makes use of legislation such as the Mental Capacity Act 2005 (MCA) and the Deprivation of Liberty Safeguards (DoLS), in addition to drawing on written guidance, standards and procedures regarding quality of care and care provision (e.g. Care Quality Commission standards). Clients who are informal patients can now have access to an IMHA but using the general advocacy service.

- g) *Improved quality of life and independence for vulnerable people:*
- Advocates promote options for people, they help the client to understand viable options and explore the person's wishes and views, their likes and dislikes, what is and isn't important to them, so that person-centred decisions can be made.
- h) *Individuals are treated with dignity and respect:* - All advocates work under the framework of the Advocacy Code of Practice, which provides practical application guidance for the 11 standards/principles of the Advocacy Charter. These standards include clarity of purpose, empowerment, a person-centred approach, equal opportunities, and accessibility. General and NHS advocates will always meet with their clients, find out their preferences
- i) *Increased awareness of advocacy issues with voluntary and statutory organisations:* - developed a stream specific advocacy flowchart for professionals to help them understand our service and referral criteria. Advocates have regular engagement and safety meetings with Stockton Hall Hospital managers and developed a plan for IMHA work to be carried out effectively and safely. Regularly attend the Safeguarding Subgroup and meet quarterly, to contribute around safeguarding themes and raise awareness with other services of how advocacy can support with safeguarding processes.

Current Position

IMHA increased sessions

17. The Service has had a significant increase in the number of sessions in Independent Mental Health Advocacy (**IMHA**). This is due to several factors detailed below.
- Due to limitations on community resources, placements, care packages, etc discharges have been significantly delayed, so admissions are then prolonged

- An increase in frequent re-admissions, often due to quick deterioration, an unsafe discharge and/or lack of support in the community
- Increase in time around preventing unsafe discharges.
- Disputes around funding for placements or care have increased, causing increased work and contributes to unsafe discharges.
- Delays for allocations of necessary community professionals such as care co-ordinator's, social workers, ICB, etc who can complete assessments, search for placements, apply for funding.
- The acuity of patients being admitted over the last year has meant the complexity of the case is increased, opportunities for early intervention have been missed, so treatment takes far longer and is more resistant.
- Patients have requested input of an IMHA and have wanted their advocates to support in many of their meetings, most meetings, tribunals and managers hearings can take between 2-4hours to complete.
- IMHA's have attended an increased number of Care, Education & Treatment Reviews (**CETR'S**) - Children and Adolescent Mental Health Services (**CAHMs**) inpatient and Care & Treatment Review (**CTR's**)-adult inpatient, these can take the majority of a working day.

18. Overall cases are becoming more complex and taking a lot more time, this is due to pressures nationally across all services, funding issues, lack of staffing, limitations of services- there's numerous complications across the entire sector, making case work take far longer. Below is an indication of the current hours and session increase in the last two years of the contract.

Table 2: Summary of Activity 2022 to 2024

	Apr 22 – Mar 23		Apr 23 – Mar 24	
	Total Referrals	Sessions	Total Referrals	Sessions
IMHA	353	5625	374	5878
IMCA	262	1707	296	5473
Care Act	113	3023	116	3489
NHS	29	759	26	833
General	125	1550	83	2051
Parental				549
	882	12664	895	18273

19. *General Self-advocacy*- Increase in the provision of hours for advocates that support this stream. This is essential to support individuals speak or act on their own behalf as a member of a group or individual. A proposal has been put forward for an increase from 1hour a week to 7 hours a week. This will also support the development of the Learning Disability Partnership Board (**LDPB**).
20. *Parental Advocacy*- As seen on table two, the sessions have gone up significantly. There is a statutory element of parent advocacy where parents with learning difficulties/disabilities are offered the support of an advocate to help them understand and engage in the process with the Council including child protection proceedings which have been priorities by the advocates.

Future Service Delivery

21. It is expected that the sharp increase in demand is a one off and last year's activity levels will stabilise to reflect 2022-23 activity levels. Links with Better Care Fund and work with Mental Health Hubs in York will ensure that services are interlinked to ensure reduced levels of frequent readmissions and prevent pressures across the system.

Engagement

22. Methodology

A survey was conducted after the pre-election period from 15th July 2024 to 18th August 2024, that was accessible in different formats to ensure voices of our customers are heard. The survey engaged with stakeholders and residents involved with advocacy services. We also engaged with groups of individuals with learning difficulties/disabilities. This included a meeting with Brunswick Organic Nursery to hear their views about advocacy support and with York People First (**YPF**) self-advocates to discuss the need for an increase in support for self-advocates to assist with developing the LDPB.

23. Summary of Survey and engagements

- a) Most people that responded to the survey were aware of York Advocacy Hub. The main way people found out about the hub was through the council, followed by other organisations and healthcare services.
- b) The responses to the survey were mainly from people who have used the Hub on behalf of someone they support, followed by those who work or volunteer in health and social care.
- c) The majority of respondents confirmed that the support received was making sure views, wishes and feelings were heard. Other common support types were making important decisions, Care Act advocacy and understanding rights.
- d) Most people felt positively about York Advocacy Hub; finding the service to be very helpful and finding it quite easy to get support. Feedback suggests that most of the time, the service successfully supports people to have a voice.
- e) From the group discussions, people told us that more support for self-advocacy was important, and it was clear that there is a need to improve people's awareness of what advocacy is, and what York Advocacy Hub offers.
- f) Overall, the responses suggest there needs to be a reduction in waiting times for advocacy. We are aware that the waiting list for non-statutory general advocacy is currently up to 75 weekdays. The other most suggested improvements were an increase in the number of advocates; better promotion of the service; allowing more people to be able to get advocacy support, and more support for self-advocacy.

Please refer to **Annex A**- City of York Advocacy Provision Customer Feedback, for the full report analysis.

Organisational Impact and Implications

Financial Implications

24. The current cost of the advocacy contract is £395k, of which £52k is funded by the ICB and £343k by the Council. This can be met from existing budgets.

25. The current pricing model (block contract) offers value for money to the council and ICB. The spot charge averages at £30 to £35/hour across advocacy services which is in line with market rates.

26. Below is the contract value profiled over 5 years (£'000):

	CYC contribution	Health cont.	Total
Yr1 25/26	342.8	53.6	396.4
Yr2 26/27	342.8	55.2	398.0
Yr3 27/28	342.8	57.0	399.8
Yr4 28/29	342.8	57.0	399.8
Yr5 29/30	342.8	57.0	399.8
		Total	1,994.0

Procurement Implications

27. Procurement Regs/Light Touch Regime

- a) The council and NHS Humber and North Yorkshire Integrated Care Board (“**HNYICB**”) wish to jointly procure by going out to the market and commence a competitive tender process for an Advocacy Hub service in York. This will enable the council and HNYICB to go through a competitive tender exercise that is fair, open, and transparent by publishing tender documents and inviting competition to be evaluated and consider for the award of this contract which will provide Value for Money and the best outcomes for our customers. CYC will lead on the procurement.
- b) The procurement of the Advocacy Hub service York is funded by both the Council and the HNYICB and will need to comply with the current Public Contracts Regulations 2015 and also the applicable Light Touch Regime threshold of £663,540 which applies for the procurement of health care, social care, education and other applicable services as defined within the “Procurement Regs” Annex A CPV (Common Procurement Vocabulary) codes. This will therefore require an open, fair, transparent procurement exercise which will be advertised through a published Contract Notice for suitable interested providers to access the published tender documents and consider submitting tenders for the council and HNYICB to evaluate and consider for the award of this contract.

- c) The HNYICB is a public sector body and therefore is also required to comply with the “Procurement Regs” and the Light Touch Regime threshold for the procurement of this Advocacy Hub service York through the combined HNYICB and CYC budgets which are an estimated total contract value of £1,993,983.50, over the contract period of an initial contract period of 3 years with the option to extend for a further up to 2 years.
- d) The Council and NHS Humber and North Yorkshire Integrated Care Board (“HNYICB”) both contribute towards the current contract. The current total ICB Contribution is £ 53.6k, that is, 13% of the contract and the council contribution is £342k which equates to a total contract value of £396k for the first year and therefore for the total contract period including extensions and ICB uplift is £1,993,983.50. Therefore, this procurement will comply with the Public Contracts Regulations 2015 and the Light Touch Regime threshold of £663,540 where a contract notice is published on the ‘Find a Tender’ website and the tender documents will be available to access on the Yortender website
- e) The Advocacy Hub services procurement exercise will include appropriate evaluation criteria weightings for quality and price and these weightings will reflect the key evaluation criteria that the panel will evaluate in order to identify the bidder that represents best value. This may include consideration of an increase to the quality evaluation criteria weightings above the standard 60% quality, then a waiver will be submitted for consideration of any change to the quality evaluation weightings prior to the commencement of the procurement. Underpinning this procurement will be the principle of obtaining value for money for both the council and HNYICB and therefore an appropriate price evaluation criteria/methodology will be developed to robustly assess how bidders will utilise the total contract value for the initial contract period and any extensions.

Human Resources (HR) Implications

- 28. There are no CYC HR implications if the current providers are successful in winning the contracts,
- 29. If there are no successful providers and given that this is a statutory service, and the service was therefore ‘In-sourced’ it is likely that

TUPE would apply assuming that the employees attached to the undertaking fulfil the criteria to TUPE.

Legal Implications

30. The procurement of a new Contract will enable CYC to comply with its statutory duties as set out in the body of the report including obligations under:
- a) *The Care Act 2014 Sections 67 to 68*
 - b) *Mental Capacity Act 2005 Sections 35 - 41*
 - c) *Mental Health Act 1985 Section 130A*
 - d) *Health and Social Care Act 2012 Section 185 and the Local Government and Public Involvement in Health Act 2007 Section 223*

Health and Wellbeing Implications

31. It should be noted that the detailed statutory provisions give the Council some discretion as to how and what level of service is provided and the arrangements that it considers to be “reasonable” may take different forms to the existing arrangements.
32. In any decision the Council must consider the advantages and disadvantages of different options to comply with principles of decision making set out in the Constitution and those which apply to all public bodies as a matter of law.

Equalities and Human Rights Implications

33. CYC recognises, and needs to take into account its 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).
34. An **Equalities Impact Assessment** has been carried out and is annexed to this report at **Annex B**. In summary, the result of the assessment is set out findings from EIA.

The impact of the proposals on protected characteristics has been considered as follows:

- Age – Positive/High
- Disability – Positive/High
- Gender – Positive/Low
- Gender reassignment – Positive/Low
- Pregnancy and maternity – Positive/Low
- Race – Positive/Medium
- Religion and belief – Positive/Low
- Sexual orientation – Positive/Low
- Other socio-economic groups including:
 - Carer - Positive/Medium

Data Protection and Privacy Implications

35. Data Protect Impact Assessments (“**DPIA**”) are an essential part of our accountability obligations. Conducting a DPIA is a legal requirement for any type of processing, including certain specified types of processing that are likely to result in a high risk to the rights and freedoms of individuals. Under UK GDPR, failure to conduct a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines. A DPIA is a ‘living’ process to help manage and review the risks of the processing and the measures the service area(s) have in place on an ongoing basis. It will need to be kept under review and reassess if anything changes.
36. The DPIA “screening questions” identified there will be processing of personal data, special categories of personal data and / or criminal offence data in the procurement of Advocacy Hub service and the ongoing provision of this service and so a DPIA is required as part of the ongoing project/ plan/ procurement. The DPIA will help to:
- systematically analyse, identify, and minimise the data protection risks of this project
 - assess and demonstrate how we comply with all our data protection obligations.
 - minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what we want to achieve.

Communications Implications

37. We would expect communications to be involved for the duration of this process, including and any post-tendering engagements. With the council's ongoing conversations around the wider financial budget, there is likely to be significant scrutiny of all monetary decisions that CYC make. Involving third parties in council activity brings about its own challenges and will need robust stakeholder management and transparent communications, particularly when it comes to decision making and contract management with any associated parties.

Options Analysis and Evidential Basis

38. **Option 1(recommended). Advocacy Hub Model:** - Approve the procurement of a new contract for the Advocacy Hub Contract for an initial term of 3-years, with an option to extend for up to a further 2 years.

-Pros

- a) Compliance with Contact Procedure Rules (**CPRs**) and (where applicable) the Procurement Regulations or the Procurement Act would reduce any challenges from the market and provide an important opportunity of improving services. The competitive tendering process enable the Council to go through a process that is fair, open, and transparent, and will ensure CYC secures value for money and the best outcomes for our customers.
- b) The Hub offers a single referral point, holistic and a coherent service pathway which meets all statutory advocacy requirements and a range of lower-level non-statutory interventions and materials which will impact on demand levels.
- c) A single contract minimises back office and transactional costs and deliver best value.

-Cons

- a) Demand may increase beyond budgetary capacity, but regular contract monitoring will identify this early so that remedial action is taken.

39. **Option 2 - Lead Provider Model** - Approve a new contract with a new lead provider model offering a streamlined access and continuity for people accessing the service who require various types of advocacies, and service capacity is used efficiently. The lead provider would subcontract a non-statutory advocacy to another organisation to take advantage of people with particular needs who require advocacy services e.g., learning disability self-advocacy, parental advocacy and community advocacy.

-Pros –

- a) Compliance with CPRs and (where applicable) the Procurement Regs or the Procurement Act would reduce any challenges from the market and provide an important opportunity of improving services. The competitive tendering process enable the Council to go through a process that is fair, open, and transparent, and will ensure CYC secures value for money and the best outcomes for our customers.
- b) The lead provider model ensures services are efficient, accessible and support people to navigate service options most appropriate to need, for example, learning disabled adults.
- c) Sub-contracting option would allow for the involvement of several organisations if the requisite expertise did not exist within a sole/lead provider

-Cons

- a) Funding constraints within the Council and ICB. Lack of or insufficient advocacy providers to subcontract non-statutory element as benchmarked with neighbouring councils.

40. **Option 3-** Approve a new contract with only the statutory elements of advocacy, that is IMHA, IMCA, RPR, Care Act advocacy and NHS Complaints.

-Pros

- a) This would meet the financial envelope of the council.

-Cons

- a) Would go against Council Plan on equalities and human rights, e.g., generic advocacy such as self-advocacy, supporting people with learning disabilities advocate for themselves.
- b) Cause pressure on the system for people who don't qualify for statutory advocacy but require advocacy support, e.g., those experiencing homelessness, facing domestic violence or parental advocacy.

Recommended Timelines

41. If the recommended approach is adopted the timeline for implementation of sensory service will be the following:

27 th Aug 2024:	CMT Briefing
12 th Sep 2024:	Executive CMT
Oct-Nov 2024:	Tender Process
Nov-Dec 2024:	Evaluation and award of the contract
Jan-Mar 2024:	Implementation Phase
1 st April 2025:	New Service offer commences

Risks and Mitigations

Table 3 – Risks and Mitigations	
Risk	Mitigation
Tendering the Service does not mean that there is a guarantee of Providers bidding for the Advocacy Hub service, and this would lead to CYC not providing statutory service.	A notice will go out to our existing service providers and out via our YORtender service to advertise widely. A market engagement will also be conducted to consult with potential suppliers before starting the procurement process. Providers have verbally expressed an interest for the service being recommissioned.
Increase in activity year on year especially on IMHA may lead to a demand in the service.	Whole system approach with links with Better Care Fund and work with Mental Health Hubs in York will ensure that services are interlinked to ensure reduced levels of frequent readmissions and prevent pressures across the system.
Timescales to reprocur the Service are sufficient currently but if there	The procurement timeline incorporates sufficient time for the tendering exercise,

are delays within the process this may not allow sufficient time to embed the new service if there is a new Provider.	contract evaluation, contract award with a 3-month mobilisation period.
Risk of litigation from clients if statutory service not available under various legislations/advocacy streams and is a Human Rights issue.	There is a commitment from both CYC and HNYICB to go out for tender before contract expiry.
Resource implications for various departments to enable this project to be successfully delivered.	This is a priority project for all departments involved. All departments are aware of this activity and the implications on resource including HNYICB.
If the incumbent Provider is not successful it will take time to establish a new Provider.	This will be managed through a detailed tendering process asking for evidence and reassurance of any areas of concern including a detailed implementation and mobilisation plan for the 3-month period assigned for this activity.

42. Risks are regularly reviewed and managed with required mitigations and controls put in place to minimise likelihood and impact.

Wards Impacted

43. All wards will be impacted as this service is provided for all areas in York. The Equality Impact Assessment in **Annex B** provides details of the potential impacts and how this will be managed whilst this service is tendered and implemented.

Contact details

For further information please contact the authors of this Decision Report.

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Date:	19/08/2024

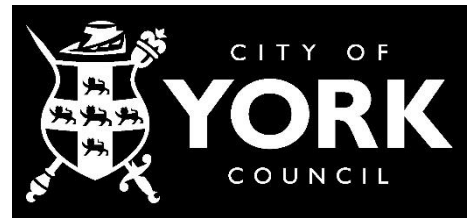
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Date:	19/08/2024

Annexes

- **Annex A:** City of York Advocacy Provision Customer Feedback
- **Annex B** – Equality Impact Assessment (EIA)





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York Advocacy Hub

Resident Feedback Report

August 2024

Alternative formats	
If you require this document in an alternative format (e.g. large print, braille, BSL, audio or Easy Read) you can:	
	Email us at: cycaccessteam@york.gov.uk
	Call us on 01904 551550 and customer services will pass your request onto the Access Team
 <p>Video Interpreter</p>	Use our BSL Video Relay Service: www.york.gov.uk/BSLInterpretingService Select 'Switchboard' from the menu 

Background

City of York Council (**CYC**) has a statutory duty to provide advocacy services for its residents under the Care Act 2014, Mental Capacity Act 2005, the Health and Social Care Act 2012 and the Mental Health Act 2007.

Advocacy means getting support from another person to help you express your views and wishes, and help you stand up for your rights. Someone who helps you in this way is called your 'advocate'.

CYC and Humber and North Yorkshire Integrated Care Board (**HNYICB**) currently funds York Mind to provide advocacy support services for young adults and adults, under the name York Advocacy Hub.

The current contract for the service ends on 31st March 2025 and we are in the process of reviewing the support that is provided before the new contract is agreed.

To help shape the new contract, we conducted a survey. We wanted to hear from people who have used advocacy services or might need to in the future. We also wanted to hear from their families, friends and carers, and professionals who come into contact with advocacy services. We hoped this would give us a better understanding of:

- people's experience of using the service
- what works well and what needs to improve

The survey was open for 5 weeks from 15 July 2024 to 18 August 2024.

We also met with two groups of people with learning disabilities; one of which is a group of self-advocates. We are also arranging to meet with another group to hear from more people with learning disabilities. We hope to continue this engagement to get ongoing feedback on the service.

This report summarises the outcome of the survey and discussions.

What we did

- We produced two questionnaires: a standard version (Appendix 2) and a shorter, Easy Read version. We also produced an Easy Read version of the standard questionnaire.
- We offered different ways to complete the survey, including online, by email (with help to access a computer if needed), by hand or with help to complete it over the phone.
- We promoted the survey through the council's website and newsletters. We also invited a wide range of stakeholders and

partner organisations to give their views and share the survey with the people they support and wider networks.

- Paper copies of both versions of the questionnaire were distributed to all libraries in York, along with posters.

Survey responses

We received 43 responses to the standard survey. We did not receive any responses to the shorter Easy Read survey.

Question 1: Are you aware of York Advocacy Hub?

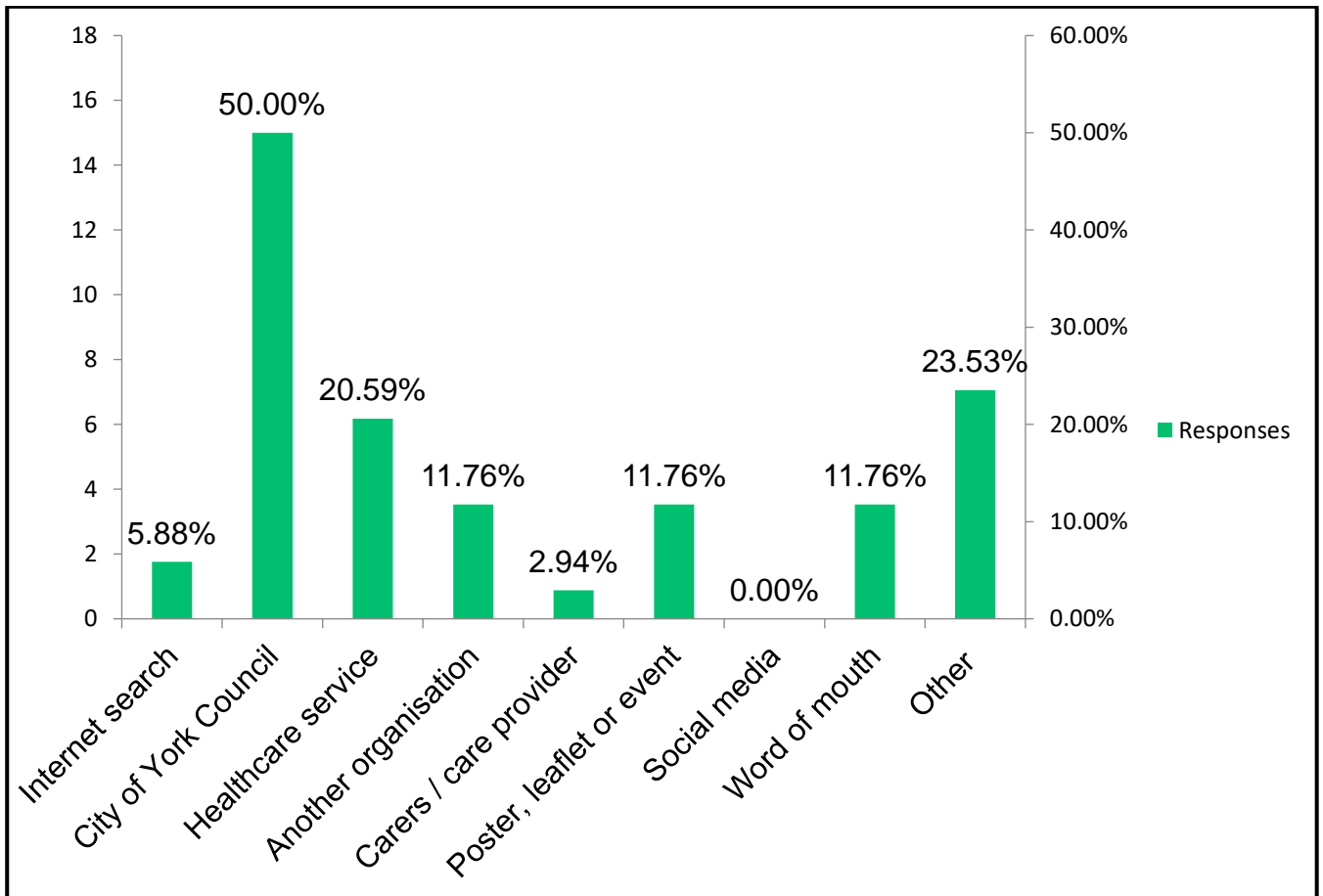
Most people that responded (81%) were aware of York Advocacy Hub.

Question 2: How did you find out about York Advocacy Hub?

Half of the respondents found out about the advocacy hub through City of York Council. This was by far the most common response, followed by 'other' and through healthcare services.

Those that had responded 'other' were aware of the hub because of their work, and supporting people that may need to use advocacy services.

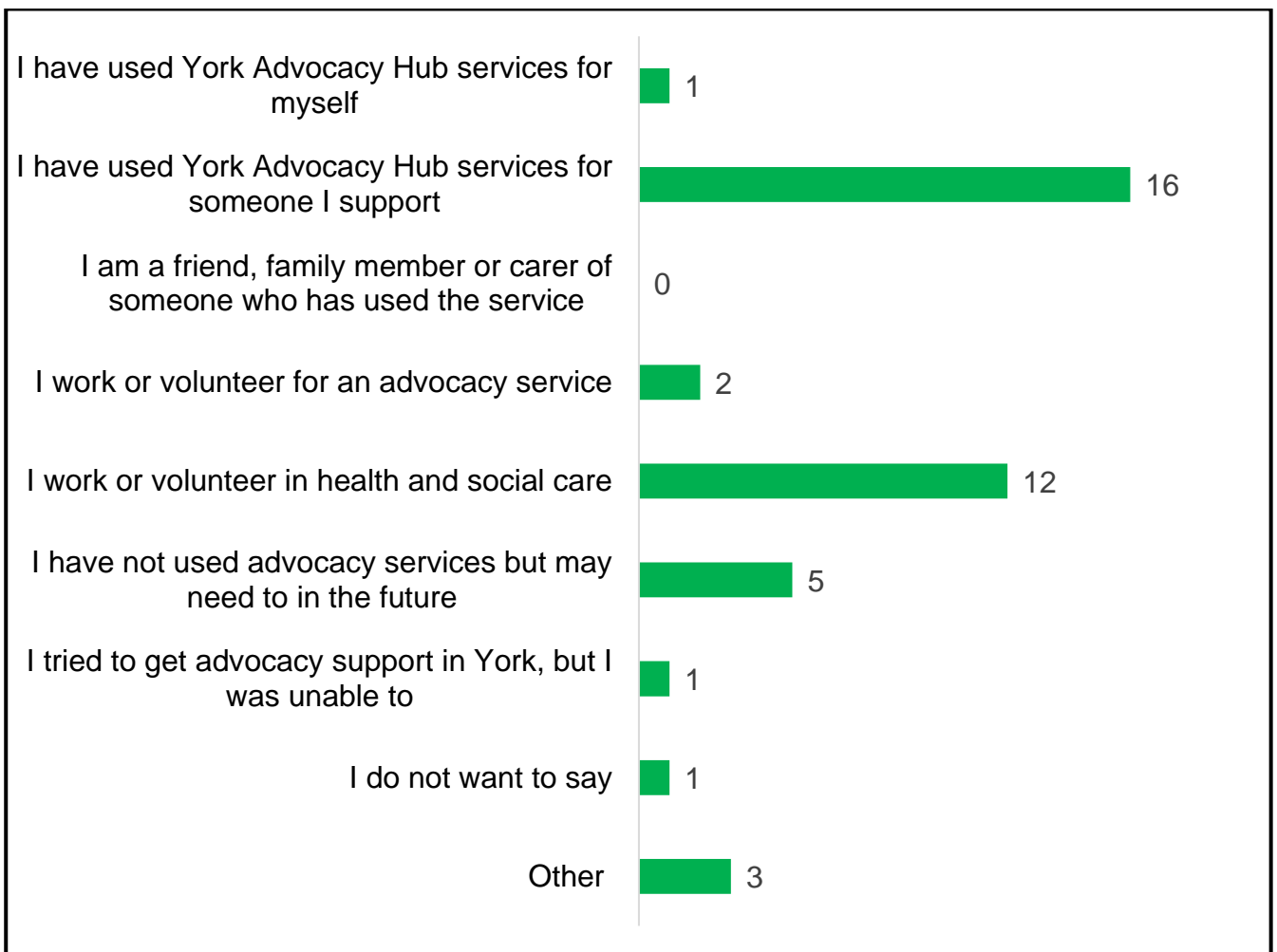
Figure 2: How people found out about York Advocacy Hub



Question 3: Which of the following statements best describes you?

- 39% of respondents (16 people) had used York Advocacy Hub services for someone they support.
- 29% of respondents (12 people) work or volunteer in health and social care.
- Only one person had used the service for themselves and five people answered as people that may need to use advocacy services in the future.
- One person confirmed they had tried to get advocacy support but were unable to.

Figure 3: How people described themselves



Question 4: What support did you (or the person you know) get from York Advocacy Hub?

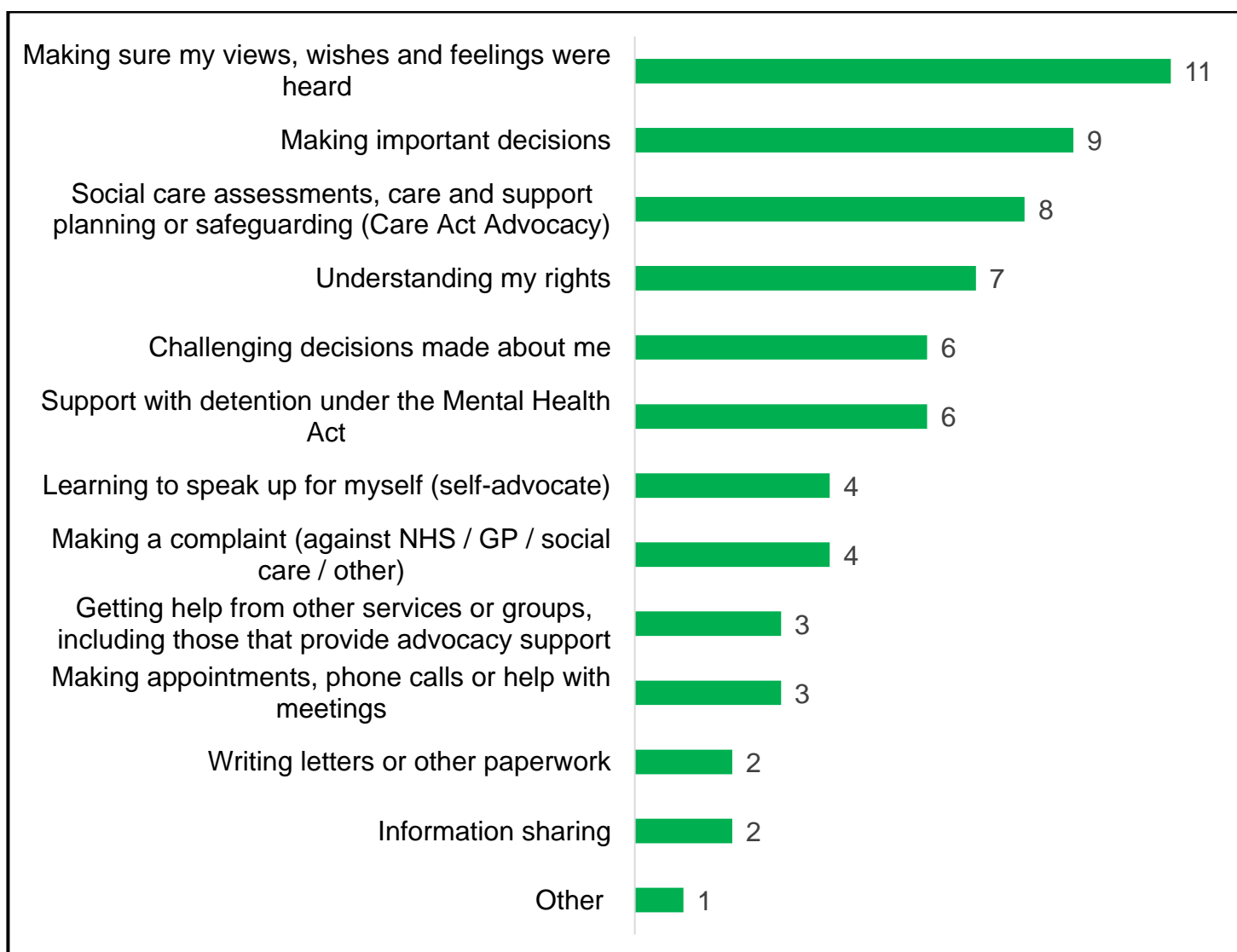
19 people answered this question.

The types of advocacy support people had received the most were:

1. Making sure my views wishes and feelings were heard
2. Making important decisions
3. Social care assessments, care and support planning or safeguarding (care act advocacy)
4. Understanding my rights

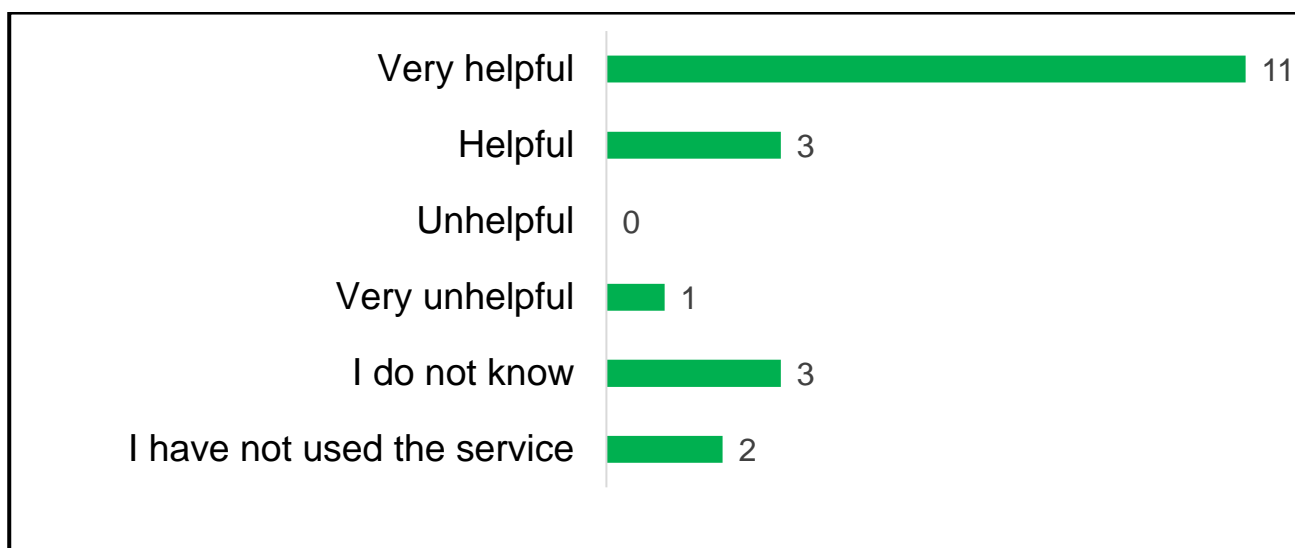
One person confirmed that York Advocacy Hub provided practical support in the community to help an individual view accommodation and to ensure they were not rushed to make a decision.

Figure 4: The types of advocacy support people received



Question 5: How helpful was York Advocacy Hub?

Figure 5: How helpful people found York Advocacy Hub



This question included a free text option for people to tell us the reason for their answer. 20 people responded to this question. Of those:

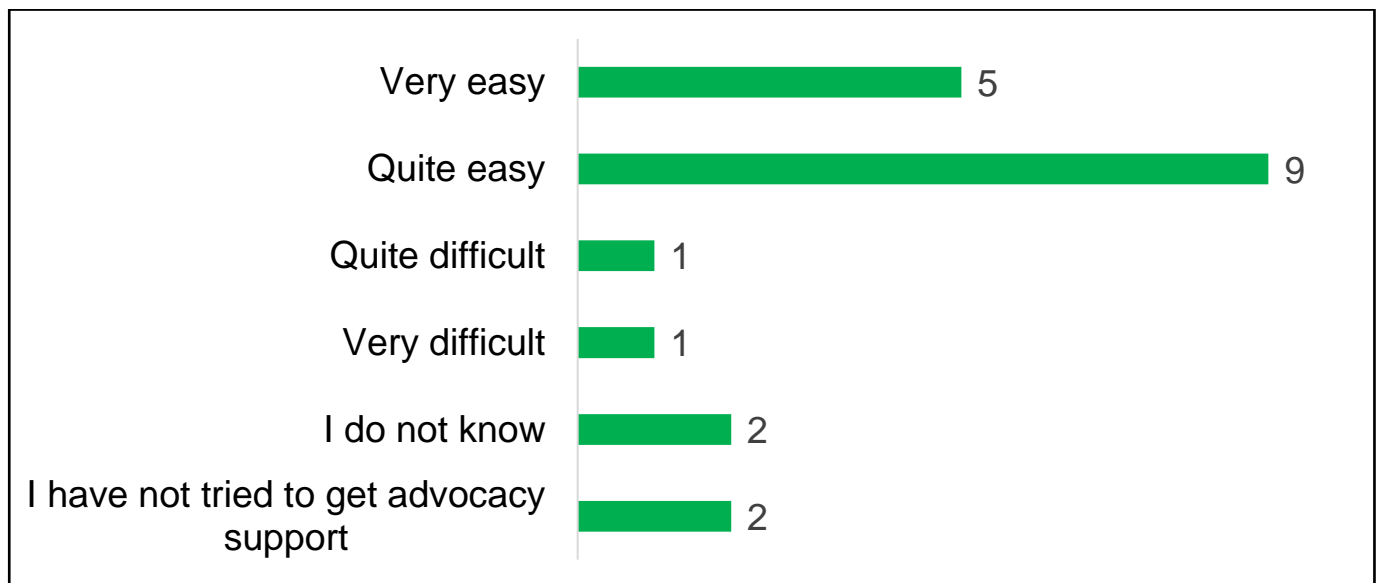
- Over half (11 people) confirmed the support from York Advocacy Hub was very helpful and a further 3 people confirmed the support was helpful.
- People praised the service for its support for people to have a voice in their lives, care, and professional meetings. Comments included:
 - “Extremely helpful in supporting patients whilst sectioned under the Mental Health Act in a medium secure setting.”
 - “very knowledgeable”
 - “The advocate offered a great and flexible service, allowing the voice of the customer to be heard and represented in professional meetings.”
- One respondent described the advocates as being “vital” and reported how an advocate had recently done an “amazing job” which began with building the person’s trust and confidence, enabling the individual to speak up about things they were not happy about and make a positive change to their life.
- One person felt the service was very unhelpful. The person described being told that they were “too articulate to need advocacy” the first time they tried to get advocacy support. The second time they tried to get support, they were told they would be prioritised as in urgent need but did not hear back from the service following that conversation.

- One person that answered, 'I do not know' reported that the advocate did not provide a report.

Question 6: How easy or difficult is it to get advocacy support in York?

This question included a free text option to give people the opportunity to let us know what made it difficult for them (if applicable). 20 people answered this question.

Figure 6: How easy or difficult is it to get advocacy support in York?

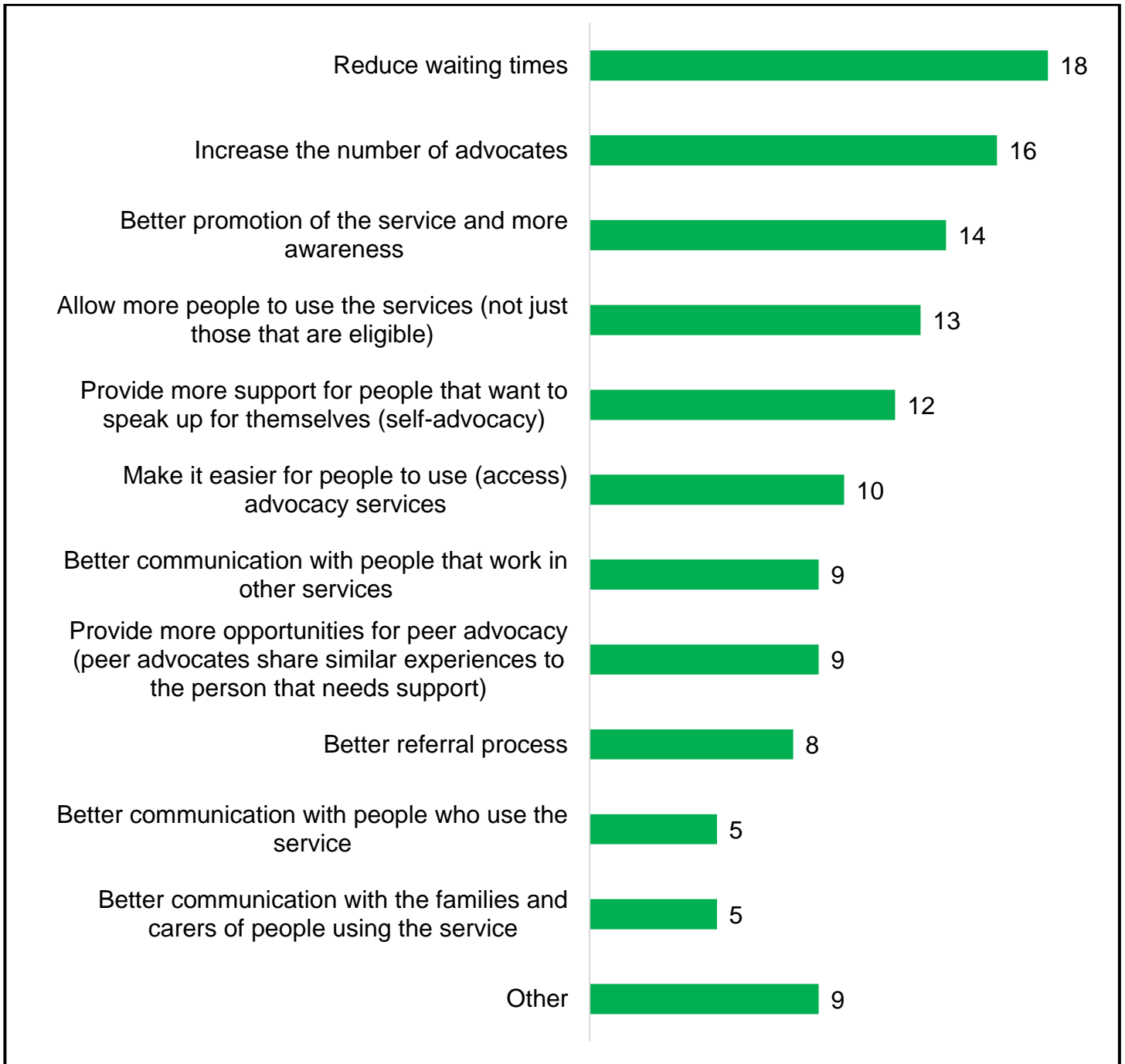


- 70% of respondents (14 out of 20) found it very easy or easy to get advocacy support in York.
- Despite finding it quite easy to get advocacy support, two respondents reported difficulties in getting support:
 - “Sometimes a wait for an advocate which is not helpful in a safeguarding situation.”
 - “Easy to access if a statutory need is there for advocacy, but 'general' advocacy is harder to access due to workload and not enough staff.”
- One person had found it very difficult to get advocacy support for the same reasons they found the service to be very unhelpful (see previous question). The individual also reported that, “there seems to be a significant lack of autism knowledge. And the waiting lists are beyond ridiculous.”
- One person that responded, 'quite difficult' had not tried to get advocacy support but based their answer on the assumption it would be difficult due to “the behaviour and attitudes of civil servants, NHS employees and City of York Council employees”.

Question 7: What could we do to make advocacy in York better in the future?

This question included a free text option to give people the opportunity to suggest ways to improve advocacy support. 36 people answered this question.

Figure 7: What could improve advocacy in York



The most common responses to how we could improve advocacy support were:

1. Reduce waiting times
2. Increase the number of advocates
3. Better promotion of the service and more awareness
4. Allow more people to use the services (not just those who are eligible)
5. Provide more support for people that want to speak up for themselves (self-advocacy)

People gave other suggestions, which included:

- Better training regarding safeguarding including appropriate referrals to safeguarding, “some referrals appear to have advocates view and not the person themselves.”
- Exploring opportunities for how other teams and services that provide advocacy support (local area coordinators, Older Citizens Advocacy York, social prescribers etc) can work together with the hub. This may help to manage waiting lists.
- Link into other areas such as University to inform students of the service.
- Reducing non-statutory (general) advocacy to make sure statutory advocacy support is prioritised and have less wait time.
- Fund specialist advocacy projects, for example for those with sight or hearing loss.

Other comments included:

“How can we develop appropriate services for people with learning disabilities and autism if we are not offering adequate support (including administrative) to support people in a regular and meaningful way to express their views on what matters to them/what works well/what doesn't work well?”

“I haven't found any issues referring or being assigned an advocate both as a carer/family member and as an employee of CYC and can't think of a way to make the service better...I found the service to be very good.”

Equality Monitoring Information

We did not receive enough responses from people that use advocacy services to meaningfully report on responses to equality questions.

Feedback from groups with learning disabilities

Meetings with York People First

A series of meetings have been held with York People First (**YPF**) self-advocates to discuss plans for the Learning Disability Partnership Board (**LDPB**) as well as other issues that self-advocates consider important to them. As a result of this engagement, it was agreed to increase the number of hours for the advocates supporting self-advocates from 1 hour to 7 hours in the new service contract.

Visit to Brunswick Organic Nursery

We set up an informal meeting to discuss advocacy support with individuals that work at Brunswick Organic Nursery (**BON**), a charity that provides people with learning disabilities / difficulties with opportunities to work and train. 14 people from BON attended the meeting, which included 10 people that are supported by the charity.

Before the meeting, we shared the Easy Read survey which included an explanation of advocacy support. One of the key workers from BON spoke with around 25 individuals (including some key workers) and only one person confirmed they knew about and had used York Advocacy Hub.

The key worker fed back that advocacy support was difficult for some people to understand so when we met with the group, we spent time talking through what advocacy means and the type of support York Advocacy Hub provides. It was clear that more could be done to promote services and help people understand what support is available if they need it. BON will check whether individuals would like a visit from York Advocacy Hub to continue the conversation.

People spoke about times when they had spoken up for themselves, and some people confirmed that when they needed help to speak up, they would get help from a parent, or someone that supports them.

In a separate conversation with the service manager and another staff member, the following issues were raised:

- Difficulty getting an advocate for people due to the long delays in getting care and support assessments and reviews through adult social care.
- Barriers for people with lived experience and support workers to attend meetings and have a say, such as LDPB meetings. These included not being paid for time or reimbursed for travel, preparation time, and meetings not being accessible.

Key findings

1. Most people that responded to the survey were aware of York Advocacy Hub; however, nearly everyone at Brunswick Organic Nursery (those with learning disabilities and those that support them) confirmed they had not heard of it.
2. The main way people found out about the hub was through the council, followed by other organisations and healthcare services.
3. The responses to the survey were mainly from people who have used the Hub on behalf of someone they support, followed by those who work or volunteer in health and social care.
4. The majority of respondents confirmed that the support received was making sure views, wishes and feelings were heard. Other common support types were making important decisions, Care Act advocacy and understanding rights.
5. Most people felt positively about York Advocacy Hub; finding the service to be very helpful and finding it quite easy to get support. Feedback suggests that most of the time, the service successfully supports people to have a voice.
6. Overall, the responses suggest there needs to be a reduction in waiting times for advocacy. We are aware that the waiting list for general advocacy is currently up to 75 weekdays. The other most suggested improvements were an increase in the number of advocates; better promotion of the service; allowing more people to be able to get advocacy support, and more support for self-advocacy.
7. From the group discussions, people told us that more support for self-advocacy was important, and it was clear that there is a need to improve people's awareness of what advocacy is, and what York Advocacy Hub offers.

Next Steps

We will use this valuable information and feedback to help us shape the future of young adult and adult advocacy services in York.

We acknowledge that we need to hear from a wider range of people who need or may need advocacy support, to get a better understanding of how we can improve the service. We need to consider different ways to reach and engage with people, and this work needs to be ongoing.

We will provide feedback to City of York Council colleagues and York Advocacy Hub management, so they are aware of people's experiences of the service, and to highlight the areas where improvements need to be made.

The results will be shared on York Open Data.

Thank you to everyone that helped us produce and promote the survey and thank you to those that took the time to share their views and experiences.

Compiled by:

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Appendix 1: Types of advocacy support

York Advocacy Hub provides the types of advocacy listed in the table below. These types of advocacy are statutory, apart from general advocacy. It is called statutory because this support must be offered locally.

Type of advocacy	Description
Independent Mental Health Advocacy (IMHA)	IMHA advocates are trained to support people with decisions about mental health care and treatment. Hospital and medical staff must make sure that people know about their right to an advocate and make a referral if someone wants or needs an Independent Mental Health Advocate.
Independent Mental Capacity Advocacy (IMCA)	The council and NHS must provide an advocate if someone does not have the capacity to make specific decisions and there is no-one who can be consulted on their behalf. This could be about medical treatment, a review of their care or where they live.
Care Act Advocacy	The council has to involve people in decisions about what care and support they need. If someone has substantial difficulty being involved in their care and does not have someone to help them, the Council must provide an advocate.
NHS Complaints Advocacy	This is for eligible adults who wish to complain about NHS-funded services they have received.
Deprivation of Liberty Safeguards (DoLS) Relevant Person's Representative (RPR)	If someone's care is authorised following a Deprivation of Liberty assessment, a representative must be appointed to make sure that the rights of the person being deprived of their liberty are protected. This can be a friend or family member and is known as a Relevant Person's Representative (RPR). Anyone who is deprived of their liberty must have an RPR, so if the person's friends and family cannot do this, an RPR from the provider is appointed.
Non-statutory advocacy including General Advocacy	This kind of advocacy is available when people at risk fall outside the eligibility criteria for statutory provision with complex needs.

Appendix 2: York Advocacy Hub City of York Council Survey

What is advocacy?

Advocacy means getting support from another person to help you express your feelings and wishes and stand up for your rights. Someone who helps you in this way is called your 'advocate'.

What this survey is for

We want to know what people think about the services York Advocacy Hub provides to young adults and adults, and what is important to people when being supported by an advocate. This will help us understand what people who use advocacy services need, and how we can improve support in the future.

We welcome your feedback if you:

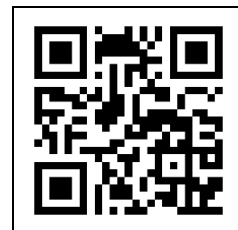
- are a young adult or adult who has used York Advocacy Hub services, or you know someone who has
- may need to use advocacy services in the future
- work or volunteer in health and social care / with advocacy services
- have an interest in advocacy services in York

Please help us by answering the questions below. You can choose to skip any questions you do not want to answer.

What happens to my information?

Our survey asks for some personal information which you may choose not to give. We do not publish or share any information which can identify you. Please read the enclosed privacy notice to find out more about how we protect your personal information. We will ask for your consent to this at the start of the survey. You can withdraw your consent at any time by contacting allageconsultation@york.gov.uk

This survey will close on 18 August 2024.



Publishing the results:

We will publish the results of this survey online at: <https://www.yorkopendata.org>

Privacy Notice

Please confirm that you have read and understood the privacy notice at the end of this document. You must select 'Yes' to take the survey.

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Different ways to complete and return this survey:

Complete this form online	You can complete this survey at: www.surveymonkey.com/r/YorkAdvocacy	
Or use this QR code:	You can use the camera on your smart device to scan the QR code which will take you to the online survey.	
Scan and email	Complete, scan and email the survey to: allageconsultation@york.gov.uk	
Access to a computer	Visit any Explore library or West Offices where staff can assist.	
Help to complete over the phone	Call Customer Services on 01904 551550 and leave your number and we will call you back.	
Drop off	Pick up a freepost envelope and use the postbox at West Offices	
Return by freepost	All Age Commissioning Team FREEPOST RTEG-TYYU-KL TZ City of York Council West Offices, Station Rise York YO1 6GA	
Alternative formats		
If you require this document in an alternative format (e.g. large print, braille, BSL, audio or Easy Read) you can:		
	Email us at: cycaccessteam@york.gov.uk	
	Call us on: 01904 551550 and customer services will pass your request onto the Access Team	
 Video Interpreter	Use our BSL Video Relay Service: www.york.gov.uk/BSLInterpretingService Select ' Switchboard ' from the menu	

Questionnaire

Question 1

Are you aware of York Advocacy Hub? Tick one of the boxes below		
Yes – (go to question 2)	<input type="checkbox"/>	No – (go to question 3)
I do not know – (go to question 3)		<input type="checkbox"/>

Question 2

How did you find out about York Advocacy Hub?	Tick all that apply
Internet search	<input type="checkbox"/>
City of York Council	<input type="checkbox"/>
Healthcare service	<input type="checkbox"/>
Another organisation	<input type="checkbox"/>
Carers / care provider	<input type="checkbox"/>
Poster, leaflet or information event	<input type="checkbox"/>
Social media	<input type="checkbox"/>
Word of mouth	<input type="checkbox"/>
Other - please tell us how in the box below	<input type="checkbox"/>

Question 3

Which of the following statements best describes you?	Tick all that apply
I have used York Advocacy Hub services for myself	
I have used York Advocacy Hub services for someone I support	
I am a friend, family member or carer of someone who has used the service	
I work or volunteer for an advocacy service	
I work or volunteer in health and social care	
I have not used advocacy services but may need to in the future	
I tried to get advocacy support in York, but I was unable to	
I do not want to say	
Other – please tell us in the box below	

- If you have used York Advocacy Hub services, or you are answering on behalf of someone that has, go to [question 4](#).
- If you tried but were not able to get support from York Advocacy Hub, go to [question 5](#).
- If you have not used York Advocacy Hub services, go to [question 7](#).

Question 4

What support did you (or the person you know) get from York Advocacy Hub?	Tick all that apply
Making sure my views, wishes and feelings were heard	
Learning to speak up for myself (self-advocate)	
Making important decisions	
Challenging decisions made about me	
Understanding my rights	
Getting help from other services or groups, including those that provide advocacy support	
Writing letters or other paperwork	
Make appointments, phone calls or help with meetings	
Information sharing	
Make a complaint (against NHS / GP / social care / other)	
Support with detention under the Mental Health Act	
Social care assessments, care and support planning or safeguarding (Care Act Advocacy)	
Other - please tell us what support in the box below	

Question 5

How helpful was York Advocacy Hub? Tick one box

Very helpful	<input type="checkbox"/>	Helpful	<input type="checkbox"/>	I do not know	<input type="checkbox"/>
Unhelpful	<input type="checkbox"/>	Very unhelpful	<input type="checkbox"/>	I have not used the service	<input type="checkbox"/>

Please tell us the reason for your answer in the box below

Question 6

How easy or difficult is it to get advocacy support in York? Tick one box

Very easy	<input type="checkbox"/>	Quite difficult	<input type="checkbox"/>	I do not know	<input type="checkbox"/>
Quite easy	<input type="checkbox"/>	Very difficult	<input type="checkbox"/>	I have not tried to get advocacy support	<input type="checkbox"/>

If you did not find it easy, please tell us why in the box below

Question 7

What could we do to make advocacy in York better in the future?	Tick all that apply
Better promotion of the service and more awareness	
Make it easier for people to use (access) advocacy services	
Allow more people to use the services (not just those that are eligible)	
Reduce waiting times	
Better referral process	
Increase the number of advocates	
Better communication with people who use the service	
Better communication with people that work in other services	
Better communication with the families and carers of people using the service	
Provide more support for people that want to speak up for themselves (self-advocacy)	
Provide more opportunities for peer advocacy (peer advocates share similar experiences to the person that needs support)	
Other - please tell us in the box below	
Please tell us what else we could do to make advocacy services in York better:	

Equality monitoring information

About You

Any information you share may help us identify themes in specific groups to aid any future support and will not be used to identify you. You may choose not to answer or select 'I do not want to say' to any question. If you do not want to complete this section, please select 'no' to the question below.

Would you like to complete the 'About You' section?

If you answer 'no', please skip the questions below and return to form to us using any of the methods shown above.

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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1) Your age:

Under 16	<input type="checkbox"/>	16 to 24	<input type="checkbox"/>	25 to 39	<input type="checkbox"/>
40 to 55	<input type="checkbox"/>	56 to 59	<input type="checkbox"/>	60 to 64	<input type="checkbox"/>
65+	<input type="checkbox"/>	I do not want to say			<input type="checkbox"/>

2) Your gender:

Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Non-binary / Minority gender	<input type="checkbox"/>	I do not want to say	<input type="checkbox"/>

3) What is your ethnic group?

I do not want to say	<input type="checkbox"/>	Asian - Indian	<input type="checkbox"/>
White – English / Welsh / Scottish / Northern Irish / British	<input type="checkbox"/>	Asian - Pakistani	<input type="checkbox"/>
White – Irish	<input type="checkbox"/>	Asian – Bangladeshi	<input type="checkbox"/>
White – Gypsy or Irish Traveller	<input type="checkbox"/>	Asian – Chinese	<input type="checkbox"/>
White – Roma	<input type="checkbox"/>	Any other Asian background	<input type="checkbox"/>

Any other White background	<input type="checkbox"/>	Black African	<input type="checkbox"/>
Mixed – White and Black Caribbean	<input type="checkbox"/>	Black – Caribbean	<input type="checkbox"/>
Mixed – White and Black African	<input type="checkbox"/>	Any other Black / Black British / African / Caribbean background	<input type="checkbox"/>
Mixed – White and Asian	<input type="checkbox"/>	Other – Arab	<input type="checkbox"/>
Any other Mixed / multiple ethnic background	<input type="checkbox"/>	Any other ethnic background	<input type="checkbox"/>

4) Do you consider you are disabled?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	I do not want to say	<input type="checkbox"/>
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5) What is your religion or belief?

I don't want to say	<input type="checkbox"/>	Hindu	<input type="checkbox"/>	Sikh	<input type="checkbox"/>
Buddhist	<input type="checkbox"/>	Jewish	<input type="checkbox"/>	No religion	<input type="checkbox"/>
Christian	<input type="checkbox"/>	Muslim	<input type="checkbox"/>	Other	<input type="checkbox"/>
If 'other', please tell us your religion or belief or leave blank if you do not want to say				<input type="checkbox"/>	

6) Which of the following best describes your sexual orientation?

I do not want to say	<input type="checkbox"/>	Heterosexual / straight	<input type="checkbox"/>
Bisexual	<input type="checkbox"/>	Other	<input type="checkbox"/>
Gay or Lesbian	<input type="checkbox"/>		

7) Do you look after, or give any help or support to, anyone because they have long-term physical or mental health conditions or illnesses, or problems related to old age (excluding anything which is part of paid employment)?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	I do not want to say	<input type="checkbox"/>
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City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Adult Social care Integrated Directorate		
Service Area:	Adult Social care Integrated Directorate		
Name of the proposal :	Advocacy Service- York		
Lead officer:	Edward Njuguna		
Date assessment completed:	28/06/2024 V1 25/07/2024 V2		
Names of those who contributed to the assessment:			
Name	Job title	Organisation	Area of expertise
Uzmha Mir	Contracts and Quality Improvement Manager	City of York Council	Contracts and Quality Manager, Equality and Diversity.
Edward Njuguna	Commissioning Manager	City of York Council	Commissioning Manager, Advocacy services

Step 1 – Aims and intended outcomes

<p>1.1</p>	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p><i>Advocacy is defined as; “to help to ensure that people’s voices, wishes and preferences are heard, their rights are upheld and their needs are met, particularly when they have difficulty in speaking up for themselves or are concerned that they are not being heard”.</i></p> <p>The advocacy service will offer a single point of access for and to meet the needs of all eligible referrals. The service provides equivalence of access to all eligible individuals, regardless of their needs, their reason for seeking advocacy support, or what community they are from. This includes individuals with learning disabilities, autism, mental health issues, physical and sensory disabilities and long-term conditions.</p> <p>The service will involve both statutory and non-statutory advocacy however meeting the demands in relation to statutory advocacy are at all times prioritised over the non-statutory elements of the service.</p> <p>The Service will support and develop the ability of individuals to self-advocate, increasing their confidence and assertiveness skills and enabling them to support themselves as far as is possible in future</p> <p>The Service will adhere to principles of personalisation and will be delivered flexibly in a way that offers choice and control to individuals with regards to the advocacy support that they receive, recognising that those receiving support have the most specialised knowledge of their needs.</p> <p>Statutory Services and legal rights to services</p> <p>The Service will meet all statutory requirements with regards to advocacy support outlined within relevant legislation and statutory guidance. This includes the provision of:</p>

- Independent Mental Health Advocates (IMHA) under the Mental Health Act (2007)
- Independent Mental Capacity Advocates (IMCA) under the Mental Capacity Act (2005):
- Deprivation of Liberty Safeguards (DOLS) under the Mental Capacity Act (2005). This includes the provision of the Paid Relevant Representative Role.
- NHS Complaints advocacy

Non Statutory advocacy

The Service will offer non statutory advocacy to support eligible individuals to have their views and wishes heard and acted upon in relation to a variety of issues. This element of the Service will be needs led. The Service Provider will be required to manage access and provision of non-statutory advocacy to maximise the available resources efficiently and ensure that those most in need receive support. This includes the need to prioritise those at risk, issues relating to safeguarding and those experiencing major life changes.

The provision of non-statutory advocacy may include but is not limited to:

- Supporting parents who have a learning disability and whose child is subject to child protection proceedings. This element of provision will involve supporting individuals through the process of child protection proceedings and within a variety of settings, including in Court should this be required.
- Supporting self-advocacy groups and self-advocates to lead the advocacy support that they receive, attend forums and meetings across York and to understand and have a say over the issues which impact their lives.
- Supporting individuals through the hospital discharge process and decision making about discharge and support options.
- Providing advocacy support to individuals and groups as part of strategic service reviews and system redesign.

The Care Act 2014 imposes various statutory duties on Local Authorities when exercising Adult Social Care functions including the requirements to commission appropriate, efficient, and effective services and encourage a wide range of service. The service is open to all aged 18 and upwards. There will not be any changes to the eligibility criteria based on age. provision to ensure that people have a choice of appropriate services and an emphasis on enabling people to stay independent as long as possible. The act stipulates that individuals may require care and support. Implementation of an updated services specification has the potential to promote the following:

- Best value for money
- Implement best national practices into local services
- Invite new ideas
- Include outcomes-based approach

1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	<p>As a local authority, the City of York Council (CYC) has a duty under the Care Act 2014, to prevent, reduce and delay formal intervention for people with care and support needs.</p> <p>The All-Age Commissioning Strategy, Market Sustainability Plan and the 10-year vision ‘People at the Heart of Care: adult social care reform paper’ clearly outlines that the Council will work with existing Providers within the market to provide sustainable, quality and value for money services. The Care Act 2014 statutory guidance outlines outcomes for individuals, groups and local populations and makes specific references to people with an impairment.</p> <p>The Council Plan 2023 to 2027, One City, For All, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:</p> <ul style="list-style-type: none"> a) Health-Improve health and wellbeing and reduce health inequalities, taking a Health in All Policies Approach. b) Equalities and Human Rights- Equality of opportunity c) Affordability- Tackling the cost-of-living crisis. <p>The option proposed will comply with CYC’s CPRs, the Procurement Regs and the Procurement Act in terms of completing an open, fair, and transparent process as the market has not been approached since 2017.</p> <p>Further, the provision of the Advocacy Hub Service ensures the Council meets the statutory duty of the Care Act 2014, the Mental Capacity Act 2005, the Health and Social Care Act 2012 and the Mental Health Act 2007 to maintain a stable and sustainable care market. The Council would also meet the needs vulnerable adults identified as benefiting from non-statutory advocacy.</p>

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1.3	Who are the stakeholders and what are their interests?
	<p>Stakeholders: York Advocacy Hub-Mind, Brainkind, York and Scarborough Teaching Hospitals, NHS Humber and North Yorkshire Integrated Care Board, Tees Esk Wear Valleys NHS FT, Clifton House, Stockton Hall and Mill lodge, Age UK, Healthwatch, Patient Advice & Liaison Service (PALS), Care homes, York Medical Group, Independent Care Group, York People First, Disability Advocacy in York, York Disability Rights Forum, City of York Council (CYC) Access Team, CYC pathway to recovery Team, CYC Housing, Benefits, and client’s affairs team, CYC DoLS Team, CYC Children’s Social Care, CYC Mental Health Social Workers/AMPH’s, CYC Adult Safeguarding, Local food banks, OCAY, McKenzie Friend Scheme York, Supported Living customers in York , Social Prescribers, Voiceability, York Older People’s Assembly, Age Friendly York Older Citizens Group, Dementia Strategy Group, Carers Groups/Forums , York CVS, North Yorkshire Police, Other stakeholders.</p> <p>These stakeholders will value a service which effectively delivers long term advocacy outcomes for service users with complex needs, and which delivers health and wellbeing improvements for some of the City’s most vulnerable residents.</p>

<p>1.4</p>	<p>What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans.</p>
	<p>The Council Plan 2023 to 2027, One City, For All, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:</p> <ul style="list-style-type: none"> • Health-Improve health and wellbeing and reduce health inequalities, taking a Health in All Policies Approach. • Equalities and Human Rights- Equality of opportunity <p>This are related to the following outcomes for the service.</p> <ul style="list-style-type: none"> • Prevent, Reduce and Delay the need for ongoing Support- This are related to the statutory duty under Section 2(1) of the Care Act 2024 to contribute towards preventing or delaying the development by adults in its area of needs for care and support. This is related to Health and wellbeing and reducing inequalities within the council plan • Provide Excellent Experiences of Care and Support- focus on the provision of consistent / joined-up provision, effective promotion of the service, timeliness and responsiveness of the

	<p>service. Examples of publicity, awareness raising, marketing and promotional activities undertaken. This is related to Health and wellbeing and reducing inequalities within the council plan</p> <ul style="list-style-type: none"> • Flexible, Choice and Control- focus on work undertaken to involve customers, families and their carers in the planning of their care and support, evidence of delivering support tailored to the needs of the individual rather than a one size fits all approach, evidence of remaining in ongoing contact with customers, how service provision is internally evaluated and monitored. This is related to Health and wellbeing and reducing inequalities within the council plan • Linkages and Connections; focus on work undertaken to strengthen the connections between homeless provision and other forms of support for customers - health, housing, voluntary sector provision, leisure, community initiatives etc. Evidence of strong and effective partnership working with a range of other agencies and support organisations. This is related to Health and wellbeing and reducing inequalities within the council plan • Provision of accessible daily equipment. This is related to Health and wellbeing and reducing inequalities within the council plan
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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

All Age Market Position Statement, City of York Council, 2023-2025 all-age-market-position-statement-2023-to-2025 (york.gov.uk)	Includes outcomes for City of York Population and outlines key priorities
York Local Health and Wellbeing Strategy 2022-2032, York Joint Health & Wellbeing Strategy	Details the health and wellbeing priorities for the city will be and how these will be addressed
City of York All Age Commissioning Strategy 2023-2025	Includes outcomes for City of York Population as well as detailing key priorities
The Council Plan 2023 to 2027, One City, For All https://www.york.gov.uk/council-plan-1/one-city-2023-2027	

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
	Some impacts are not currently monitored as part of the service data collection.	Development of new performance framework of the service to cover the outstanding areas.

Step 4 – Analysing the impacts or effects.

4.1	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>Impact identified:</p> <p>Positive impact of the advocacy services on individuals:</p> <ul style="list-style-type: none"> The service is open to all aged 18 and upwards. <p>The recommendations of the executive report are intended to Improve the quality of life and independence for vulnerable people; and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p> <p>There will not be any changes to the eligibility criteria based on age.</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>	Positive (+)	High (H)

Disability	<p>Impact identified:</p> <p>People with a mental illness, learning disability, autism, physical and sensory impairment, substance use disorder and long term condition.</p> <p>Any changes could affect continuity of care if there is a change of provider. This proposal will impact individuals with a mental illness, learning disability, autism, physical and sensory impairment, substance use disorder and long-term condition. Continuity of care and expertise around these disabilities is important to some of these groups.</p> <p>The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p> <p>Any change in provider would be subject to a transition plan, this will ensure the management of the transfer is completed in a way that places high priority in providing reassurance to individuals. A communications plan will be developed which will include ensuring all individuals (and their carers, social worker or support workers) are kept informed of any changes, the timescale and who to contact with any concerns. An implementation period (3 months) has been factored into the timescales that will allow transfer of support where necessary.</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information</p>	Positive (+)	High (H)

	<p>can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
Gender	<p>Impact identified:</p> <p>The service will continue to provide a person centred approach to take into account individual needs. Men and women might have similar needs and issues which they need support with, the provision does not include priority need based on gender.</p> <p>Mitigation:</p> <p>There will not be any changes to the eligibility criteria based on sex. There will be consideration of personal choice for gender of advocate/support worker where possible.</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>	Positive	Low(L)

Gender Reassignment	<p>Impact identified:</p> <p>No specific detrimental impact upon individuals undergoing gender dysphoria or reassignment. Culturally appropriate services will be delivered by the provider. This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust.</p> <p>The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p> <p>Service specifications include a requirement for services to work with people with a range of needs including issues of diversity. Transition arrangements will consider any individual need in relation to diversity and continuity of care will be actively considered</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>	Positive	Low(L)
Pregnancy and maternity	<p>Impact identified:</p>	Positive	Low(L)

	<p>The service will continue to provide a person centred approach to take into account individuals needs.</p> <p>The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p>		
<p>Race</p>	<p>Impact Identified:</p> <p>Positive impact of the Advocacy service and no specific detrimental impact upon individuals related to ethnicity or race issues is anticipated. This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust on individuals including:</p> <ul style="list-style-type: none"> • New refugees • York Gypsy and Travellers group • BAME • People with English as a second language 	<p>Positive</p>	<p>Medium (M)</p>

	<p>The service will continue to provide a person centres approach to take into account the individual’s needs.</p> <p>.</p> <p>The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p>		
<p>Religion and belief</p>	<p>Impact Identified:</p> <p>The service will continue to provide a person centres approach to take into account the individual’s needs. No specific detrimental impact upon individuals related to religion or belief issues is anticipated.</p> <p>The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p>	<p>Positive</p>	<p>Low(L)</p>

	<p>Service specifications include a requirement for services to work with people with a range of needs including issues of diversity. The provider will be expected to support and match individuals' cultural needs such as language and support to access religious activities/requirements.</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p>		
<p>Sexual orientation</p>	<p>Impact Identified:</p> <p>The service will continue to provide a person centred approach to take into account the individual's needs. This protected group are often subject to discrimination and there is a risk that they would be disproportionately affected by a change in care away from agencies and individuals with whom they have built up trust.</p> <p>The recommendations of the executive report are intended to improve the integration across the Advocacy service and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p> <p>Service specifications include a requirement for services to work with people with a range of needs including issues of diversity. Transition</p>	<p>Positive</p>	<p>Low(L)</p>

	<p>arrangements will consider any individual need in relation to diversity and continuity of care will be actively. Service specifications include a requirement for services to work with people with a range of needs including issues of diversity.</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p>		
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	<p>Impact Identified:</p> <p>Positive impact of the Advocacy Service on individuals including:</p> <ul style="list-style-type: none"> • Unpaid Carers • Adult carers • Young Adult Carers • Young Carers • Children in Care <p>The service will continue to provide a person centres approach to take into account the individual's needs.</p> <p>The recommendations of the executive report are intended to improve the integration across the Advocacy and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p>	Positive	Medium(M)

	<p>The recommendations of the executive report are intended to improve the integration across the Advocacy Service and enable to collect better data to understand the positive impact and address negative impact in service delivery.</p> <p>Mitigation:</p> <p>CYC will implement a new data led performance framework, that will enable continual improvement of service and identify improvements from the data generated within the framework expectations.</p> <p>All services commissioned and delivered by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed https://www.livewellyork.co.uk/</p>		
Other	<p>Employee Wellbeing Support(CYC staff)</p> <p>To continue to support the wellbeing of our staff during this demanding and difficult time, the Employee Wellbeing Line and email has been setup. The service is for all staff HR related queries, worries or concerns; relating to working hours, pay, health or wellbeing.</p> <p>Email: employee wellbeing@york.gov.uk</p>		
Impact on human rights:			

<p>List any human rights impacted.</p>	<p>There will be no impact on human rights with the change of provider.</p> <p>Ongoing reflection and feedback from users of the service to learn and improve Human Rights and Equalities Board. The City of York Council and the York Human Rights City Steering Group established the Human Rights and Equalities Board with a remit to:</p> <ul style="list-style-type: none"> • provide strategic direction for the council’s human rights and equalities work • tackle the issues raised within the York Human Rights City Indicator Report <p>Any services being developed and put in place to provide person centred care must adhered to these principles.</p>		
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Use the following guidance to inform your responses:

Indicate:

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

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

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

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
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There will be no negative impact on the above characteristic groups and subsequent clients of the advocacy would benefit from having an advocate of appropriate quality for their case. Advocates may benefit as the scheme would further enable competition within the market to be conducted based on quality. The council may benefit due to greater levels of assurance that the quality of advocacy work paid for meets specified standards in addition deploy the most effective early intervention and prevention tools:

- The council will support access to financial advice, skills and employment services.
- The council will build on skills and workforce within the voluntary sector partners to deliver free and independent debt.

The service will not change in any way that will have detrimental equality impact on individuals, the council will be delivering services in accordance with the robust specification.

Solutions in the above EIA have been provided to provide reassurance that any impacts that we foresee will be minimised by the actions outlined in the EIA.

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:
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<ul style="list-style-type: none"> - No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review. 	
<ul style="list-style-type: none"> - 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. 	
<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	The impacts from the proposals are limited and expected to be positive with mitigations in place to deliver on these aims.

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
Equality and Human Rights Act	Quality Assurance	Laura Williams	

Step 8 - Monitor, review and improve

8. 1	<p>How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?</p>
	<p>The approach to the market for the Advocacy service reflects the journey outlined in our commissioning Strategy as this has been developed to focus on outcomes and principles for commissioning services, in line with the Council’s Strategy and plan. Each contract will have Key Performance Indicators that will measure the outcomes with our providers included in the specifications. Training and outcomes expressed as part of the returned surveys will be incorporated into key documents.</p> <p>The procurement of the new contracts should have no negative impact on the end recipient of services. Any future changes will be assessed at the time they are proposed; however, it is unlikely that any of these will have a negative impact.</p>

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Meeting:	Executive
Meeting date:	18/07/2024
Report of:	Director Environment Transport and Planning
Portfolio of:	Cllr Pavlovic Executive Member for Housing, Planning, Safer Communities and Community Cohesion

Decision Report: Safer York Partnership Community Safety Strategy

Safer York Partnership Community Safety Strategy

1. This report introduces the three year Community Safety Strategy for York and asks the Executive to note its content and the role City of York Council has as a key partner in its delivery.

Benefits and Challenges

2. Community Safety Partnerships were introduced by Section 6 of the Crime and Disorder Act 1998 and bring together local partners to formulate and deliver strategies to tackle crime and disorder in their communities as a Statutory Partner, delivery of the strategy is dependent on the contribution of many services across City of York Council as well as partner agencies.

Policy Basis for Decision

3. The Community Safety Strategy links to the Domestic Violence Strategy for York & North Yorkshire, the Serious Violence Strategy for York and North Yorkshire and the Violence Against Women and Girls Strategy for York and North Yorkshire.
4. The Strategy supports the Council Plan 2023-27 in its aim to be One City for All by ensuring that everyone has the opportunity to access, live and work in a city which is one of the safest in the

country.

Equalities & Human Rights

5. In delivering the strategy, partners will ensure that they provide equal opportunity and balance the human rights of everyone to ensure that all residents and visitors feel safe and secure in York. The Strategy links with the work of the Hate Crime Partnership and their delivery plan.

Affordability

6. Community Safety involves partnership working to support those who are most vulnerable to criminal activity and through early intervention and prevention, partners work with communities to build resilience and confidence. With very few funding opportunities, the majority of the delivery of the strategy is undertaken through existing resources and utilising the opportunity for partnership work to provide the most cost effective way of tackling issues.

Climate

7. Partners ensure that the actions, initiatives and projects that underpin delivery of the strategy do not impact negatively on the environment. Recognition is also given to the impact of climate change on weather patterns and in turn how this can impact on patterns of criminal and anti-social behaviour.

Health

8. Health underpins much of the strategy, with strong links between community safety and individual health and wellbeing as well as the overall health of society through well-connected communities with high levels of trust. There are also strong delivery links between community safety and public health services such as drugs and alcohol, domestic abuse and sexual health. The partnership includes representation from both strategic and tactical health provision to ensure that community safety activity is aligned to desired health and wellbeing outcomes.
9. York remaining a safe place is important for its economy, the successful application for Purple Flag status shows the city surpassed the standards of excellence in managing the evening and night time economy.

Financial Strategy Implications

10. The only funding aligned to delivery of the Community Safety Strategy is derived from external sources, for example through a bidding process for Government funding or from the Office of the Police Fire and Crime Commissioner, now York and North Yorkshire's deputy mayor for Police, Fire & Crime. Delivery is largely focused on the mainstream service contribution of the council and its partners.

Recommendation and Reasons

11. It is recommended that Executive
 - a) Approve the content of the strategy which identifies the key role that City of York Council plays in its delivery.
 - b) in accordance with the Council's Constitution recommend this to Full Council for approval

Background

12. Community Safety Partnerships were introduced by Section 6 of the Crime and Disorder Act 1998 and bring together local partners to formulate and deliver strategies to tackle crime and disorder in their communities.
13. A further requirement of the Crime and Disorder Act is for each Statutory Community Safety Partnership to produce a three year strategy to reduce Crime and Antisocial Behaviour within each Local Authority area. This strategy is refreshed annually to enable it to remain flexible to the changes in crime patterns and incorporate any new and emerging community safety issues within the life of the strategy.
14. Safer York Partnership is the Statutory Community Safety Partnership for the City of York. Once it has been approved by the Partnership, the Strategy is then shared with all statutory partners to ensure that they are able to support its delivery through their services and activities.

15. Safer York Partnership meets quarterly. There are links through its membership to other strategic boards in the City eg. Health and Wellbeing Board, Safeguarding Adults Board, City of York Safeguarding Children Board, Youth Justice Management Board and York Domestic Violence Board. There are also links to strategic boards and working groups that cover both York and North Yorkshire eg. Prevent Partnership Board, Serious Organised Crime Board, Modern Slavery Partnership, Serious Violence Duty Working Group and Violence Against Women and Girls Strategy Group.
16. Performance is measured and monitored internally within City of York Council through the KPI Machine but also from performance measures aligned to the other strategic groups outlined above and from partner agencies own performance management systems.

Consultation Analysis

17. The Strategy is drafted by the Community Safety Team following a workshop involving all statutory partners involved in Safer York Partnership. This ensures that all partners contribute to the content and final draft of the strategy. As a key statutory partner, City of York Council is involved in that process through the membership of its Directors and Executive Member on the partnership.

Options Analysis and Evidential Basis

18. The Executive are asked to note the content of the Strategy and to commit to ensuring that City of York Council will continue to support its delivery through the work of services contributing to each of the Strategic Priorities outlined within the Strategy.

Organisational Impact and Implications

19. The following implications have been considered (see checklist).]
 - **Financial**
There are no specific financial implications in the council adopting the Community Safety Strategy
 - **Human Resources (HR),**

There are no HR implications contained in this report

- **Legal,**
Pursuant to Section 6 of the Crime and Disorder Act 1998 the Council must formulate and implement a strategy for:
 - (a) Reducing crime and disorder in the area;
 - (b) Combating the misuse of drugs, alcohol and other substances in the area;
 - (c) Reducing re-offending in the area; and
 - (d) Preventing people from becoming involved in serious violence and reducing instances of serious violence in the area.In so doing, regard must be given to the police and crime objectives set out in the police and crime plan for the police area

- **Procurement,**
No procurement implications

- **Health and Wellbeing**
As noted in the report, there are strong links between community safety and the health and wellbeing of residents. Public health are engaged within the Community Safety Partnership and lead on sections of the strategy. Additionally, the strategy emphasises a public health approach which includes evidence-based action, prevention and early intervention in the life cycle of a problem, tackling inequalities, and a population health approach which aims to influence the 'upstream' causes of crime and anti-social behaviour.

- **Environment and Climate action**
Efforts should be made to ensure that 'The Safer York Partnership Community Safety Strategy' is delivered in a way that does not have a detrimental impact on the ambitions of the Climate Change Strategy.

- **Affordability**
There are no affordability implications

- **Equalities and Human Rights**
An Equalities Impact Assessment is included at Annex B. Where specific actions to deliver the strategy require consultation, support or direct input from specific communities, engagement with representative groups will be included within the delivery plans.

- **Data Protection and Privacy**

Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK GDPR. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines. DPIAs helps us to assess and demonstrate how we comply with all of our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve. As there is no personal data, special categories of personal data or criminal offence data being processed to inform the decision in this report, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions. However, there will need to be consideration and completion of DPIA(s) where required, for the delivery of the three year strategy once adopted.

- **Communications**

Communications form a key element of the delivery of the strategy and where appropriate joint communications with relevant partners will be arranged.

- **Economy**

There are no Economy implications.

Risks and Mitigations

20. The information contained within the strategy is based on that which was available at the time of writing. However, new risks or issues can emerge throughout the lifespan of the strategy and these will be considered within the annual refresh and the strategy adapted to incorporate those new risks and issues.

Wards Impacted

21. The Community Safety Strategy covers all wards of the city.

Contact details

For further information please contact the authors of this Decision Report.

Author

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Service Area:	Community Safety
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Report approved:	Yes
Date:	12/06/2024

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Service Area:	Community Safety
Telephone:	552547
Report approved:	Yes
Date:	12/06/2024

Annexes

Annex A Safer York Partnership Community Safety Strategy 2023-26
Annex B Equalities Impact Assessment

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MAKING YORK A SAFER CITY

COMMUNITY SAFETY STRATEGY

2023-26

VERSION	DRAFT REFRESH 2024
AUTHOR	Head of Community Safety CYC
DATE PRODUCED/UPDATED	11/07/24

Making York a Safer City

Introduction

This is the 9th Community Safety Strategy produced by Safer York Partnership since it was established in 1998 under the Crime and Disorder Act. The Crime and Disorder Act 1998 states that Community Safety Partnerships are required to work together in formulating and implementing strategies to tackle local crime and disorder and to have in place partnership plans setting out their priorities.

The priorities contained within this strategy have been identified through a Safer York Partnership Development Session and are aligned to Home Office National Priorities, the North Yorkshire Police and Crime Plan and City of York Council plan priorities. They also take into account community intelligence and information. Some of these priorities are delivered through joint structures with our Neighbouring Local Authority, North Yorkshire Council recognising that one police force (North Yorkshire) covers both local authority areas. Using a Public Health approach, the partnership will look holistically at the community safety issues identified within each priority and using an approach based on early intervention and prevention, and where appropriate, enforcement, will work with partners to develop innovative and effective solutions.

Throughout its existence, the partnership has developed and changed to ensure that it is addressing those issues of community safety which impact most significantly on quality of life for those who live in, work in or visit the City of York. Each year the strategy will be reviewed to ensure that it has the flexibility to address new and emerging trends, ensuring that we are continuing to use local resource to best effect in addressing local needs. The priorities within this strategy are not exclusive and many are linked. The role of Safer York Partnership is to coordinate organisations to address the links and ensure that the correct powers and capabilities across the Partnership are utilised. It can then help organisations focus on ensuring the available resources are focused on the priorities so that the partnership delivers in the most effective and efficient way.

Supt Jon Aldred, Chair Safer York Partnership

Our partners

City of York Council

North Yorkshire Police

North Yorkshire Fire and Rescue

Probation

York and North Yorkshire Office for Policing, Fire, Crime and Commissioning (OPFCC), part of the York and North Yorkshire Combined Authority

NHS Humber and North Yorkshire Integrated Care Board (HNY ICB)

Make It York

York BID

Our priorities

- **Keeping the City Centre Safe**
- **Counter Terrorism: Protect, Prepare, Prevent**
- **Domestic Abuse**
- **Safe and Supported Communities**
- **Serious Organised Crime: County Lines, Modern Slavery, Exploitation**
- **Serious Violence**



KEEPING THE CITY CENTRE SAFE

Keeping the City Centre Safe is a priority for Safer York Partnership. York City Centre is an international tourist destination, attracting over 8 million visitors per annum. The City Council has adopted the My City Strategy which recognises the tensions between a tourist destination as well as a city centre which serves its residents. At the heart of this strategy is a family friendly city centre. York has a compact mix of residential, commercial and licensed premises. This can result in conflict between different user groups and lead to a negative perception of the city as a safe place. This is not borne out by the actual crime figures and York is one of the safest cities in the UK.

Like many cities, York is changing as consumer shopping habits have changed but it's small independent shops, festivals and events and extensive hospitality offering continue to keep it vibrant and attractive to both visitors and local residents. This will be further enhanced through the delivery of some major development plans which will ensure that York remains a popular and thriving city into the future.

Working through the BID Safe Partnership, the Council, Police and other key stakeholders work together to ensure to address emerging community safety issues in the city centre including hate crime associated with the night time economy.

SYP Board Lead: The York BID

Contributing Groups:

My City Centre
BID Safe Partnership
NYP Operation Safari
York Water Safety Group
Purple Flag
Pubwatch
YBAC Board and Steering Group
Make It York
Safety Advisory Group
Guildhall Ward Committee
Hate Crime Working Group
York Drug and Alcohol Partnership

Aims:

- To contribute to the Board and Working Groups of My City Centre to ensure that Community Safety is considered within future planning and development
- Work in partnership with the BID & Make It York to ensure that the City Centre remains an attractive and prosperous location for visitors
- Contribute to delivery of the York Homelessness Strategy by tackling the community safety aspects of begging and rough sleeping

- Contribute to the work of the York Water Safety Group to prevent serious incidents associated with York's rivers
- Rebrand York Business Against Crime to harness a wider sharing of information and intelligence that will assist in reducing crime, anti-social behaviour and contributing to the delivery of Counter Terrorism Aims
- To work with the York BID Safe Partnership to deliver a multiagency response to crime and antisocial behaviour in the City Centre
- To work with partners to ensure that the work in relation to safety in the city continues to meet the principles outlined by Purple Flag
- Develop a closer working relationship with the SAG to ensure that the CSP is aware of the community safety impact of events which take place in the City of York Council
- To work with the York Drug and Alcohol Partnership to deliver outcomes related to the unwanted impact from the use of drugs and alcohol aligned to the night time economy

How will success be measured?

- Retain Purple Flag
- North Yorkshire Police recorded crime and anti-social behaviour within the City Centre
- Measurement of perception through surveys and consultation
- Counts of rough sleepers
- Qualitative feedback from the community and partners



COUNTER TERRORISM: PROTECT, PREPARE, PREVENT

Protect & Prepare

Since 2017, York has had an active multi-agency Protect and Prepare Group which has undertaken extensive work to increase security in the City Centre and for all major events hosted within the City. This work has achieved National recognition and has contributed to a North East Regional pilot working to develop guidance that will support the implementation of the Protect Duty (Martyn's Law) which comes into effect in 2023.

The partnership acknowledges that the introduction of physical Counter Terrorism measures which include installation of barriers, and restriction of access to certain areas of the city will cause some community tensions. There is a need to ensure that visitors and residents understand the National threat risk and importance of protective security measures and how this links to both the priorities of Keeping the City Centre Safe and Safe and Supported Communities. Research evidence has shown that community intelligence and vigilance plays a key role in defeating terrorism.

The Protect and Prepare group has developed an action plan which includes a range of interventions designed not only to strengthen the visual deterrent to terrorism in the city but also includes training and awareness for staff working in local businesses to be vigilant and able to recognise suspicious behaviour. The group organises regular FREE training throughout the year and is working closely with Safer York Business Partnership to improve communication with the business community that could be essential in the event of an attack (or indeed any major incident).

Prevent

The Counter Terrorism and Security Act 2015 placed a duty on the Local Authority play a wider role in the Prevent agenda, leading on the Channel Process to assess the risk associated with radicalisation and put in place measures to mitigate that risk. Membership of the Channel Panel includes a range of services with the council and partners including Health, Probation and Police. York's approach ensures that the wider safeguarding needs of individuals and their families are also considered alongside Prevent concerns and ensures that these needs are also being addressed in tandem with any interventions prescribed by the panel. When cases are closed to Channel, assurance is always sought to ensure that wider safeguarding support continues.

Prevent is strategically managed at a sub-regional level through a York and North Yorkshire Prevent Partnership Board whose agenda is led by the Counter Terrorism Local Profile (CTLP). Recommendations contained in the CTLP are delivered locally through the Prevent Local Delivery Group which has an established annual action plan. A recently published Independent Review of Prevent Nationally will further develop the way in which the Prevent agenda is delivered locally. Work undertaken through the Hate Crime Working Group also contributes to the Prevent agenda as the two issues are not discrete.

SYP Board Lead: CYC Head of Community Safety

Contributing Groups:

York and North Yorkshire CONTEST Board
York and North Yorkshire Prevent Partnership Board
Local Resilience Forum
York Protect and Prepare Group
Safety Advisory Group
YBAC Board and Steering Group
York Local Prevent Delivery Group
York Channel Panel
Hate Crime Working Group
Safeguarding Adults Board
Safeguarding Childrens Partnership

Aims

- Support local businesses, organisations and event organisers who will fall within the legislative requirements of Martyn's Law
- Continue to work with the Safety Advisory Group to ensure that Counter Terrorism is considered within the safety planning for all major events taking place within the City
- Deliver the Protect and Prepare Action Plan
- Deliver regular training and awareness for partners to ensure that they are vigilant to suspicious activity and know what action to take in the event of a terrorist incident
- Consider the impact of the Independent Review of Prevent and what that means for Prevent delivery in York
- Develop local Prevent Champions to engage with communities in order to promote a better understanding of the Prevent agenda
- Continue to develop the City's approach to Prevent in accordance with Regional and National Home Office guidance
- Develop and deliver a programme of accessible training for partners to raise awareness of Prevent and how to make referrals to the Channel process
- Linking the work of the Hate Crime working group with the Prevent Local Delivery to engage better with communities and understand where tensions exist
- Ensure that residents understand the importance of protective security and how they can play a role in defeating terrorism through vigilance and reporting suspicious activity

How will success be measured?

- Delivery of the Counter Terrorism Task Group and Prevent Local Delivery Group Action Plans

- Reduction in number of non permitted vehicles accessing the city centre
- Increase in number of Project Servator deployments in York
- Increase in referrals to Channel Panel
- Increase in number of cases adopted and dealt with through Channel
- Case studies on outcome of Channel cases



DOMESTIC ABUSE

The Domestic Abuse Act 2021 places statutory requirements on local authorities to improve governance of Domestic Abuse, whilst ensuring the appropriate and accessible provision of safe accommodation for victims. In York, the Domestic Abuse agenda is delivered through the Domestic Abuse Local Partnership Board. In addition, a York and North Yorkshire Joint Commissioning Group ensures a collaborative approach between City of York Council, North Yorkshire Council and the Office of the Police Fire and Crime Commissioner for North Yorkshire, ensuring an equitable access to provision of support across both authorities. This joint commissioning group reports to both the York and North Yorkshire Domestic Abuse Local Partnership Boards.

Prevention is a significant element of the Domestic Abuse programme, ensuring that there is a close working relationship with schools, colleges and young people to focus on developing healthy relationships and raising awareness of unhealthy behaviours.

Domestic abuse specialist services are in place to both support victims of domestic abuse and to work with the perpetrators requiring support in changing their behaviour.

The statutory duty also includes the management and oversight of the Domestic Homicide Review process where cases are approved as meeting the criteria i.e. a review of the circumstances in which the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by— (a) a person to whom he was related or with whom he was or had been in an intimate personal relationship, or (b) a member of the same household as himself, held with a view to identifying the lessons to be learnt from the death. The criteria also now includes death by suicide, where circumstances related to the death indicate a link with domestic abuse or controlling and coercive behaviour

SYP Board Lead: Director of Public Health

Contributing Groups:

York Domestic Abuse Board
York and North Yorkshire Domestic Abuse Commissioning Group
York and North Yorkshire Joint Working Group
White Ribbon Accreditation Sub-Group
MARAC and MATAC Steering Group
Joint VAWG Strategy Group
Safeguarding Adults Board
Children's Safeguarding Partnership

Aims

- Contribute to the refresh and local delivery of the Domestic Abuse Strategy for York and North Yorkshire

- Further strengthen the governance processes ensuring that partners are contributing to the local delivery structure through the York Domestic Abuse Local Partnership Board
- Ensure that York is able to meet the requirements of the Domestic Abuse Act 2021
- Adopt a public health approach to domestic abuse, improving prevention and early identification to reduce incidents and the escalation of abuse
- Ensure local services are inclusive and accessible to meet the needs of local victims and survivors of domestic abuse
- Work with the Office of the Police Fire and Crime Commissioner to contribute to the domestic abuse outcomes identified within the Violence Against Women and Girls Strategy
- Contribute to the work for the York and North Yorkshire Serious Violence Duty working group
- Oversight of the Domestic Homicide Review Process and completion of any actions in relation to learning and recommendations.

How will success be measured?

- Utilise the Domestic Abuse Local Partnership Board to ensure effective monitoring of need to develop a coordinated system response
- Ensuring effective delivery of specialist domestic abuse services
- Undertake the Domestic Abuse Housing Alliance (DAHA) accreditation
- Engage with the victims and survivors who do not engage with the police or specialist services to shape service development
- Implement a comprehensive training package for professionals to have a workforce that is able to identify signs of abuse
- Reduce the incidence of domestic abuse by engaging with perpetrators or those displaying abusive behaviours to provide access to behaviour change interventions



Safe and Supported Communities

This priority is a cross cutting priority with links to all other priorities when considering the need to raise awareness, educate and empower communities to build confidence in reporting neighbourhood crime, antisocial behaviour and community tensions.

City of York Council Ward committees provide the platform for two way engagement between partners responsible for delivering community safety outcomes and residents, and this relationship can be developed also through the Resilient Communities Strategy Group.

Where community safety issues impact on communities, a multi agency problem solving approach based on early intervention and prevention is used with the council working closely with the police and wider partners to deliver holistic problem solving plans. This includes ensuring that the safeguarding needs of victims are met through the inclusion of a wide range of support services and community connectors in the problem solving process.

Anti-social behaviour is addressed through an escalating approach with enforcement action as a last resort. A dedicated team of police and council officers make up the Community Safety Hub. The remit of this team is to ensure that where enforcement action is required, it can be taken efficiently and effectively through joint working. The team also has specific powers to tackle environmental antisocial behaviour, also using an escalated approach based on advice, education and behaviour change with enforcement as the final stage. The team work closely with York's Neighbourhood Policing Teams to identify emerging anti-social behaviour early and put in place proportionate measures to address it. This approach will also involve a wider range of partners through a multi-agency problem solving model.

A multi-agency York Hate Crime Partnership has been established for York and is working to deliver the Hate Crime Action Plan. This group reports to Safer York Partnership.

SYP Board Lead: CYC Director of Housing and Communities

Contributing Groups:

Resilient Communities Strategy Group
Ward Committees
York Hate Crime Partnership
Community Safety Hub, Problem Solving Groups
Community Harm Meeting
Safeguarding Adults Board
Safeguarding Children's Partnership

Aims

- Increase the profile of the Hub to ensure that services within City of York Council, partners and the community understand the remit and work that is delivered
- Develop stronger links between the Community Safety Hubs, Ward Committees, partners and residents (community connectors) to allow for emerging issues to be identified at the earliest opportunity and related actions build into Neighbourhood Action Plans linking to Ward Funding priorities
- Identify other partners who could contribute to the overall remit of the hub and improve service delivery
- Develop the multi-agency problem solving approach to ensure that Problem Solving Plans are developed in partnership with all relevant agencies
- Deliver the Hate Crime Action Plan
- Create stronger links between the Community Safety Hub and Ward Teams

How will success be measured?

- Number of cases dealt with by the Community Safety Hub
- Outcomes of cases
- Number of prosecutions where enforcement action is taken
- Feedback from communities affected by serious anti-social behaviour
- Measurable improvements from Neighbourhood Action Plans
- Reduction in incidents of Hate Crime
- Increase in successful prosecutions for Hate Crime Offences



SERIOUS ORGANISED CRIME INCLUDING COUNTY LINES, EXPLOITATION AND MODERN SLAVERY

Serious Organised Crime (SOC) whilst often associated with regional, national or international criminals impacts most within local communities. Organised Crime Groups will deploy intimidation tactics, exploit individuals and use violence for unlawful gain. A Serious Organised Crime Board for York and North Yorkshire focuses on how the National Serious Organised Crime Strategy is delivered across the City and County. It is supported by a multi-agency Disruption Panel which brings together intelligence from a range of partners to disrupt the most prolific groups operating locally.

Within York, the City has seen an increase in Exploitation of both children and adults, examples of Modern Slavery and the impact of County Lines activity. The Community Safety Hub has fortnightly Early Intervention and Prevention Meetings with NYP Intelligence Unit, Neighbourhood Policing Inspectors, City of York Council Housing, North Yorkshire Fire and Rescue and the Youth Justice Service. This ensures that where there is suspected county lines activity, partners can contribute to evidence gathering and the Community Safety Hub can use their enforcement powers to contribute to disruption of criminal and/or antisocial activity.

Safeguarding the victims of exploitation associated with Serious Organised crime sits at the heart of partnership working and is supported by the work undertaken by the Community Safety Hub to take an early intervention and prevention approach to activity such as county lines.

York is piloting the National Clear Hold Build Policing initiative developed by the Home Office for addressing serious organised crime. This aims to work in high harm areas and to build community resilience.

**SYP Board Lead: NYP SUPERINTENDENT AREA
COMMANDER**

Contributing Groups:

York and North Yorkshire Serious Organised Crime Board
York and North Yorkshire Modern Slavery Partnership
York and North Yorkshire Disruption Panel
CYC Missing and Child Exploitation Meeting
CS Hub Fortnightly Early Intervention and Prevention Meeting
Serious Violence Duty Working Group
York Drug and Alcohol Partnership
Safeguarding Adults Partnership
Safeguarding Childrens Partnership

Aims

- Ensure that York partners are engaged in the work of the York and North Yorkshire Serious Organised Crime Board
- Continue to improve intelligence and information sharing to disrupt organised crime groups operating in the city
- Engage with communities affected by serious organised crime to provide timely information and reassurance
- Raise awareness of signs and behaviour associated with organised crime and promote national and local reporting mechanisms
- Develop the Fortnightly Intelligence meetings to ensure that action can be taken by appropriate partners to protect those who are vulnerable to County Lines activity
- Reduce Supply of Drugs
- Tackling crimes, bringing offenders to justice and safeguarding those at risk of becoming a victim of Modern Slavery

How will success be measured?

- Reduction in number of county lines operating in York
- Number of major and moderate disruptions against Organised Crime Groups
- Reduction in drug related crime
- Reduction in number of deaths related to drug misuse
- Increase in number of NRM referrals made
- Increase in number of victims supported / safeguarded



SERIOUS VIOLENCE

The Serious Violence Duty was introduced in January 2023 as part of the Police, Crime, Sentencing and Courts Act 2022. The Duty requires relevant partners to work together to share information and collaborate on interventions to prevent and reduce serious crimes within their local communities.

The definition of serious violence for North Yorkshire and York reflects issues found within the local area, and the impact and prevalence of different types of serious violence. Therefore, for North Yorkshire and York, the following crimes are included in our definition of serious violence and were used during the Strategic Needs Assessment (SNA):

- Homicide
- Violence with Injury
- Domestic Abuse
- Rape and Sexual Offences
- Weapon Related Violence; including Weapon Possession
- Arson Endangering Life
- Stalking and Harassment; non-domestic

From this SNA, a York & North Yorkshire Serious Violence Strategy and Implementation plan have been produced and Home Office funding provided has been allocated to support a number of initiatives aligned to the implementation of the strategy.

SYP Board Lead: Probation Service Yorkshire and Humber, Head of York PDU

Contributing Groups:

York and North Yorkshire Serious Violence Working Group
York and North Yorkshire Violence Against Women and Girls Strategy Group
York Domestic Abuse Board
CS Hub Fortnightly Early Intervention and Prevention Meeting
Operation Safari
Youth Justice Board

Aims

- Adopt a Public Health Approach to serious violence, improving prevention and early intervention to reduce incidents
- Ensure that relevant York stakeholders are involved in the Serious Violence Working Group
- Contribute relevant partner data to the Joint Strategic Needs Assessment to ensure that it accurately reflects the needs of York

- Ensure that the work of Groups, sub groups and task groups which are undertaking work that contributes to the reduction of serious violence is taken into consideration in the joint strategic needs assessment and subsequent strategy

How will success be measured?*

- Joint Strategic Needs Assessment undertaken
- Serious Violence Strategy is written in conjunction with key relevant partners and published by 2024
- Reduction in homicides
- Reduction in knife/weapon offences
- Reduction in hospital admissions for weapon related injuries.

Further Information and Contact Details:

Further information on the work of Safer York Partnership and to obtain advice on aspects of Community Safety can be obtained from the website:

www.saferyorkpartnership.co.uk

We can be contacted at:
Safer York Partnership
West Offices
Station Rise
York
YO1 6GA

Email: info@saferyorkpartnership.co.uk

Follow us on Twitter at @SaferYork

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Transport, Environment and Planning		
Service Area:	Community Safety		
Name of the proposal :	Safer York Partnership Community Safety Strategy 2023-26		
Lead officer:	Jane Mowat, Head of Community Safety		
Date assessment completed:	03/06/24		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise

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>Safer York Partnership is the Statutory Community Safety Partnership for York. The statutory partners who make up the partnership approved the Community Safety Strategy 2023-26 in September 2023. The purpose of this proposal is to cross check the strategy against the Council's Equalities Impact Process.</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>The Community Safety Strategy falls within the requirements of the Crime and Disorder Act 1998.</p>
1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>York Residents, the business community and visitors all have an interest in the priorities contained within the strategy and the subsequent delivery of outcomes as a result of the implementation of the strategy.</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>The aim of the strategy is to make York a safe place for all you live in work in or visit the city. Officers within the respective partner organisations are required to ensure that their actions related to delivery of the strategy meet the equalities policies associated with their own organisation.</p>

	<p>The Strategy links to the following strands of the Council Plan:</p> <ul style="list-style-type: none"> Equalities and Human Rights Affordability Climate Health
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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>	
	Source of data/supporting evidence	Reason for using
	<p>The information contained within the strategy has been compiled and agreed by the board members representing each of the statutory partners that make up the Community Safety Partnership. In relation to the specific input from City of York Council, this has included adherence to the Council Plan which includes ensuring that the strategy provides equal opportunity and balances the human rights of all</p>	<p>As a priority within the Council Plan, the work that is undertaken through the partnership to impact on the safety, security and quality of life needs to ensure that it is inclusive for all communities impacted by the delivery of the strategy and achievement of its outcomes.</p>
	<p>Assistant Director Customer & Communities is a member of the Safer York Partnership Board and as such has</p>	

contributed to the development and final version of this strategy	

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
	Whilst consultation on the strategy was not extended to direct contact with specific community groups or third sector organisations representing specific communities, representation on the Safer York Partnership Board includes York CVS and input from the Hate Crime Partnership	Where specific actions to deliver the strategy require consultation, support or direct input from specific communities, engagement with representative groups will be included within the delivery plans.

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
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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	The strategy is inclusive of all ages with appropriate actions aligned to specific age profiles as appropriate	+	M
Disability	The strategy is inclusive of all disability requirements and copies of the strategy can be made available in alternative formats as required	+	M
Gender	The strategy is inclusive of all genders	+	M
Gender Reassignment	The strategy is inclusive of all genders and allows for flexibility within its delivery plans to meet the needs of any specific groups	+	M
Marriage and civil partnership	The content of the strategy is applicable to all individuals irrespective of their marital status	+	M
Pregnancy and maternity	The content of the strategy is fully inclusive and allows flexibility within its delivery plans to meet the specific needs of any individual requiring adjustments	+	M
Race	The strategy is inclusive of all races and allows flexibility within its delivery plans to meet the specific needs of any particular race	+	M
Religion and belief	The strategy is inclusive of all religions and beliefs and allows flexibility within its delivery plans to meet the specific needs of any particular religion or belief	+	M

Sexual orientation	The strategy is inclusive of all sexual orientation and allows flexibility within its delivery plans to meet the specific needs of any particular community	+	M
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	The strategy has strong links to safeguarding and social care through the delivery of its priorities and as such the input, support and engagement with carers is included within the delivery plans required to implement each priority	+	M
Low income groups	The delivery plans which underpin each priority have the flexibility to ensure that they meet the needs of any low income groups affected	+	M
Veterans, Armed Forces Community	The Armed forces are engaged with the work of Safer York Partnership through membership of appropriate sub groups which support delivery of the strategy	+	M
Other			
Impact on human rights:			
List any human rights impacted.	Equalities and Non discrimination Education Decent Standard of Living Housing Health & Social Care	+	M

Use the following guidance to inform your responses:

Indicate:

EIA 02/2021

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

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

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

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>It is the responsibility of the Safer York Partnership Board Members to ensure that where any equalities concerns are highlighted through the delivery of the strategy, these are addressed by the Board, including any specific action to be taken by any of the partners through their organisation's disciplinary processes. This may at times require representatives of specific communities or groups to be invited to attend a partnership meeting or for specific consultation with communities or groups to be commissioned by the partnership board in order to execute it's duties.</p>	

Step 6 – Recommendations and conclusions of the assessment

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

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

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

Option selected	Conclusions/justification
No change to the proposal	The governance structure of the partnership ensures that any emerging equalities impacts can be identified, discussed and addressed through the Partnership Board.

Step 7 – Summary of agreed actions resulting from the assessment

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

Step 8 - Monitor, review and improve

8. 1	<p>How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?</p>
	<p>Equalities impact will form part of the ongoing monitoring of the delivery of the strategy, drawing on the contributions of the statutory partners that make up the Partnership Board.</p>



Meeting:	Executive
Meeting date:	12 September 2024
Report of:	Claire Foale, Interim Director for City Development
Portfolio of:	Cllr Pavlovic, Executive Member for Housing, Planning and Safer Communities

Prioritising Supplementary Planning Documents

Subject of Report

1. Whilst the emerging new Local Plan sets the overarching planning policy framework, Supplementary Planning Documents (SPDs) can provide further detail on the implementation of specific policies as guidance for both internal and external parties. SPDs seek to ensure policy intentions are clear and can be applied consistently. They cannot introduce new planning policies and rely upon policies set out in the development plan.
2. Executive has previously agreed to prioritise the production of three SPDs: Affordable Housing, Climate Change and Green Infrastructure. An overall list of SPDs for production was agreed at Executive in January 2023 alongside a request to consider a potential SPD for culture and delegated the prioritisation of SPD production to the new administration (post May 2023 elections).
3. This report seeks to update on the existing SPDs agreed for production, recommend the prioritisation for production of further SPDs with an understanding of their likely contents, resources and timescales. It also seeks approval to proceed with an altered list of SPDs and advises on where additional guidance would be beneficial in preference to an SPD.
4. The report also considers the e-petition received in March 2024 regarding reviewing the thresholds set out in the Controlling the Concentration of Houses in Multiple Occupation SPD (Draft, 2014).

Benefits and Challenges

5. Once adopted, the new Local Plan will set a suite of planning policies for the city, including defining the Green Belt boundaries for the first time, in line with national policy. The production of SPDs will help enable this step change in policy delivery by effectively supporting the implementation of Local Plan policies, where necessary. The content of SPDs will enable the Council to define how applicants can meet the policy requirements in a consistent manner and will be a valuable tool for ensuring policies are applied to decisions on planning applications consistently.
6. In the long term, SPDs are likely to be beneficial to council services/technical officers who currently provide detailed advice to applicants in relation to how to deliver and achieve policy expectations set out in the Local Plan. In future, the SPD can be signposted and should deal with the key issues that are most consistently asked about leading to efficiency.
7. The SPDs may also include standard conditions and informative wording to demonstrate how the Council would secure the requirements of the plan policies through the grant of planning permission. Additionally, it could set out monitoring requirements (if appropriate) and explain how these would be secured.
8. Whilst considered helpful, applicants will need to be aware that this further suite of documents are to be referenced and adhered to during the application process. The requirements for this will be made transparent in the Validation List (to be published) against which planning applications will be validated. All SPDs will also be made available on the Council's website to ensure transparency.
9. One of the biggest challenges is how to ensure sufficient capacity and skills to progress the SPD work in a timely manner, as there is a considerable resource required to produce a new SPD. Due to pressures on the Council's revenue budget, it is recognised that the production of SPDs will need to be mainly undertaken in-house, which can be capacity intensive. The Strategic Planning Policy Team will be leading on SPD production but will require specialist input and a time commitment from technical officers in other teams. This may cause a capacity issue and conflict with existing priorities/work programmes in the short term. A detailed timetable will be developed, however at this stage it is anticipated that the additional

priority SPDs will take a minimum of 2-3 years to reach adoption utilising internal capacity. Timescales for all SPDs will be subject to the timing and content of the Inspectors' report on the Local Plan.

10. As set out in the report to Executive in January 2023, there are some cross cutting themes that Officers consider should be embedded into each SPD or produced as non-statutory guidance as opposed to an individual SPD. These include, but may not be limited to: health and well-being, cultural wellbeing, equalities, accessibility and environmental issues. The advantage of having some topics included as themes throughout the SPDs is that it limits the amount of documents produced and without delaying the production of other SPDs necessary to support implementation of policies within the Local Plan.
11. It is also beneficial that further council guidance could be prepared to sit alongside SPDs where a planning policy-defined approach is not required or applicable but some further explanation or sign-posting to existing documentation would be helpful. Additional guidance would not be required to adhere to the legislative requirements SPDs are subject to and would be more simple/ quicker to produce. Guidance can also be produced ahead of a formal SPD to signpost to existing relevant documentation where information ahead of the SPD is beneficial.

Policy Basis for Decision

12. Supplementary Planning Documents are not a statutory part of the development plan. However, they have recognised benefits to help ensure consistency in the application of planning policy and determination of planning applications.
13. The National Planning Policy Framework (NPPF) recognises SPDs as a useful tool. This defines SPDs as: *'Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.'*
14. The Local Plan provides the starting point for SPD production. Whilst SPDs can be developed alongside the Local Plan, they can

only be formally 'made' post adoption of the development plan for the city. For timetabling purposes, we will therefore seek to ensure alignment between the emerging Local Plan and the content of the SPD.

15. Where SPDs are agreed to be taken forward, they are subject to [Regulations 11 to 16 in Part 5 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). These regulations dictate the process by which the SPD must be produced, including public participation, consultation and adoption procedures. They have informed our Statement of Community Involvement (draft, 2024) setting out how we will produce SPDs. Production will be in conformity with the SCI document.
16. Members should note that the Levelling Up and Regeneration Act (2023)¹ and the proposed changes to the National Planning Policy Framework consultation (2024)² sets out planning policy reform. Following the change in Government in July 2024 it is not yet clear whether the changes proposed in the Act to the role of SPDs will be carried forward. Proposed changes to new-style Local Plans are intended to be progressed so it might be reasonable to expect that the role of SPDs still change to become less material supporting guidance as there is an expectation that the detail to implement policy will sit within new-style Local Plans. It was previously confirmed by MHCLG that SPDs can be adopted up until formal notification is issued of the Council's intention to commence plan-making under the new regulatory regime. Any SPD that is in production at that point may therefore be affected. Officers will advise further on potential timetable impacts and alignment with the new plan-making regime once MHCLG confirms its planning reform proposals.
17. An Article 4 Direction is in place across the main urban area of York, which removes permitted development rights to change a dwellinghouse (use class C3) to a House in Multiple Occupation (HMO) (use class C4). This is relevant to policy H8 of the emerging Local Plan and the current draft SPD for Controlling the Concentration of Houses in Multiple Occupation (2014). This topic is covered later in this report, specifically in relation to the e-petition received on this matter.

¹ <https://www.legislation.gov.uk/ukpga/2023/55/enacted>

² <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

18. Executive in July 2024 approved the new policy framework for Transport across the City by approving the Local Transport Strategy. This will feed into consideration of the Transport SPD.
19. SPD production aligns to achieving the Council's four core commitments for Equalities and Human Rights, Affordability, Climate Change and Health. Table 1 indicates which core commitment each SPD would significantly address, notwithstanding that equalities, climate change and health will be themes covered in general across all SPDs. More detailed indication of how each SPD addresses the council's core commitments and priorities will be set out in forthcoming reports on each individual SPD brought to Executive.

Table 1: Indicative compatibility to Council Plan Core Commitments and priorities.

	Core commitments					Council Plan Priorities				
	Equalities	Affordability	Climate Change	Health	Health & well-being	Education & skills	Economy & good employment	Transport	Housing	Sustainability
SPDs										
Climate Change			Y	Y	Y					Y
Housing	Y	Y		Y	Y				Y	
Green Infrastructure			Y	Y						Y
Sustainable Transport	Y		Y	Y				Y		
Gypsy, Travellers & Travelling Showpeople	Y			Y	Y				Y	
Developer Contributions		Y		Y	Y	Y		Y	Y	
Review of the House Extensions and Alterations (existing draft)									Y	
Review of the Subdivision of dwellings (existing draft) SPD									Y	
Heritage										Y
Environmental Protection			Y	Y	Y					Y
Culture							Y			

Healthy Places	Y			Y	Y					
Guidance										
Accessibility	Y				Y					
Biodiversity Net Gain			Y							Y
Flood Risk Sequential Tests			Y							Y
Health Impact Assessment				Y	Y					

Financial Strategy Implications

20. A £40,000 budget is in place for production of the Climate Change SPD, which is nearing completion. There are no other budgets in place for the production of other SPD's.
21. As set out above, due to constraints on CYC budgets, there is a working assumption that SPD production will need to be undertaken using in-house capacity and skills. While the Strategic Planning Policy team will lead/coordinate the process, there will also be a reliance on relevant technical officers in determining the detail of each SPD. The timescale and scope for production will be reliant on this technical officer capacity, and is something that needs to be discussed and programmed/agreed with senior officers and members alongside other priority work.
22. SPD production must follow the requisite regulatory regime, including a statutory 6 week public consultation. Costs incurred for each consultation will be subject the scope of consultation; usually this is citywide with targeted events which will be determined through a separate consultation strategy, aligned to the Council's Statement of Community Involvement.
23. Given the current level of budgeted resources it is not possible to speed up the delivery of SPD's.

Recommendation and Reasons

24. Officers recommend the following:
 - (i) Members note progress of the ongoing production of the Climate Change SPD.

- (ii) Members agree the revised scope for the Housing SPD and Green Infrastructure SPD, as set out in Annex C, and continue to prioritise their production
- (iii) Members agree the scope for a 'Planning for Health' SPD, as set out in Annex C, and agree it's inclusion in the next phase of SPD prioritisation
- (iv) Members note the likely scope for a Transport SPD, as set out in Annex C, to support the implementation of the Local Transport Strategy. Further detail to be delegated to the Director for Transport, Environment and Planning in consultation with the Executive Member for Transport and Executive Member for Housing, Planning and Safer Neighbourhoods.
- (v) Members agree that a Gypsy, Traveller and Travelling Showpeople SPD be included in the next phase of prioritisation of SPDs. The scope of the SPD to be delegated to the Director for City Development on consultation with the Executive Member for Housing, Planning and Safer Neighbourhoods.
- (vi) That SPDs for Extensions & Alterations of Buildings, Environmental Protection, Culture and Heritage & City Walls be agreed as lower priority for SPD production, due to limited internal capacity to progress these at this time;
- (vii) Each draft SPD is reported to Executive for agreement to proceed to statutory public consultation and subsequently, adoption.

Reason: To progress a suite of SPDs to support the policies set out in the new City of York Local Plan to ensure policy is clear and applied consistently.

- (viii) Members note the response to the e-petition on HMO thresholds and agree the continued monitoring of the policy's implementation for consideration as part of future policy review.
- (ix) Members agree the continued gathering of evidence to support a potential Article 4 direction to remove permitted development rights allowing changes of use of a building in commercial, business and service use (use class E) to residential (use class C3);
- (x) Members agree the continued gathering of evidence ahead of Government introducing changes relating to short-term holiday lets, which could support a potential Article 4 direction to restrict permitted development rights.

Reason: to support implementation of the Local Plan and ensure evidence is available to inform a local policy response as appropriate.

Background

25. In October 2020, Executive agreed to progress draft SPDs alongside the Local Plan Examination for key topics to ensure their early adoption following adoption of the Local Plan. The agreed priority SPDs were for climate change, affordable housing and green infrastructure.
26. However, progress on the prioritised SPDs was halted to allow effective progression of the Local Plan Examination. Additionally, it was recognised that modifications to policies and updated national guidance would influence the SPD outturn. Pausing their production to a more advanced stage of the examination process has allowed progress based upon up-to-date policy requirements and avoided abortive work.
27. A report to Executive in January 2023 resolved:
 - To continue to prioritise the production of the 3 agreed priority SPDs (Climate Change, Affordable Housing and Green Infrastructure)
 - To agree that the new administration should determine how the remaining SPDs would be best programmed, to support the delivery of the Local Plan, including
 - Gypsy and Travellers and Travelling Showpeople
 - Sustainable Transport
 - Residential Design – alterations and extensions
 - Conversion, Small Sites and Self Build
 - Houses in Multiple Occupation
 - Shopfront Design and Advertisements
 - Developer Contributions (S106 and CIL Guidance)
 - Heritage and Conservation SPD / City Walls SPD; and
 - To agree that SPDs should also incorporate cross-cutting themes where relevant regarding health, culture, accessibility to avoid unnecessary production of SPDs.
28. Additionally, Members requested that officers consider the production of additional SPD regarding Culture in addition to

embedding culture as a theme into the various SPDs, where applicable.

29. An ePetition also ran from 26/02/2024 to 20/03/2024 petitioning the council to reduce the HMO acceptability thresholds permitting the conversion of further HMOs. This ePetition received 80 signatures and called upon the council to implement the Council motion of the 16th December 2021 submitted by Councillor Warters that resolved to:

Request Executive to initiate without delay a review of the HMO Supplementary Planning Document with a view to halving the acceptable percentage thresholds of HMOs across the Article 4 Direction Area.

30. A response to controlling the concentration of HMOs is dealt with in more detail under the Housing SPD (paras 43 to 45) of this report, which directly addresses the issue raised.

Local Plan context

31. The Local Plan provides an overarching spatial strategy to meet the quantitative and qualitative needs of York's population to 2032 and beyond. As the development plan for the city, it sets the spatial and policy framework of how and where new development will be supported requiring high quality, sustainable place-making. The City of York Local Plan was submitted for Independent Examination in May 2018 and has been through a rigorous independent Examination process with appointed Inspectors.
32. Consultation on matters relating to the Phase 5 Hearings Sessions (March 2024) regarding gypsy and traveller matters concluded on 30 August 2024. The Council anticipates the Plan's adoption at Council in Autumn/Winter 2024, subject to receipt and content of the Inspectors' report.

Progress of existing priority SPDs

33. Annex C sets out in more detail the likely scope of each proposed SPD and resources required for its production.

Climate Change SPD

34. Promoting mitigation and adaptation to Climate Change continues to be recognised as key to addressing the climate emergency and

supports the climate change strategy for the Council, which sits alongside the Local Plan.

35. The Climate Change SPD focuses on the implementation of Local Plan policies:
 - CC1 Renewable and Low Carbon Energy Generation and Storage;
 - CC2 Sustainable Design and Construction of New Development; and
 - CC3 Decentralised Energy Networks
36. Particular focus is given to the requirements of Policy CC2 and the interaction with other policies in the plan. Guidance is to be framed around 'water', 'energy', 'materials' and 'waste' in recognition that these resources are used through the lifespan of a development project. Matters relating to relevant policy requirements are to be set out along with best practice examples (drawn from local case studies where possible).
37. Given that climate change is also a cross-cutting theme, we are ensuring that the document also sign-posts and links to other guidance/ SPDs as necessary.
38. Strategic Planning Policy are working alongside the Carbon Reduction Team with consultants Buro Happold following specific funding to fast-track SPD development and a competitive procurement process. A draft SPD is expected to be taken to Executive for a decision on consultation in early autumn 2024, subject to the delivery and outcomes of the Local Plan Inspectors report. Consultation expected Autumn 2024 with adoption by Executive in Winter 2024/25.

Housing SPD

39. The original decision to commence an Affordable Housing SPD reflected the need to clarify specific aspects of delivery through the planning system for emerging policy H10 and guidance on how properties should be occupied and operated. However, since this decision, the policy context for affordable housing has changed and it has become clear that there is significant merit in widening the scope for this SPD to address all relevant housing policies together. This will avoid the need for separate SPD to tackle issues also common to the development of market housing.

40. The provision of and design of accessible housing is particularly important in this context. Embedding these considerations into an SPD that holistically covers housing matters will support the Council's commitment to the Social Model of Disability and the Public Sector Equality Duty.
41. The scope of the SPD, as set out in Annex C, is now recommended to address the following policies, where necessary:
 - H1 Housing Allocations
 - H2 Density of Residential Development
 - H3 Balancing the Housing Market
 - H4 Promoting Self and Custom House Building
 - H7 Off Campus Purpose Built Student Housing
 - H8 Houses in Multiple Occupation
 - H9 Older Persons Specialist Housing
 - H10 Affordable Housing
 - DP3: Sustainable Communities
42. There has been detailed consideration of the proposed policy approach through the Local Plan's Examination and the Council has proposed policy modifications to capture national policy changes, where necessary.
43. The SPD is being undertaken in-house by the Strategic Planning Policy team in conjunction with technical officers in the Housing Team predominantly. Inputs and support will also be drawn from the York Access Forum.

Houses in Multiple Occupation ePetition

44. Currently there is a historic draft SPD to support Policy H8 Houses in Multiple Occupation, which is requested for review via the recent ePetition and as proposed through the Council Motion in December 2021.
45. This draft SPD was prepared and endorsed to support the implementation of the Article 4 Direction in 2012 in lieu of an adopted Local Plan policy. However, policy H8 in the emerging Local Plan now sets out the thresholds for controlling the concentration of HMOs (applied at the street and neighbourhood level) and has been tested in public through the Local Plan

Examination³. To date, Inspectors have not directed the Council to consider its evidence further or propose modifications to that policy.

46. Prior to the public hearings of the Examination in 2022, a report reviewing the approach to HMO policies was brought to Executive in April 2022 to address the Council motion of December 2021. The report set out the implications and legal considerations associated with undertaking a review of the SPD and asked Members to consider these, and any changes to policy, in the context of the council's Local Plan, ahead of the in-public examination hearing sessions. In relation to the HMO policies, the following decision was taken by Executive:

(i) That it be confirmed that the current HMO policies are evidence-based, robust and fit for purpose and that the consideration of a review of the Local Plan Policy H8 and the HMO SPD be deferred until such time as the Local Plan is adopted, at which time the appropriate resources and scope can be considered as part of the ongoing process of maintaining an evidence based Local Plan and the National Planning Policy Framework (NPPF) requirement for regular Local Plan reviews.

Reason: To ensure the Local Plan examination is not put at risk and to ensure resources are in place to facilitate a robust evidence base approach to the future review of the Local Plan and policies.

47. The decision made by Executive informed the Council's Local Plan examination position at hearing sessions held for Phase 3 in July 2022 for policy H8, the outcomes of which have been considered in the recommendations for the current draft HMO SPD in this report.
48. The request of the ePetition to revise the thresholds set out in the draft HMO SPD is therefore not possible to agree, as amendments to the Local Plan policy thresholds can now only be achieved through a Local Plan policy review that is triggered by monitoring evidence of the policy's implementation or scoped in as part of a wider policy review.

³ Phase 3 Hearing sessions – Student Housing.

49. It is recommended that relevant content supporting the implementation of the policy currently within the draft HMO SPD should be incorporated into the Housing SPD. The content of this is likely to include how the calculation will be undertaken by the Council, the datasets used and how this will be used in the determination of a decision on a planning application.

Green Infrastructure SPD

50. An SPD for Green Infrastructure was prioritised to reflect the need for detail associated with meeting policy requirements, which otherwise would have made the Local Plan policies overly lengthy and complex.
51. Whilst the scope of the GI SPD was previously agreed with a former Executive Member, the policy context and requirements have evolved and there is a need to be consistent with national policy and updated policies in the Local Plan. A key example of this pertains to mandatory requirements for Biodiversity Net Gain.
52. It is also recommended that there is a split between environmental matters covered in this SPD and human health impacts/outcomes, which should be covered separately in a future 'Planning for Health' SPD. Aspects of recreational openspace, which is policy within the Green Infrastructure section of the Local Plan, will feature in both as necessary.
53. On this basis, it is recommended that a revised scope for the SPD be agreed to cover the following policies in the Local Plan (as set out in Annex C):
- GI1 Green Infrastructure
 - GI2 Biodiversity and Access to Nature
 - GI2a Strensall Common Special Area of Conservation (SAC)
 - GI3 Green Infrastructure Network
 - GI4 Trees and Hedgerows
 - GI6 Provision of New Open Space
 - ENV4: Flood Risk (where applicable)
 - ENV5: Sustainable Drainage (where applicable)
 - DP2: Sustainable Development
54. Matters relating to flood risk and drainage are included on the basis that blue and green infrastructure should be integrated considerations in new developments. In doing so the opportunities

for optimising the multi-functionality of solutions are more likely to be achieved. The SPD will be a useful vehicle for exploring ways of doing this in York.

Other identified SPDs

Gypsy, Traveller and Travelling Showpeople SPD

55. Policies H5 and H6 in the Local Plan support the delivery of suitable accommodation for gypsy and traveller and Travelling Showpeople. However, additional guidance provided through an SPD will ensure that particular design considerations are clearly set out and can be followed by developers in order for sites to best meet the needs of future residents.
56. Given the need to ensure suitable accommodation delivery and design, this SPD would be prepared between Strategic Planning Policy and Housing teams with significant input and consultation with the gypsy and traveller community in a co-design process. It is recommended that this is included in the next phase of priority SPDs to ensure forthcoming provision adheres consistently to best practice and design requirements.

Transport SPD

57. The Local Plan transport section includes policies focussing on the delivery of strategic, local and sustainable transport requirements for planning proposals. This SPD would focus on ensuring clarity in relation to specific topics, wherein particular detail as to how the council approach such matters would be helpful. This may include but not limited to highway design and supporting active travel.
58. It is recommended that this SPD is included in the next phase of priority SPDs to broadly coincide with the development the Local Transport Strategy (LTS) to ensure that relevant planning policy issues can be addressed. This SPD is recommended as a priority aligned to the LTS timetable.

Residential Extensions and Alterations SPD

59. Currently there are 2 draft SPDs that address these issues to expand policy D11 'Extensions and Alterations of Buildings'. It is recommended that these SPDs are brought together into one document. This is a document we understand is frequently used by householder applicants and there is therefore benefit in reviewing

and publishing further information on this issue to inform the development management approach.

60. Whilst the refreshing of these SPDs is recommended to be a lower priority, reflecting that both existing draft SPDs can be retained in use in the interim period, it should be a relatively light touch consolidation exercise rather than a significant piece of work, and therefore will be brought forward when practical to do so.

Culture, Environmental Protection, Heritage and City Walls

61. It is recommended that the production of an SPD specifically relating to culture is regarded a lower priority when considered against other topic areas that are likely to influence and benefit more development proposals. Embedding culture as a theme into other SPDs as appropriate is therefore considered to be an appropriate and proportionate approach. Similarly, matters relating to the plan's environmental protection policies will be addressed as part of the suite of prioritised SPDs and guidance documents as necessary.
62. SPD concerning the City's heritage and development affecting the City Walls was previously outlined to:
- provide detailed guidance on alterations and extensions to listed and historic buildings.
 - detail how development proposals (including signage/advertisements) can be consistent with and sympathetic to the scheduled monuments/listed buildings.
 - provide guidance on proposals directly affecting the City Walls as well as their setting.
63. Whilst local guidance on these matters would be beneficial, it is recognised that there is a wealth of material produced at a national level that supports development in historic settings. Furthermore, a design guide for the City Walls is being developed that sets out a range of practical information relating to different consent processes (planning and non-planning) and includes design scenarios from street furniture, change of use, to public and private advertising. In light of this, a Heritage and City Walls SPD is recommended as a lower priority.

New SPDs proposed

Healthy Places SPD

64. Executive in January 2023 previously agreed that health should be incorporated into each SPD as a key theme. However, officers are recommending a new SPD to cover policies relating to improving human health; this aligns with the Council Plan's core commitments.
65. Principally a Healthy Places SPD would seek to effectively deliver:
- Policy HW7 'Healthy Places', including the requirements of a Health Impact Assessment
 - Policy GI5 'Existing Openspace'
 - Policy G6 'New Openspace'
66. The production of this SPD will lead by Strategic Planning Policy working with the Public Health team. It is recommended that this is a priority SPD to ensure that there is clarity with regards to policy expectations, particularly in relation to the production of Health Impact Assessments (HIA). In the interim period, a new planning policy guidance page for HIA is available on the Council's website signposting to existing national guidance and best practice examples.

New guidance

67. There are complimentary subject areas which are not covered directly by policy in the Local Plan or do not require an SPD, but would benefit from clear guidance to be a material consideration in the planning process. This guidance may sign post to existing information where helpful and in some cases confirm how the Council intends to apply policy at a national level.
68. We have recently made available webpages relating to Biodiversity Net Gain following its mandatory introduction in 2024 and our approach to Developer Contributions (via S106 / Community Infrastructure Levy).
69. Further guidance is currently being prepared for:
- Accessibility in design – working with the York Access Forum to develop a design checklist for design considerations. This guidance will complement the accessibility content in the Housing SPD, with a greater focus on the design of public realm and non-residential developments.
 - Applying the Sequential Test for flood risk – working with Development Management officers and the Flood Risk

Management Team to help set out the different parameters for applying the test.

70. Additionally, there are two further areas that have been identified as requiring further exploration as to whether an SPD may be relevant. These are regarding a potential Article 4 Direction for the City Centre to remove certain permitted development rights and guidance pertaining to short-term holiday lets. Whilst this is recognised as an important issue for York, Officers recommend that further evidence gathering is necessary in the first instance to ensure such an approach is justified. Further, the Government's response to consultation of short term lets confirms new measures are to be implemented, which need to be enacted through legislation and may influence a future policy direction. It is recommended that this issue is reported separately to Executive, when more clarification is available at a national level.

Consultation Analysis

71. The policy framework set out in the Local Plan has been through various consultation stages as part of its preparation for submission in May 2018 and since then as part of its Examination. The Examination process has resulted in modifications to the submitted policies to ensure they are 'sound' in relation to national policy requirements. The modified policies (as determined by the Inspectors in their final report) will form the policy basis for all SPDs.
72. SPDs must adhere to the production procedures set out in national legislation (as set out above). This includes specific public participation and consultation for a period of 6 weeks.
73. Consultation on SPDs will be undertaken in accordance with the Council's Statement of Community Involvement (SCI). This is a statutory document that sets out the consultation procedures for Planning Policy and Development Management. A revised SCI was endorsed for consultation in March 2024, including the requirement that for each plan-making consultation, including SPDs, an individual consultation strategy will be developed.
74. Ahead of an Executive decision on SPD consultation, the documents will also be taken to the Local Plan Working Group for cross-party discussion and recommendation.

75. The report has also been informed by internal discussion with technical officers to understand where further guidance is necessary and/or helpful.

Options Analysis and Evidential Basis

76. In determining the approach to options and prioritisation, Officers have carried out a scoping exercise to identify more specifically the areas which would benefit from further clarification. Annex C presents the anticipated contents of each SPD and has influenced officer's recommendations for how they should be prioritised.

77. The following options have been considered:

Existing priority SPDs

- (i) Members continue to prioritise and note progress of the Climate Change SPD (which is under way);
- (ii) Members to re-prioritise the existing SPDs under way for housing and Green Infrastructure;
- (iii) Members agree the revised scope for the Housing and Green Infrastructure SPDs
- (iv) Members do not agree to the revised scope of the Housing and Green Infrastructure SPDs

Prioritisation of other SPDs

- (v) Members agree to the following prioritisation of SPDs:
 - Second phase of priority
 1. Healthy Places
 2. Gypsy, Traveller and Travelling Showpeople Design guidance
 3. Transport (aligned with Local Transport Plan)
 - Lower priority
 4. Residential extensions and alternations
 5. Environmental Protection
 6. Culture
 7. Heritage and City Walls
- (vi) Members recommend alternative prioritisation of SPDs.

SPD Decision-making

- (vii) Each draft SPD is reported to Executive for agreement to proceed to statutory public consultation.

- (viii) Where further decisions regarding the preparation of the SPDs are required, authority should be delegated to the Director for City Development in conjunction with the Executive Member for Housing, Planning and Safer Communities.
- (ix) Members recommend alternative reporting and delegated decision-making authority.

Analysis

- 78. Option (i) allows the continuation of Climate Change SPD development already underway. This is currently funded and consultancy led. On this basis, it is considered that its production should continue.
- 79. Option (ii) would reorganise the timeline for the production of the housing and GI SPDs. Both of these SPDs are under preparation and progress would be halted. It is recommended that they remain high priority SPDs to ensure that the relevant policies are enacted effectively.
- 80. Option (iii) allows for the scope and specification for the housing and green infrastructure SPDs to be updated to align with local and national policy. Option (iv) would, in the context of the Housing SPD, mean that the scope would sole focus on affordable housing delivery. It is anticipated that this would mean a further SPD would need to produced to cover the remaining aspects of housing policy that needs further definition. This is likely to increase timescales, resources and duplication of matters which other would be covered under a new agreed scope (as per Option (iii)). For Green Infrastructure, this would exclude additional information linked to policy GI2a Strensall Common SAC, which has been proposed as part of the Local Plan examination process and not originally included in the scope of the GI SPD. Additionally, there is an opportunity to align information at the local level relevant to the mandatory introduction of biodiversity net gain.
- 81. Option (v) recommends that the priority order for commencing additional SPDs. The recommended prioritisation reflects the areas identified to require further helpful detail to support policy implementation to ensure effective delivery. This priority list also

seeks to best deliver the council's core commitments and priorities (outlined in para 18). Option (vi) allows for Members to recommend an alternative approach to SPD production.

Organisational Impact and Implications

Financial:

82. The council budgets for a core Local Plan team at a cost of c £370k per annum with a residual £10k for consultancy. There is therefore limited capacity to undertake a significant additional workload. The recommendations within the report will need to be delivered within current budgets.

Human Resources (HR):

83. There are no HR implications contained within this report. Should additional capacity be required to undertake this work then this would be sourced in accordance with the Council's resourcing procedures.

Legal:

84. A Supplementary Planning Document must be prepared, consulted upon and adopted in accordance with the requirements of regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012. SPDs should provide advice and guidance on policies in an adopted local plan. As an SPD will not form part of the statutory development plan, it cannot introduce new planning policies into the development plan. An SPD will however be a material consideration in decision making.

Procurement:

85. There are no likely procurement implications arising from the recommendations of this report.

Health and Wellbeing:

86. Strategic planning documents are beneficial for health for several reasons:
- Guidance: They provide a roadmap for developments within the city which actively considers the key elements required for designing a healthy city, ensuring developments are considering health outcomes for our residents. The inclusion of a health SPD ensures that efforts are aligned with overarching CYC health priorities and guides the developers to those

priorities set out for the City's growth in a sustainable framework.

- Resource Allocation: Strategic planning documents help to prioritise the allocation of resources effectively by identifying priority areas for investment. This ensures that limited resources are utilised efficiently to address City of Yorks specific health concerns. Including the prioritisation of impacts caused by an expanding population and increasing demands on the health systems.
- Long-Term Vision: By outlining the impact of growth on the health systems over the long-term we can mitigate population increase and its impact on those health systems using strategic planning documents to promote a forward-thinking approach to health and the prevention of ill health by the way we design our spaces. This helps anticipate future health challenges and develop proactive solutions to address them.
- Overall, strategic planning documents serve as essential tools for improving health systems, enhancing efficiency, and ultimately, promoting better health outcomes for individuals and communities.

Environment and Climate action:

87. Positive implications would result from the implementation of topic specific SPDs as outlined in this report.
- The Climate Change SPD will specifically support sustainable design and construction objectives to ensure new development embeds mechanisms for carbon reduction and energy efficiency and renewable energy generation.
 - The opportunity for the Transport SPD is to enable the positive delivery of transport policies in the Local Plan, including where applicable, sustainable and active travel, connectivity and highways design.

Affordability:

88. The delivery of the Housing SPD, incorporating specific information regarding the delivery of affordable housing policy and how this is achieved, is positive. This should have a positive effect in terms of delivery and affordability objectives.

Equalities and Human Rights:

89. An EIA completed for this report is attached at Annex A. It is acknowledged that the detail of each SPD will be considered

separately when they are produced and subject to further Executive decision making.

Data Protection and Privacy:

90. As there is no personal data, special categories of personal data or criminal offence data being processed, there is no requirement to complete a data protection impact assessment (DPIA). This is evidenced by completion of DPIA screening questions AD-05688 (Annex B).

Communications:

91. There are unlikely to be any significant impacts of this report for the Communications Service, with the exceptions of managing any incoming media enquiries that may result from it (or the associated Local Plan and SPDs), and - from time to time and as required - occasional proactive media activity.

Economy:

92. There are no direct economy implications arising from the recommendations of this report.

Risks and Mitigations

93. Making a decision ahead of the receipt of the Local Plan Inspectors final report may influence the content of policies included therein, which impact on the scope of the SPDs.
94. The production of SPDs in-house can be an intensive process. The availability of resources and prioritisation of the process will impact on the timetable for the production of SPDs. To enable their effective production, support for their development needs to be included on relevant service plans and Directorate work programmes.

Wards Impacted

95. Planning policies apply citywide and therefore development in all wards will be impacted by the introduction of SPDs.

Contact details

96. For further information please contact the authors of this Decision Report.

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Background papers

York's emerging Local Plan (2018) [[CD001](#)], proposed Main Modifications Schedule (2023) [[EXCYC128](#)] and [proposed Main Modifications to Policy H5 and H6](#) (2024)

Executive Report of 21 April 2022 – [Issue - items at meetings - Review of the “Controlling the Concentration of Houses in Multiple Occupation” Supplementary Planning Document 2012 \(revised 2014\) in response to the Council Motion of December 2021 \(york.gov.uk\)](#)

Executive Report of 26 January 2023 - [Issue details - City of York Local Plan Proposed Modifications and Evidence Base](#)

Executive Report 18 July 2024 – [Local Transport Strategy](#)

Annexes

- Annex A: Equalities Impact Assessment (EIA)
- Annex B: Data Protection Impact Assessment (DPIA)
- Annex C: Scope of proposed SPDs

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place Directorate		
Service Area:	Strategic Planning Policy		
Name of the proposal :	Prioritising Supplementary Planning Documents		
Lead officer:	Alison Cooke Head of Strategic Planning Policy		
Date assessment completed:	20 May 2024		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Laura Williams	Assistant Director (Customer and Communities)	CYC	Equalities and Human Rights
Cathryn Moore	Legal Business Partner (Corporate) & Deputy Monitoring Officer	CYC	Legal Matters

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>The purpose of the proposal is to seek agreement in relation to the prioritisation of Supplementary Planning Documents (SPDs) that will support the delivery and effectiveness of planning policies in the Local Plan. Whilst the emerging new Local Plan sets the overarching planning policy framework, Supplementary Planning Documents (SPDs) can provide further detail on the implementation of specific policies as guidance for both internal and external parties. SPDs seek to ensure policy intentions are clear and can be applied consistently. They cannot introduce new planning policies and rely upon policies set out in the development plan.</p> <p>The recommendations of the report seek to continue to prioritise SPDs for climate change, housing and green Infrastructure. It also seeks to prioritise SPDs covering topic areas of Healthy Places, Transport and the Gypsy and Travellers. The report sets out the anticipated scope of those SPD</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>The National Planning Policy Framework (NPPF) recognises SPDs as a useful tool. This defines SPDs as: <i>‘Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.’</i></p> <p>Where SPDs are agreed to be taken forward, they are subject to Regulations 11 to 16 in Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations dictate the process by which the SPD must be produced, including public participation, consultation and adoption procedures.</p> <p>The Equalities Act 2010 provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It provides a discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society. Under the Act, the Gypsy, Roma and Traveller community are specifically protected under the protected characteristics for ‘Race’.</p>

1.3	Who are the stakeholders and what are their interests?
	<p>Local Communities: SPDs are relevant to anyone who intends to apply for planning permission. They will add detail to planning policies in the Local Plan applicable to masterplanning and in the decision-taking process.</p> <p>Voluntary and community Sector: The forthcoming SPD for Gypsies and Travellers will be of particular to interest to the York Travellers Trust, a registered charity that work with gypsy and traveller community with York and surrounding areas. Other community groups may engage in the SPD process in so far as the SPDs may cover issues of interest.</p> <p>City of York Council: SPDs will add detail to the policies in the emerging Local Plan to ensure a consistent approach to applying policy and to decision-making. Technical officers across the Council will be involved as necessary to ensure the approach taken is appropriate. The Council has made commitments through the Council Plan to deliver on our equalities duty, suitable housing provision for all and reducing health inequalities for its residents, all of which are relevant to different SPDs being recommended to be produced.</p> <p>Planning Agents and Developer community: Planning policy and SPDs inform masterplanning and development schemes put forward in the planning process. SPDs will be of interest as they will add a layer of detail and aid consistency to the decision-making process with which the developer community will need to engage.</p>
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.
	<p>The overall aim of the proposal is to prioritise the SPDS for production. This will help to direct resources to ensure policy areas which require clarification come forward first. The Local Plan and supporting evidence base refer to a wide variety of issues, which are relevant to planning and decision-making. SPDs will help to deliver this effectively.</p> <p>The new Council Plan, which was adopted in September 2023, contains four core commitments to enable it to deliver the vision for the next four years. All are relevant to this proposal are:</p> <ul style="list-style-type: none"> • <i>‘Equalities and Human Rights - Equality of Opportunity’: ‘We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.’</i>

- **‘Tackling the cost-of-living crisis’:** *‘We will find new ways so everyone who lives here benefits from the success of the city, targeting our support at those who need it most, supporting communities to build on their own strengths and those of the people around them’.*
- **Health and Wellbeing:** *‘We will improve health and wellbeing and reduce health inequalities, taking a ‘Health in All Policies’ approach, with good education, jobs, travel, housing, better access to health and social care services and environmental sustainability.’*
- **Climate – Environment and the climate emergency:** *‘We know the race to net zero is more urgent than ever and we will understand the impact our actions have on the environment. We will prepare for the future, adapting our city to extreme climate events and enhancing our environment for future generations to enjoy.’*

SPD production aligns to achieving the Council’s four core commitments for Equalities and Human Rights, Affordability, Climate Change and Health. Table 1 indicates which core commitment each SPD would significantly address, notwithstanding that equalities, climate change and health will be themes covered in general across all SPDs. More detailed indication of how each SPD addresses the council’s core commitments and priorities will be set out in forthcoming reports on each individual SPD brought to Executive.

Table 1: Indicative compatibility to Council Plan Core Commitments and priorities.

	Core commitments					Council Plan Priorities				
	Equalities	Affordability	Climate Change	Health	Health & well-being	Education & skills	Economy & good employment	Transport	Housing	Sustainability
SPDs										
Climate Change			Y	Y	Y					Y
Housing	Y	Y		Y	Y				Y	
Green Infrastructure			Y	Y						Y
Sustainable Transport	Y		Y	Y				Y		
Gypsy, Travellers & Travelling Showpeople	Y			Y	Y				Y	

Developer Contributions		Y		Y	Y	Y		Y	Y	
Review of the House Extensions and Alterations (existing draft)									Y	
Review of the Subdivision of dwellings (existing draft) SPD									Y	
Heritage										Y
Environmental Protection			Y	Y	Y					Y
Culture							Y			
Healthy Places	Y			Y	Y					
Guidance										
Accessibility	Y				Y					
Biodiversity Net Gain			Y							Y
Flood Risk Sequential Tests			Y							Y
Health Impact Assessment				Y	Y					

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
York's Local Plan (2018) draft, as proposed to be modified. Local Plan Main Modifications Schedule (2023)	Provides the policy framework against which the SPDs will be developed. This is supported by an extensive and broad evidence base as well as several rounds of consultation representations and Examination in public hearings documents.

EIA to the Local Plan Main Modifications (Jan 2023)	The implications of the Local Plan Modifications were subject to an EIA- Appendix 1.
Executive Report and supporting EIA for Delivering additional Gypsy and Traveller Accommodation and improving existing facilities (March 2024)	This was a joint report with the Housing team to set out the requirements for further accommodation provision for the Gypsy and Traveller community as well investment required to improve exiting sites.

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
	Detailed SPDs are yet to be produced	Each SPD when drafted will be subject to individual EIA.

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	The proposal seeks to prioritise the SPDs for production, including for housing and health. The breadth of actions is likely to have positive outcomes for people of all ages.	+	M
Disability	The proposal seeks to prioritise the SPDs for production, including for housing and health. It also supports the development of associated guidance supporting accessibility applicable to planning decision-making. The breadth of actions is likely to have positive outcomes for all people.	+	L
Gender	This proposal is not expected to impact on that characteristic	0	
Gender Reassignment	This proposal is not expected to impact on that characteristic	0	
Marriage and civil partnership	This proposal is not expected to impact on that characteristic	0	
Pregnancy and maternity	The proposal is inclusive of all GRT residents and seeks to provide investment to improve the accommodation provision for	+	L

	residents. This is likely to have positive outcomes for those identified under this characteristic.		
Race	The purpose of the Gypsy and Traveller SPD is to specifically address accommodation needs for the GRT community. This should have significant positive outcomes against this characteristic.	+	H
Religion and belief	This proposal is not expected to impact on that characteristic	0	
Sexual orientation	This proposal is not expected to impact on that characteristic	0	
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	This proposal is not expected to impact on that characteristic	+	L
Low income groups	The proposal is inclusive and will be applicable to all regardless of their income. The housing SPD will specifically seek to address the delivery of suitable affordable homes.	+	M
Veterans, Armed Forces Community	This proposal is not expected to impact on that characteristic	0	
Other	This proposal is not expected to impact on that characteristic	0	
Impact on human rights:			

List any human rights impacted.	Further consideration of Human rights will be considered in forthcoming individual SPDs which will have detailed content.	0	
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<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>There are no negative adverse impacts identified with this report and the recommendation to prioritise delivery of new Supplementary Planning Documents . This approach should make a positive difference in providing further clarity and detail in delivering planning policy and decision-making.</p> <p>Future EIAs will be developed to consider the detail of each SPD and their impacts.</p>	

Step 6 – Recommendations and conclusions of the assessment

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

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

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

Option selected	Conclusions/justification
No major change to the proposal	The EIA demonstrates that this approach positively supports the delivery of planning policy with positive or neutral effects. Future EIAs will be developed to consider the detail of each SPD and their impacts.

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
Review of detailed SPDs when produced	Impacts of the detail of each SPD to be considered	Alison Cooke	Associated with the production of the SPDs.

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 Local Plan policies will be monitored in accordance with an agreed monitoring framework and reported through the statutory Annual Monitoring Report.

APPENDIX 1:

City of York Local Plan

Equalities Impact Assessment Addendum

December 2022

Introduction:

The following two tables provide an update to the EQIA, which was originally produced to support the Publication Draft Local Plan when it was submitted for Examination on 25th May 2018 (CD019 – City of York Local Plan EqiA (Incorporating the Better Decision Making Tool) April 2018'). The updated tables reflect the amendments made to the policies in the Proposed Modifications, following the Local Plan Examination hearing sessions. It does not replace CD019, just provide an update to Tables 1 (Equalities) and Table 2 (Human Rights). This document should be read in conjunction with CD019, rather than replace it.

Analysis of policies

The assessment aims to consider impacts on groups with the following protected characteristics which are identified by the City of York Council Better Decision Making Tool.

Equalities:

- Age;
- Disability;
- Gender;
- Gender reassignment;
- Marriage & Civil Partnership;
- Pregnancy & Maternity;
- Race;
- Religion or belief;
- Sexual Orientation;
- Carer;
- Lowest Income Groups;
- Veteran, Armed Forces community.

Human Rights:

- Right to Education;
- Right not to be subject to torture, degrading treatment or punishment;
- Right to a fair and public hearing;
- Right to respect for private and family life, home and correspondence;
- Freedom of expression;
- Right not to be subject to discrimination;
- Other rights.

Colour coding key to impacts:

POSITIVE
NEUTRAL
NEGATIVE

Table 1 : Equalities

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
4.1	Age	Positive	The Plan will meet housing needs and provide a range of house types for all ages, supported by the latest evidence in the Local Housing Needs Assessment (LHNA)(2022). It will also improve the safety and accessibility of the city's streets and spaces.	<p>H3: Balancing the Housing Market</p> <p>H4: Promoting Self and Custom House Building</p> <p>H10: Affordable Housing</p> <p>D1: Placemaking</p> <p>GB2: 'Exception' sites for affordable housing in the Green Belt</p> <p>All SS Policies</p>	Delivery of new homes offering comfortable standard of living meeting specialist needs in sustainable locations with access to services
		Positive	The Plan provides for education facilities for all age groups, and ensures the universities continue to meet modern requirements. Positive benefits extend to unemployment and lack of skills with communities' access to education close to where they live	<p>ED1: University of York</p> <p>ED2: Campus West</p> <p>ED3: Campus East</p> <p>ED5: York St John University Further Expansion</p> <p>HW4: Childcare Provision</p>	New preschool / school / Further and Higher education places
		Positive	The Plan ensures the provision of adequate land for employment uses throughout the plan period. Provision is also made for development	<p>EC1: Provision of Employment Land</p> <p>EC2: Loss of Employment Land</p>	Provision of a range of employment and retail opportunities reducing unemployment across all age groups.

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
			<p>which supports the rural economy.</p> <p>Retail provision is secured and protected to ensure a range of shops and services in sustainable locations.</p>	<p>EC5: Rural Economy</p> <p>R1: Retail Hierarchy and Sequential Approach</p> <p>R2: District and Local Centres and Neighbourhood Parades</p> <p>R3: York City Centre Retail</p>	
		Positive	The plan protects and supports new community facilities in accessible locations served by public transport	<p>HW1: Protecting Existing Facilities</p> <p>HW2: New Community Facilities</p> <p>HW3: Built Sports Facilities</p> <p>HW5: Healthcare Services</p> <p>HW6: Emergency Services</p> <p>HW7: Healthy Places</p>	<p>Increased rates of access to appropriate new community, leisure and healthcare facilities throughout the Plan area</p> <p>% of new community facilities that are within 400m of a bus route with a 15 min frequency.</p> <p>Loss of community facilities</p>
		Positive	The plan provides a framework to support and improve environmental conditions which will positively impact health and well-being across all ages.	<p>D1: Placemaking</p> <p>D2: Landscape and Setting</p> <p>D3: Cultural Provision</p> <p>GI1: Green Infrastructure</p>	Improved access to green infrastructure and improved built environment across the city leading to improvement in health and well being.

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
				<p>GI2: Biodiversity and Access to Nature</p> <p>GI2a: Strensall Common Special Area of Conservations (SAC)</p> <p>GI3: Green Infrastructure Network</p> <p>GI4: Trees and Hedgerows</p> <p>GI5: Protection of Open Space and Playing Fields</p> <p>GI6: New Open Space Provision</p> <p>ENV1: Air Quality</p>	<p>Amount of new accessible open space provided in areas of deficiency;</p> <p>Amount of new accessible open space provided as part of residential development on strategic sites (ha);</p> <p>Condition of RAMSAR, SPA, SAC, SSSI and LNR's;</p> <p>Amount of reduction in Annual Mean NO2 and PM10 concentrations.</p>
4.2	Disability	Positive	The Plan will meet housing needs and provide a range of house types for all ages as required by latest evidence (currently the LHNA 2022). It will also improve the safety and accessibility of the city's streets and spaces.	<p>H3: Balancing the Housing Market</p> <p>H4: Promoting Self and Custom House Building</p> <p>H10: Affordable Housing</p> <p>D1: Placemaking</p>	<p>Delivery of new homes offering comfortable standard of living meeting specialist needs in sustainable locations with access to services.</p> <p>Development meets the highest standards of accessibility and inclusion.</p>

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
				<p>GB2: 'Exception' sites for affordable housing in the Green Belt</p> <p>HW7: Healthy places</p>	
		Positive	The Plan supports wider travel choice, helping to improve travel by non-car modes, improving accessibility to employment, services, and facilities.	<p>T1: Sustainable Access</p> <p>T2: Strategic Public Transport Improvements</p> <p>T3: York Railway Station and Associated Operational Facilities</p> <p>T4: Strategic Highway Network Capacity Improvements</p> <p>T5: Strategic Cycle and Pedestrian Network Links and Improvements</p> <p>T6: Development at or Near Public Transport Corridors, Interchanges and Facilities</p> <p>HW7: Healthy Places</p>	<p>Developments integrated into and enhancing the sustainable transport network</p> <p>Enhanced and safer walking and cycling access in public spaces, streets and developments</p>
4.3	Gender	No Impact	None deemed likely	N/A	N/A
4.4	Gender reassignment	No Impact	None deemed likely	N/A	N/A

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
4.5	Marriage & Civil Partnership	No Impact	None deemed likely	N/A	N/A
4.6	Pregnancy & Maternity	Neutral	None deemed likely	HW5: Healthcare Services	N/A
4.7	Race	Positive	Meeting gypsy, traveller and travelling showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2022)	H5: Gypsies and Travellers H6: Travelling Showpeople	Provision of accommodation offering comfortable standard of living in sustainable locations with access to services
4.8	Religion or belief	No Impact	None deemed likely	N/A	N/A
4.9	Sexual Orientation	No Impact	None deemed likely	N/A	N/A
4.10	Carer	No Impact	None deemed likely	N/A	N/A
4.11	Lowest Income Groups	Positive	The plan will meet housing needs and provide a range of house types. The LHNA 2022 provides relevant evidence for this, including the need for affordable housing.	H7: Off-campus Student Housing H10: Affordable Housing GB2: 'Exception' sites for affordable housing in the Green Belt	Delivery of new affordable homes offering comfortable standard of living in sustainable locations with access to services
4.12	Veteran, Armed Forces community	No Impact	Whilst the Local Plan and supporting evidence considers the potential for redevelopment of the MOD sites following the Defence	N/A	N/A

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications	Relevant Indicators
			Infrastructure Review (2016), the closure of sites and any impact on the armed forces community is beyond the remit of the Local Plan.		

Table 1 demonstrates that the proposed Modifications to the Local Plan will have a positive or neutral benefit on the characteristic groups highlighted in the EqIA

Table 2: Human Rights

	Category	Impact	What are the impacts and how do you know?	Relevant Local Plan Policy Modifications
4.13	Right to education	Positive	Policies related to the universities will help to ensure appropriate expansion of the institutions ensuring they continue to provide modern educational facilities for the city and wider community while protecting the interests of the local communities which can be impacted by such development.	ED1: University of York ED2: Campus West ED3: Campus East ED5: York St John University Further Expansion
4.14	Right not to be subject to torture, degrading treatment or punishment	No Impact	None deemed likely	N/A
4.15	Right to a fair and public hearing	No Impact	None deemed likely	N/A
4.16	Right to respect for private and family life, home and correspondence	Positive	The Plan will meet housing needs and provide a range of house types for all ages, supported by the latest evidence in the Local Housing Needs Assessment (LHNA)(2022) and Gypsy and Traveller Accommodation Assessment (2022).	H3: Balancing the Housing Market H5: Gypsies and Travellers H6: Travelling Showpeople H10: Affordable Housing
4.17	Freedom of expression	No Impact	None deemed likely	N/A

4.18	Right to not be subject to discrimination	Positive	Policies meet gypsy, traveller and travelling showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2022). Policies address needs of those meeting the definition in the Planning Policy for Traveller Sites (2015), and those that do not.	H5: Gypsies and Travellers H6: Travelling Showpeople
4.19	Other rights	No Impact	None deemed likely	N/A

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DPIA Screening Questions

The below screening questions should be used to find out if a DPIA is necessary. If you answer "Yes" to any of the questions below, it is an indication that a DPIA is required so please contact information.governance@york.gov.uk for advice and support on completing a DPIA

Please send your completed form to information.governance@york.gov.uk

Title/Reference	Supplementary Planning Documents Prioritisation	
Brief description	SPDs add detail to the policies of the Local Plan. This paper will decide the priority of SPDs to be produced to support planning policies, including the likely scope to be covered and the resources necessary for their production. When drafted, each SPD will be reported to Executive separately for further consideration, including requirements for citywide consultation.	
Screening completed by		
Name	Alison Cooke	
Job Title	Head of Strategic Planning Policy	
Department	Planning	
Email	Alison.Cooke2@york.gov.uk	
Review date	02.05.2024	
Screening Question//s – please answer the below questions for how you are planning to or already do use, personal identifiable information eg personal data, special categories of personal data or criminal offence and conviction data		Yes or No
1	Use systematic and extensive profiling or automated decision-making to make significant decisions about people.	No
2	Process special category data or criminal offence data on a large scale.	No
3	Systematically monitor a publicly accessible place on a large scale.	No
4	Use new technologies, innovative technological or organisational solutions.	No
5	Use profiling, automated decision-making or special category data to help make decisions on someone's access to a service, opportunity or benefit.	No
6	Carry out profiling on a large scale including evaluation or scoring	No
7	Process biometric or genetic data.	No
8	Combine, compare or match data from multiple sources.	No
9	Process personal data without providing a privacy notice directly to the individual and/or other processing involving preventing data subjects from exercising a right or using a service or contract.	No
10	Process personal data in a way which involves tracking individuals' online or offline location or behaviour or other systematic monitoring	No

11	Process children's personal data for profiling or automated decision-making or for marketing purposes, or offer online services directly to them.	No
12	Process personal data which could result in a risk of harm in the event of a security breach.	No

Annex C: Scope of Supplementary Planning Documents

The following sets out the scope for the SPDs which are recommended for high priority production:

1. Housing Supplementary Planning Document	1
2. Planning for Health Supplementary Planning Document	5
3. Planning for Green Infrastructure Supplementary Planning Document	7
4. Planning for York's Gypsy and Traveller Communities	10
5. Transport SPD	12

Each section sets out indicative resourcing for SPD production. For efficiency, internal technical groups will be organised. Where necessary, joint workshops will be held to ensure issues are discussed and aligned with the relevant SPD, ensuring relevant cross-linkages where necessary.

1. Housing Supplementary Planning Document

Resourcing:

The Housing SPD, the scope of which is outlined below, will require input from colleagues in the following teams:

- Strategic planning policy
- Housing
- Communities (Access)
- Development Management

Scope:

Policy H1: Housing Allocations	
Policy Objective	Additional guidance
<ul style="list-style-type: none"> • Allocates sites for residential_use • Provides indicative_capacity 	Clarification of site capacity interpretation with links to other policy influences

<ul style="list-style-type: none"> • Cross reference to other policy requirements related to: <ul style="list-style-type: none"> – Open space retention / re-provision – Impacts on Strensall Common – Green Belt boundary treatment 	
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Policy H2: Density of Residential Development

Policy Objective	Additional guidance
<p>To make efficient and appropriate use of land: recommended densities set out according to location</p>	<ul style="list-style-type: none"> • To set out when alternative density approaches will likely be supported (case study examples) • Capture broader design issues linked to “Delivering Quality Homes and Neighbourhoods”.

Policy H3: Balancing the Housing Market

Policy Objective	Additional guidance
<ul style="list-style-type: none"> • Proposed mix of housing tenures, types and sizes to be informed by evidence – currently the Local Housing Needs Assessment • Encourages higher than building regs access standards to be achieved 	<ul style="list-style-type: none"> • What the Local Housing Needs Assessment (LHNA) tells us and how we intend to apply the findings to schemes • What other evidence can be relied on (e.g. draft strategic housing needs assessment for people with disabilities and autism from the Integrated Care Board) • Clarity on when alternative mixes will be supported • Case study material (Burnholme, Lowfield etc) that demonstrates: <ul style="list-style-type: none"> • Customer focus, articulating end user experience (drawing on examples where there have been competing design objectives e.g promoting low car ownership Vs providing accessible parking to meet mobility needs) • Full development approach

	<ul style="list-style-type: none"> • Links to 'Building for a Healthy Life' and National Design Guide • Min. requirements for the planning application • Set out intentions for S106 and planning conditions • Recommendations for the proportion of homes meeting higher access standards (drawing on viability work in support of the policy), including associated design considerations.
Policy H10: Affordable Housing	
Policy Objective	Additional guidance
<ul style="list-style-type: none"> • Sets contribution triggers and proportions for delivery on and off-site • Defines tenure mix expectations (related to evidenced need) • Affordable Housing secured in perpetuity • Vacant Building Credit (VBC) • Use of open book appraisal for viability challenges • Integration of Affordable Housing in development and delivery of good quality affordable homes • 	<ul style="list-style-type: none"> • Case for exceptional circumstances and viability appraisal • Approaches to integrating Affordable Housing in design of new developments – case studies • Details of Off Site Financial Contribution (OSFC) formula, when and how inputs will be updated.
Policy H4: Promoting Self and Custom House Building	
Policy Objective	Additional guidance
<ul style="list-style-type: none"> • General support • Requirement for strategic sites to provide 5% of plots as self/custom build 	<ul style="list-style-type: none"> • Forming part of “Increasing the range of housing choices” section • Case study examples • Address strategic site requirements inc. conditions, phasing and 106 expectations. • Provide guidance on suitable forms of self and custom build homes
Policy H7: Off Campus Purpose Built Student Housing	

Policy Objective	Additional guidance
<ul style="list-style-type: none"> • Steer Purpose Built Student Accommodation (PBSA) on campus as far as possible • Requires need to be demonstrated • Site specific considerations • Sets Affordable Housing contribution and nomination agreement 	<ul style="list-style-type: none"> • Clarify how need should be demonstrated, confirming: <ul style="list-style-type: none"> – application requirements – CYC role in monitoring and information sharing • Approach to securing nomination agreements • Design considerations
Policy H9: Older Persons Specialist Housing	
Policy Objective	Additional guidance
<ul style="list-style-type: none"> • General support for specialist housing, where: <ul style="list-style-type: none"> – Need demonstrated – Suitably located – Appropriately designed with amenities and facilities included • Strategic site requirements 	<ul style="list-style-type: none"> • Clarify how need should be demonstrated, confirming: <ul style="list-style-type: none"> – application requirements – CYC role in monitoring and information sharing • Address strategic site requirements inc. conditions and 106 expectations
Policy H8: Houses in Multiple Occupation (HMO)	
Policy Objective	Additional guidance
Controls concentration of HMOs in the City through application of percentage thresholds	Confirmation that Policy and explanatory text supersedes the historic, draft 'Concentration of HMOs' Supplementary Planning Document. No additional guidance is required, but clarification set out re data collection and the planning application process.

2. Planning for Health Supplementary Planning Document

Resourcing:

The Planning for Health SPD, the scope of which is outlined below, will require input from colleagues in the following teams:

- Strategic planning policy
- Public health
- Public realm
- Community Sports Development
- Development Management

Scope:

Policy HW3: Built Sport Facilities	
Policy Objective	Additional guidance
<ul style="list-style-type: none"> • Requires development to provide proportionate new built sports facilities to meet the needs of future residents • Resists the loss of existing facilities 	Evidence base of existing facilities to inform development management decision making and the allocation and use of developer contributions
Policy HW5: Healthcare services	
Policy Objective	Additional guidance
Supports the provision of new or enhanced primary and secondary care services where there is an identified need	Provides updated details of citywide provision to inform development management decision making and the allocation and use of developer contributions
Policy HW7: Healthy places	
Policy Objective	Additional guidance
<ul style="list-style-type: none"> • Ensure major developments consider healthy place-making principles 	<ul style="list-style-type: none"> • Specific guidance on completing HIAs, and information about how CYC will assess the document

<ul style="list-style-type: none"> Requires strategic sites to have completed and submitted a Health Impact Assessment (HIA) 	<ul style="list-style-type: none"> Links to other policy influences particularly in housing and transport Provide an evidence based resource to inform the preparation of HIAs
<p>Policy GI5: Protection of Open Space and Playing Fields</p>	
<p>Policy Objective</p>	<p>Additional guidance</p>
<p>Protects and promotes existing open spaces and playing fields.</p>	<p>Relevant details associated with Playing Pitch Strategy update.</p>
<p>Policy GI6: New open space provision</p>	
<p>Policy Objective</p>	<p>Additional guidance</p>
<p>To secure open space provision from new residential development.</p>	<p>Provide an evidence base to inform development management decision making and the allocation and use of developer contribution</p>

3. Planning for Green Infrastructure Supplementary Planning Document

Resourcing:

The Planning for Green Infrastructure SPD, the scope of which is outlined below, will require input from colleagues in the following teams:

- Strategic planning policy
- Public realm
- Conservation
- Carbon Reduction
- Flood Risk Manager
- Development Management

Scope:

Policy GI1: New open space provision	
Policy Objective	Additional guidance
Establishes overarching policy principles for Green Infrastructure (GI) matters, including strategic links.	<p>In advance of a CYC GI strategy, signpost to the green corridors map in the Local Plan as a basis for testing compliance.</p> <p>Details relating to the Local Nature Recovery Strategy and its role as material evidence related to policy GI1.</p> <p>Signpost and confirm approach to applying material/resources available as part of in Natural England GI Framework.</p>
Policy GI2: Biodiversity and Access to Nature	
Policy Objective	Additional guidance
<p>Protects designated sites, habitats and water quality.</p> <p>Supports biodiversity net gain (BNG) in line with legislation and promotes the creation of new habitat.</p>	Clarify matters in relation to the operation of BNG in York.

Policy G2a: Strensall Common Special Area of Conservation (SAC)	
Policy Objective	Additional guidance
<p>Limits new residential development within a defined exclusion zone around Strensall Common.</p> <p>Requires residential development in certain locations to provide open space to mitigate impacts at Strensall Common SAC</p>	<p>The requirements of appropriate mitigation open space, including delivery, management and maintenance.</p>
Policy GI3: Green Infrastructure Network	
Policy Objective	Additional guidance
<p>To protect and enhance York's green infrastructure networks.</p>	<p>Confirmation of latest network mapping.</p> <p>Case study examples of schemes where network enhancements have been achieved.</p>
Policy GI4: Trees and Hedgerows	
Policy Objective	Additional guidance
<p>Protects and promotes the value of trees and hedgerows</p>	<p>Provide details of how to successfully integrate trees and hedgerows into development and where relevant reference recent and ongoing CYC projects.</p>
Policy D2: Landscape	
Policy Objective	Additional guidance
<ul style="list-style-type: none"> • Encourages development that protects/enhances good landscape design, biodiversity enhancement and water sensitive design. • Recognises importance of existing high quality landscape 	<p>Considerations for landscape settings at different scales:</p> <ul style="list-style-type: none"> – assessment of existing provision (trees hedges, ponds etc) and development of retention strategy

features i.e. mature trees, hedges, historic boundaries	– approaches to design and layout of landscape features/components
Policy ENV4: Flood Risk	
Policy Objective	Additional guidance
<p>To steer development to lowest areas of flood risk as far as possible.</p> <p>To ensure flood risk of sites is properly understood and measures are incorporated that manage and mitigate risks appropriately – with green infrastructure a key part of these measures.</p>	<p>Details/examples of green infrastructure solutions to managing and mitigating flood risk (at various development scales).</p>
Policy ENV5: Sustainable Drainage	
Policy Objective	Additional guidance
<p>Promotes restriction of surface water runoff from new development to below the extant run-off rate</p>	<p>Ways to combine SuDS with Green Infrastructure to maximise benefits</p> <p>Consideration of physical constraints: space, buildings layout, orientation, land uptake, soil conditions in the design of SuDS.</p> <p>Embedding aspects of current guidance as appropriate (City of York Council Sustainable Drainage Systems Guidance for Developers)</p>

4. Planning for York's Gypsy and Traveller and Travelling Showpeople Communities

Resourcing:

The Planning for Gypsy and Traveller and Travelling Showpeople Communities SPD will likely require input from colleagues in the following teams:

- Strategic planning policy
- Development Management
- Housing

A co-design approach will be taken with the relevant communities and their representatives to ensure the guidance responds to their needs and represents best practice.

Scope:

Policy H5: Gypsies and Travellers	
Policy Objective	Additional guidance
<p>To safeguard existing sites</p> <p>To secure delivery of provision in site allocations to meet the needs set out in evidence</p> <p>For a criteria based approach to assess suitability of proposed new sites</p>	<p>Design guidance for the delivery of sites in general and more specifically individual pitches</p>
Policy H6: Travelling Showpeople	
Policy Objective	Additional guidance
<p>To safeguard existing sites</p> <p>To secure delivery of provision to meet the needs set out in evidence</p> <p>For a criteria based approach to assess suitability of proposed new sites</p>	<p>Design guidance for the delivery of suitable sites for travelling showpeople.</p>

5. Planning for Transport SPD

Resourcing:

The Planning for Transport SPD will likely require input from colleagues in the following teams:

- Strategic planning policy
- Transport
- Highways
- Development Management

Scope:

Policy T1: Sustainable Access	
Policy Objective	Additional guidance
<p>To support development that minimises the need to travel and provides safe, suitable and attractive access for all transport users, maximising use and delivery of sustainable modes of transport.</p> <p>To secure delivery of new frequent high quality public transport services as part of development proposals.</p>	<p>Consider impact of new York Local Transport Strategy on policy delivery. Also emerging policy from central government and MCA. Consider implications of Movement and Place based planning methods for new developments.</p>
Policy T2: Strategic Public Transport Improvements	
Policy Objective	Additional guidance
<p>To support the delivery of transport infrastructure improvements, set out in Local Transport Plans and investment programmes through proposals for new development.</p>	<p>Additional information included in York's new Local Transport Strategy with potential for further guidance release from Department for Transport.</p>
Policy T3: York Railway Station and Associated Operational Facilities	
Policy Objective	Additional guidance
<p>To support high quality development that upgrades York's railway station to support the demands of new services and anticipated growth.</p>	<p>Delivery of the York Station Frontage and York Central projects discharges some the objectives of this policy. Further work by the Mayoral Combined Authority likely to focus on</p>

To support new interchange facilities as part of a package of measures to improve access to the station and the public realm arrival into York.	masterplanning the Station itself in preparation for additional trip making around NPR and TRU, plus improving the Station for wheelchair users.
Policy T4: Strategic Highway Network Capacity Improvements	
Policy Objective	Additional guidance
To support the delivery of general and specific junction or other highway enhancements as set out in the Local Transport Plan and subsequent associated (or complementary) investment programmes that improve journey time reliability on sections of the road network that experience high volumes of traffic or delay.	Consider implications of adoption of formal target to reduce car use in York. Guidance to be provided to minimise need for additional highway capacity by enhancing alternatives to car.
Policy T5: Strategic Cycle and Pedestrian Network Links and Improvements	
Policy Objective	Additional guidance
To support and actively encourage the extension and delivery of new cycle and pedestrian network links and infrastructure as a result of new development.	Incorporate new design standards and recommendations from emerging Highway Design Guide.
Policy T6: Development at or Near Public Transport Corridors, Interchanges and Facilities	
Policy Objective	Additional guidance
To consider and safeguard existing operational interchange facilities/ routes in relation to the effects of new development, supporting development where this is not compromised.	Incorporate new design standards and recommendations from emerging Highway Design Guide.
Policy T7: Minimising and Accommodating Generated Trips	
Policy Objective	Additional guidance
To require a Transport Statement or Transport Assessment and Travel Plan, as required, to be submitted to support proposed development.	Consider impact of new York Local Transport Strategy on policy delivery. Also emerging policy from central government and MCA. Consider implications of Movement and Place based planning methods for new developments.
To require Strategic Sites to identify specific impacts on the A64 and sections of highways within York's neighbouring authorities arising from the proposed development individually or in combination with other strategic sites	Consider role that enhanced Travel Planning could play in delivery of

and any mitigation including physical capacity enhancement measures	sustainable sites with minimal traffic impacts.
Policy T8: Demand Management	
Policy Objective	Additional guidance
<p>To manage overall flow of traffic in and around the city.</p> <p>To required development to comply with the latest parking standards guidance and demand management measures</p>	Incorporate new design standards and recommendations from emerging Highway Design Guide.
Policy T9: Alternative Fuel Fuelling Stations and Freight Consolidation Centres	
Policy Objective	Additional guidance
<p>To support the delivery of York's Low emission strategy.</p> <p>To support development of alternative-fuel (for example, compressed natural gas (CNG), hydrogen, or electric charging) fuelling stations and Use Class B8 freight consolidation centres (FCCs), subject to provisions in policy.</p> <p>To require proposals to provide a suitable evidence base, a transport assessment, anticipated reductions in freight (where applicable) and demand management proposals.</p>	Consider emerging recommendations from York EV charging strategy



Meeting:	Executive
Meeting date:	12 September 2024
Report of:	Ian Floyd Chief Operating Officer
Portfolio of:	Councillor Claire Douglas Leader of the Council and Executive Member for Policy, Strategy and Partnerships

Enforcement Policy

Subject of Report

1. The report proposes a new enforcement policy ('the policy') for the council. It is intended to apply to almost all council services, therefore having a much wider scope than the existing policy which applies to the council's public protection, housing and community safety services. Other services currently follow their own specific guidelines when considering formal enforcement action.
2. The policy sets out the general principles officers will apply to achieve compliance with the wide variety of legislation enforced. As a general rule, officers will seek to ensure compliance through advice and guidance. However, the policy sets out instances where a firmer stance, including prosecution, may be considered more appropriate even in the first instance.
3. Where appropriate, the policy will be underpinned by specific procedures detailing *how* officers undertake the various aspects of enforcement. Whilst the procedures do not form part of the policy itself (and are not part of this report), the policy will help shape those procedures and therefore the way in which officers undertake their specific enforcement duties.

Benefits and Challenges

4. The key benefit of the policy is that it will guide officers and ensure a consistent approach across all enforcement activity undertaken by the council for the benefit of all our communities including businesses and other organisations, residents and visitors. Furthermore, its format is such that the council can readily demonstrate how it is meeting its obligations under the Regulators' Code for its regulatory functions such as planning, building control, licensing, environmental health and trading standards. The policy is designed to overcome challenges (legal or otherwise) that action taken by officers is unfair and/or is otherwise in accordance with principles agreed by members. Under the council's constitution, officers may take enforcement action in line with an approved enforcement policy.

Policy Basis for Decision

5. Adopting the new enforcement policy will support the following council plan priorities:
 - priority a) **Health and wellbeing**: A health generating city, for children and adults
 - priority b) **Education and skills**: High quality skills and learning for all
 - priority c) **Economy and good employment**: A fair, thriving, green economy for all
 - priority d) **Transport**: Sustainable accessible transport for all
 - priority e) **Housing**: Increasing the supply of affordable housing
 - priority f) **Sustainability**: Cutting carbon, enhancing the environment for our future
 - priority g) **How the council operates**

Furthermore, as highlighted in the implications section of the report, the policy supports the administration's four commitments to **Affordability; Environment; Equalities and Human Rights; and Health Inequalities**

Financial Strategy Implications

6. The policy is aimed at ensuring compliance primarily through advice and guidance in recognition that preventing issues arising is likely to be more cost effective than reacting to problems that have

arisen. Where formal enforcement action results in a sanction which generates income, such as a fixed penalty ticket, the primary purpose is to encourage compliance/dissuade non-compliance and not to provide additional income to the council.

7. The level and manner of enforcement activity is dependent upon the resources including officers and equipment available to a particular service. As will be seen, the policy ensures officers deploy those resources where they are most effective when designing procedures and planning enforcement activity.

Recommendation and Reasons

8. That the Executive adopt the policy in order to guide officers and ensure a consistent approach when enforcement activity is undertaken by the council.

Background

9. At the Decision Session - Executive Member for Economy and Strategic Planning on Tuesday, 23 November 2021, the Executive Member considered a report on the Public Protection, Housing and Community Safety enforcement actions. It was decided to 'approve a review of the policy, with appropriate consultation with the public and businesses, in 2022'.
10. A copy of the proposed policy can be found in **Annex A**. It sets out (amongst other things): An introduction to the aims of the policy, how we support compliance, provide advice and guidance, conduct inspections and visits, deal with non-compliance and the circumstances in which we take formal enforcement action. It also sets out how we provide transparency for our actions and provide an annual review of the activity undertaken.

Consultation Analysis

11. In April 2022, a working group of service managers/subject leads from across the council began a review of the existing enforcement policy including its scope. To simplify matters, it was decided to explore having an enforcement policy covering (almost) all council enforcement activity. NB The reasons behind some services remaining outside of the scope of the policy are detailed below.
12. A public consultation followed with particular focus on the issues which may trigger formal enforcement action in the first instance. The results of this consultation were added to views of the service

managers/subject leads. The policy was then drafted by officers/service leads into its current format, and a final consultation of the complete draft policy was undertaken between December 2023 and February 2024. In the final consultation, a number of partners, business groups and other groups including the York Access Forum were specifically approached for comments. Changes made to the policy following the consultation are highlighted in red.

Options Analysis and Evidential Basis

13. There were 168 responses to the consultation and majority of respondents were supportive of the proposals. Of those respondents identifying themselves, 30.6% were businesses trading in the City of York, and 38.9% were residents of York. The analysis below provides a short summary of the responses, and highlights any changes made to the policy as a result of the feedback received.

Scope of the policy/Excluded services (Section 1.0 of the policy, Question 2 of the consultation)

14. As noted, all council enforcement functions are intended to be covered by the policy apart from those listed in its Appendix 1, namely:
- Fraud against the council – Any fraud committed against the council is covered by the council’s Counter Fraud and Corruption Policy. These are investigations conducted by Veritau.
 - National Trading Standards – This is a national team grant funded by Government to tackle high level consumer fraud occurring across regions or across the country. It is tasked investigations by other Local Authority trading standards services and other organisations such as the Advertising Standards Agency to investigate and take action in accordance with a separately approved enforcement policy for that purpose.
 - Please note that the draft policy which was consulted upon, ‘Non-payment of council tax, business rates, sundry debts including housing benefit overpayment and adult social care and recovery of government grant (revenues)’ was proposed as an exclusion.

15. Most of the respondents (59.4%) agreed with the scope of the policy. However, a number of comments came in relation to the exclusions i.e. that these services should be included within scope. As a result of the feedback, and further discussion with service managers, 'non-payment of council tax etc.' has been brought into scope and is included in the policy. The other two exemptions i.e. 'fraud against the council' and 'National Trading Standards investigations' remain exempt. In the former case, the separate processes apply as council is effectively the victim in these matters. In the latter, the council is specifically tasked/funded to carry out a course of action, such as a prosecution, on behalf of another Local Authority anywhere in England and Wales or another organisation and it is not appropriate to be bound by a local policy.

Aims of the policy (Section 1.0 of the policy – Question 3 of the consultation)

16. The aims the council is trying to achieve through the policy were supported by majority of respondents (83.3%). There were various comments received which mainly related to considerations for officers to 'have in mind' when applying the aims. However, as a result of the feedback received, the specific aim of 'safeguarding vulnerable adults' has been added.
17. Furthermore, as the policy now also includes 'Non-payment of council tax, business rates, sundry debts including housing benefit overpayment and adult social care and recovery of government grant (revenues)' this has been added as a specific aim.

Definition of formal enforcement action (Section 1.0 of the policy – Question 4, 5 and 6 of the consultation)

18. Over three quarters of respondents (78.8%) agreed with list of actions defined as 'formal enforcement action' within the policy. Most of the comments received in relation to what should be added related to specific activity individual respondents would like to see taking place (which is intended to be dealt with by the underlying procedures). There were also some individual comments as to what should be excluded from the definition of formal enforcement action, but as no clear themes emerged through the feedback no other changes have been made.

Supporting compliance (Section 2.0 of the policy - Question 7 of the consultation)

19. Most of the respondents (74.8%) agreed with the principles for supporting compliance. There were a number of individual comments in the feedback including suggestions of practical ways that officers could provide support more effectively which has been shared with service managers.

Advice and guidance – (Section 4.0 of the policy - Question 8 of the consultation)

20. Most of the respondents (76.3%) agreed with the principles upon which advice and guidance should be given. Much of the feedback related to how the advice should be given including that it is clear. There were also some comments around ensuring clarity of fees and whether or not advice should be free. There have been no changes to the policy made, however the feedback has again been shared with service managers.

Inspections and visits (Section 5.0 of the policy - Question 9 of the consultation)

21. Most of the respondents (80.3%) agreed with the principles for undertaking inspections and visits. The feedback included a number of comments that the results of inspections and visits should be automatically put into the public domain. However, given the strength of agreement with the principles no changes have been made i.e. the policy states that the reports from inspections and visits may be made available through a freedom of information/environmental information requests.

Non-compliance (Section 6.0 of the policy - Question 10 of the consultation).

22. Most respondents (77.8%) agreed with the principles for dealing with non-compliance. However, to accommodate the debt collection process. The section has also been amended to highlight that visits by enforcement officers/agents to enforce debts may not result in a written explanation of what was wrong or confirmation that matters are closed (communications in relation to debts are made in accordance with distinct processes).

Formal enforcement action – (Section 7.0 and Appendix 2 of the policy - Questions 11 and 12 of the consultation)

23. Most respondents agreed with the staged approach proposed (87.1%). There was also strong support from respondents (80.3%) for the situations that may result in formal enforcement action - even in the first instance - as listed in Appendix 2 of the policy. The policy is clear that formal enforcement action may also be considered 'where previous advice or warnings have been ignored or in other situations where the Director of Governance (in discussion with the relevant officer) considers it appropriate. This will include, but is not limited to, those who appear to be deliberately breaking the law or acting irresponsibly and it is in the public interest to take such an approach'. Following further feedback from a service manager, the example of 'waste presentation' given as an offence for which a fixed penalty ticket may be issued has been changed to 'littering' as it is a more accurate example.
24. There were a number of comments relating to issues for which formal enforcement action was particularly supported. These included comments from the York Access Forum (and others) about the importance of keeping pavements/walkways clear. This information has been passed on to service managers.

Considerations before formal enforcement action (Section 7.0 of the policy - Question 13 of the consultation)

25. Most respondents (86.6%) agreed with the factors that will be taken into consideration prior to formal enforcement action being taken. The comments included that the considerations should aim to 'prevent' rather than 'deter' non-compliance occurring and has been amended accordingly.

Allocation of resources based on risk – (Section 8.0 of the policy - Question 14 of the consultation)

26. Most respondents (86.6%) also agreed with the principle that enforcement resources will be deployed where they will be most effective in addressing the risks concerned. Feedback included comments that officers must have an understanding of the impact of non-compliance on different groups e.g. disabled and vulnerable groups to ensure risks are not overlooked when planning where to deploy resources. This has been fed back to service managers to

consider when devising/reviewing the underlying procedures detailing *how* enforcement is conducted.

Sharing information, transparency, departure from and review of the policy (Section 9.0, 10.0 and 11.0 of the policy - Questions 15, 16, 17 and 18 of the consultation)

27. Most respondents (79.1%) agreed with the principles upon which officers will ask for information, ensure transparency (90.9%), depart from the policy (82.3%) and review periods (87.9%). There were very few comments in relation to any of these aspects.

Organisational Impact and Implications

28. The bullet points below highlight the various impacts and implications arising from adopting the policy:
- **Financial, comment from Director of Finance:** As no additional costs will be incurred as a result of this policy, there are no financial implications associated with this report.
 - **Human Resources (HR), comment on behalf of the Head of HR:** There are no HR implications associated with this report.
 - **Legal, comment from Head of Legal Services:** Pursuant to the Legislative and Regulatory Reform Act 2006, Local Authorities must have regard to the Regulator's Code when developing policies and procedures that guide their regulatory activities. The principles of the Act are that regulatory activities should be carried out in a way which is a) transparent, accountable, proportionate and consistent; and b) targeted only at cases in which action is needed. The draft policy promotes those principles. Most enforcement action carried out by the Council is discretionary. This means it has a power but not a duty to enforce. This leaves significant flexibility to target enforcement activity.
 - **Procurement, comment from the Head of Procurement:** Whilst there are no direct procurement implications relating to the Enforcement Policy itself, should any requirements need to be outsourced, all works and/or services must be procured via a compliant, open, transparent, and fair process in accordance with the council's Contract Procedure Rules and where applicable, the Public Contract Regulations 2015 (soon to be Procurement Act 2023). Further advice regarding the procurement process and development of procurement

strategies must be sought from the Commercial Procurement team.

- **Health and Wellbeing, comment on behalf of the Director of Public Health:** As described in the report, one of the policy's aims is to 'help people to live healthier lives by preventing ill health and harm, and promoting public health'. The policy will provide consistency of approach across the council, allowing a structured way for departments to provide advice and guidance, inspections and enforcement actions. Public Health strongly supports the situations outlined in Annex 2, where enforcement action may be taken even in the first instance of non-compliance.
- **Environment and Climate action, comment from the Head of Carbon Reduction:** As described in the report, the policy is aimed at improving the environment and climate action. One of the policies aims is to 'protect the environment for future generations including tackling the threats and impacts of climate change'
- **Affordability, comment from Director of Customer and Communities.** The policy has a positive impact on affordability and low income groups in a number of ways. For example, to 'help people to live healthier lives by preventing ill health and harm, and promoting public health', 'improve housing conditions and raise the standard of management in the private rented sector' and 'to provide safer, healthier, affordable and warmer homes in the private sector'. There are numerous examples where formal enforcement action may be taken in the first instance to help protect those on low incomes such as 'poor health and safety in private rented homes', 'illegal evictions'.
- **Equalities and Human Rights, comment from Access Officer.** An equalities impact assessment is attached at **Annex B.**
- **Data Protection and Privacy, comment from Information Governance and Feedback Team Manager**
Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.

DPIAs helps us to assess and demonstrate how we comply with all our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.

The DPIA screening questions were completed for this report and as there is no personal, special categories or criminal offence data being processed for the options set out in this report, there is no requirement to complete a DPIA for the policy itself. However, there will be a need for service areas to review or complete a DPIA for their enforcement activities to comply with the option approved.

- **Communications, comment on behalf of the Head of Communications:** Communications implications include ensuring this policy is communicated to council staff and, where relevant, referring to it in press releases following court cases / sentencing.
- **Economy, comment from the Head of City Development:** As set out in the report, one of the policy aims is to ‘support economic growth, especially in local businesses, by ensuring a fair, responsible and competitive trading environment’. When consulted in the past, businesses have indicated strongly that they wish enforcement to be fair and consistent and see the action that the Council takes to ensure a level playing field as a positive measure.

Risks and Mitigations

29. The council has existing enforcement policies in place for its various enforcement activities. Applying the scoring from the council’s risk matrix the impact of action in a national court and national media coverage as a result of our enforcement action being challenged would be a ‘major’ impact, although as a result of the existing policies the likelihood of any challenge being successful is ‘unlikely’. This gives a risk score of ‘18’ which is an ‘orange risk’. However, in setting an agreed framework against which all enforcement activity is based to help ensure consistency of approach, and reconsidering the situations in which formal enforcement action may be considered in the first instance means that the likelihood of a successful challenge in a national

court/adverse national publicity is 'remote'. This reduces the risk score to '12' and is a 'yellow risk' on the council's risk matrix.

Wards Impacted

30. All wards may be impacted by this decision.

Contact details

For further information please contact the authors of this Decision Report.

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Report approved:	Yes
Date:	28/06/24

Background papers

Existing enforcement policy for Public Protection, Housing and Community Safety

<https://www.york.gov.uk/downloads/file/98/cyc-public-protection-housing-and-community-safety-enforcement-policy>

Responses to the consultation and businesses/organisations approached for specific comments.

<https://data.yorkopendata.org/dataset/enforcement-policy-consultation-2024>

Annexes

Annex A – The Policy and its Appendices 1 and 2

Annex B – Equalities impact assessment

Annex A – The Policy



Enforcement Policy

1.0 Introduction

This document is the enforcement policy for the City of York Council. It sets out the general principles officers will apply when using formal enforcement action* to achieve compliance with the legislation they enforce and help ensure a consistency of approach. The services it does not apply to are in Appendix 1.

When required, formal enforcement action will be taken against businesses, other organisations, and individuals. Formal enforcement action will be taken to promote and protect the interests of York's residents, visitors and/or businesses and this will be construed in its widest possible terms.

In taking formal enforcement action, the council aims to achieve the following outcomes:

- Support economic growth, especially in local businesses, by ensuring a fair, responsible and competitive trading environment
- Protect the environment for future generations including tackling the threats and impacts of climate change

- Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods
- Help people to live healthier lives by preventing ill health and harm, and promoting public health
- Ensure a safe, healthy and sustainable food chain for the benefits of consumers and the rural economy.
- To improve housing conditions and raise the standard of management in the private rented sector.
- To provide safer, healthier, affordable and warmer homes in the private sector
- To ensure vulnerable children are safe, and children and young people have childhoods in which they enjoy and achieve
- **To safeguard vulnerable adults**
- To achieve compliance with highway regulations for the benefit of all road users and pedestrians enabling safe access to public highways and free flowing traffic
- **To recover non-payment of council tax, business rates, sundry debts including housing benefit overpayment and adult social care and recovery of government grant (revenues)**

This policy helps ensure that, where applicable, officers adhere to the principles of good enforcement set out in the Regulators' Code (2014) and other relevant codes of practice including those concerned with the investigation of offences or the prosecution of offenders.

All formal enforcement activity undertaken under this policy will also have regard to the Equality Act 2010, Human Rights Act 1998 and the European Convention of the Protection of Human Rights and Fundamental Freedoms.

*For the purpose of this policy 'formal enforcement action' includes serving a legal notice e.g. an improvement, suspension, prohibition, fixed penalty or abatement notice, the carrying out of works in default

and remedial action, management orders, consumer law civil penalties and civil penalty notices to letting agents and landlords, the seizure of goods, suspension or revocation of a licence, a 'simple' caution, prosecution or other court action. It also includes the issuing of civil penalty charge notices to any vehicle for road traffic contraventions.

2.0 Supporting compliance

We will carry out our activities in a way that encourages and promotes compliance, and we recognise that formal enforcement action is only one of the tools available in this regard.

We want to help the businesses we regulate comply and grow, remembering that it is important to maintain a level playing field for all businesses to thrive.

We will consider the impact our actions and regulatory activities may have including consideration of costs, effectiveness and perceptions of fairness. We will only adopt a particular approach if the benefits justify the costs and in doing so will endeavour to try to keep any burdens to a minimum. We will consider how we can best improve confidence in compliance and provide certainty whilst ensuring compliance with equalities legislation.

References to costs and benefits include economic, social and environmental costs and benefits.

We will ensure officers have the necessary knowledge and skills to support compliance.

3.0 Engagement

We have taken on board the views of residents, businesses, partner organisations and key stakeholders including other enforcement agencies as well as any other relevant considerations in the development of this policy.

4.0 Advice and Guidance

We recognise that prevention is better than cure and will actively work to advise on and assist with compliance. We will provide details of how to obtain appropriate advice and guidance on our website york.gov.uk.

We will ensure that:

- Legal requirements are made available and communicated on the web site and any specific cases are dealt with within the legislative timescales officers work to.
- The information we provide will be in clear, concise and accessible language.
- Advice will be confirmed in writing where necessary.
- We will clearly distinguish between legal requirements and guidance aimed at improvements above minimum standards.
- We will signpost towards additional support services where appropriate.

Please note: there may be a fee payable for our advice. Where this is the case you will be informed and provided with details of the charge or an estimate if the exact fee is not known.

5.0 Inspections and visits

All inspections and visits to ensure compliance will be undertaken after consideration of the risk posed by failing to comply with the law, where a visit has been requested or where intelligence/information suggests that a visit is appropriate for example to bring about a swift resolution to an issue.

- Where we carry out inspections/visits (other than when enforcing a debt) we will give written feedback on what the officer has found; this will include positive feedback to encourage and reinforce good practice.
- Where practicable we will co-ordinate inspections/visits with other regulators, particularly to minimise the burden on businesses and other organisations.
- Random inspection will be undertaken where government guidelines/ policies or a condition of a licence requires us to do so. A small amount of random inspections may also be undertaken to

test our risk assessments or the effectiveness of any action we have taken or public awareness campaigns.

- Our findings and reports may be released into the public domain in response to Freedom of Information or Environmental Information requests.

6.0 Non-compliance

We will carry out all of our enforcement duties in a fair, equitable and consistent manner. Whilst officers (**including enforcement contractors**) exercise judgement in individual cases, we will have arrangements in place to promote consistency including liaison with other agencies and authorities.

Where non-compliance is identified we will clearly explain what the non-compliance is and the action required giving the reason(s). There will be an opportunity for discussion. However, this will not apply if immediate action is required e.g. to prevent the destruction/loss of evidence or there is an imminent risk to the environment, public health or health and safety. Any discussion may also be in the form of an interview under caution if a prosecution is being considered.

We will provide the opportunity for further dialogue about the proportionality or consistency of our action upon request.

Please note that the opportunity for discussion and dialogue described in the paragraphs above will not apply in the case of low level fixed penalties and similar sanctions such as, but not limited to, those issued for illegal parking (Penalty Charge Notices), school absences, **littering**, smoking in public places and anti-idling enforcement which are designed to facilitate a swift resolution to a matter.

We will inform parties when matters are closed, **apart from debt recovery cases where final payment will conclude the matter.**

7.0 Formal enforcement action

We recognise that most businesses, other organisations and individuals wish to comply with the law and we will take a staged approach to enforcement with advice and warnings generally given in the first instance. However, firm action – including formal enforcement action - will be taken in appropriate circumstances.

Examples of situations that may result in formal enforcement action, even in the first instance are included in Appendix 2.

Formal enforcement action will also be considered where previous advice or warnings have been ignored or in other situations where the Director of Governance (in discussion with the relevant officer) considers it appropriate. This will include, but is not limited to, those who appear to be deliberately breaking the law or acting irresponsibly and it is in the public interest to take such an approach.

Where formal enforcement action is necessary, we will consider the most appropriate course of action (from the range of sanctions and penalties available) with the intention of: -

- Aiming to change the behaviour of the offender
- Aiming to eliminate any financial gain or benefit for non-compliance
- Being responsive and considering what is appropriate for the particular offender and issue involved, including punishment and the public stigma that may be associated with criminal convictions
- Being proportionate to the nature of the offence and harm caused
- Aiming to restore the harm caused by non-compliance
- Aiming to **prevent** future non-compliance.

When formal enforcement action is taken:

- Where there are rights of appeal against formal enforcement action, notification of the appeal mechanism will be clearly set out in writing at the time the action is taken.
- Clear reasons will be given for any formal enforcement action taken

If the formal enforcement action being considered is a prosecution we will also consider a number of additional factors in line with the Code for Crown Prosecutors. We will also take into consideration and any other nationally recognised guidance such as the Enforcement Management

Model published by the Health and Safety Executive. These factors, not an exhaustive list, may include the following:

- The seriousness of the alleged offence
- The history of the party concerned
- The willingness of the business or the individual to prevent a recurrence of the problem and co-operate with officers
- Whether it is in the public interest to prosecute
- The realistic prospect of conviction
- Whether any other action (including other means of formal enforcement action) would be more appropriate or effective
- The views of any complainant and other persons with an interest in prosecution.

These factors are NOT listed in order of significance. The rating of the various factors will vary with each situation under consideration.

When formal enforcement action is being considered for an acquisitive crime i.e. the acquiring of assets (including money) from offences such as fraud or intellectual property crime, we will undertake a financial investigation into the circumstances of the case. In serious cases this may result in the seizure of a suspect's cash and legal proceedings for money laundering and confiscation of assets under the provisions of the Proceeds of Crime Act 2002.

8.0 Activity based on risk

We will allocate resources, including our officers, to where they will be most effective in addressing the risk concerned. The greater the impact of non-compliance, the greater the risk will be. In relation to businesses, previous history of compliance, external validation of procedures and other publicly available information and data will be used to help assess the risk of non-compliance.

9.0 Sharing information

We will only ask for information that is necessary after considering the cost and benefit to obtaining the information. Where possible we will

share this information with our partners (taking account of data protection) to prevent the need for providing the information more than once. Details of our privacy policies including who we share information with is on our website york.gov.uk

10.0 Transparency

- We will provide details of our service standards on our website york.gov.uk. This includes how we can be contacted, any fees and charges that apply and links to this enforcement policy.
- We provide opportunities for feedback on our service and make the results publicly available
- Officers will be courteous, fair and efficient at all times, and will identify themselves by name or officer identification and, where appropriate, show their identity card.
- Any complaints about the way you have been treated will follow the City of York Council's complaints procedure. A copy of the complaints procedure can be obtained from our website at www.york.gov.uk

11.0 Application of our enforcement policy

All officers will have regard to this document when making enforcement decisions.

Any departure from this policy must be exceptional, capable of justification and be fully considered by the head of service before a final decision is taken. This proviso shall not apply where a risk of injury or to health is likely to occur due to a delay in any decision being made. In cases of emergency or where exceptional circumstances prevail, the chief operating officer may suspend any part of this policy where it is necessary to achieve the effective running of the service and/or where there is a risk of injury or to health of employees or any members of the public.

12.0 Review

There will be an annual review of the action taken under this policy. This document will also be subject to review as and when required.

Improvements will be made if there are any changes in legislation or in local needs.

If you have any comments please contact the Head of Legal Services 01904 551550 or by writing to City of York Council, West Offices, Station Rise, York, YO1 6GA or email to ycc@york.gov.uk

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

Appendix 1

This enforcement policy does not apply to cases involving:

- Fraud against the council – Any fraud committed against the council is covered by the council's Counter Fraud and Corruption Policy
- National Trading Standards

Appendix 2

Examples of situations in which formal action may be taken, even in the first instance:

Animals

Cruelty to animals

Failing to meet licensing obligations

Dog attacks

Failing to comply with requirements relating to farming and livestock

Children and education

Children persistently or severely absent from education

Unauthorised leave of absence in term time including for family holidays or trips overseas

Failing to licence children working at a business

Illegal sales of age restricted products

Environmental Health

Failing to take steps to ensure food safety

Non-compliance with warnings about food allergens

Failing to meet health and safety obligations

Disease outbreaks

Smoking in public places

Environmental Protection

Noise and other nuisance such as smoke and odours

Clean air offences such as dark smoke, cable burning and smoke control breaches.

Failing to have appropriate pollution prevention and control measures in place

Unnecessary vehicle idling

Highways

Failing to comply with pavement café licence conditions
A-boards obstructing the highway
Failing to manage street works
Failing to keep public rights of way accessible
Blue badge and parking permit fraud
Illegal parking
Illegal use of bus lanes and mandatory cycle lanes
Moving traffic enforcement

Housing

Poor health and safety in private rented homes
Where the council has a duty to serve a notice or take specified action to meet minimum legal requirements/actionable hazards
Licensing evasion
Illegal evictions
Failing to meet minimum energy standards in private rented homes
Non-compliance with laws relating to tenants fees and/or failing to belong to a redress scheme
Long term empty properties

Licensing

Unlicensed licensable or regulated activities
Failing to comply with conditions relating to the sale of alcohol
Illegal street trading
Failure to run events safely

Neighbourhood Enforcement

Unauthorised traveller encampments
Fly tipping
Littering and dog fouling offences
Street urination

Planning

Works and alterations to, and the demolition of listed buildings
Changes of use including to houses in multiple occupation
Non-compliance with planning conditions and approved plans
Felling works to trees in a conservation area or protected by a tree preservation order
Harm to residential amenity through noise and disturbance
On-going development

Taxis

Unlicensed drivers

Unsafe taxis

Drivers and Operators who fail to comply with the required standards

Illegal plying for hire

Trading Standards and Consumer Protection

Fraudulent, aggressive or otherwise unfair trading practices targeting consumers or businesses

Scams or otherwise cheating consumers at home

Supply of unroadworthy vehicles

Sale of cheap and illegal tobacco, alcohol and vapes

Supply of counterfeit goods and other intellectual property crime

Supplying products that fail to meet safety standards

Version control: Final draft for Executive approval

Annex B – Equalities impact assessment

City of York Council

Equalities Impact Assessment

Who is submitting the proposal?

Directorate	All		
Service Area	Council enforcement teams		
Name of proposal:	Enforcement Policy (EIA V2.1)		
Lead Officer	Matt Boxall		
Date Assessment Started	08.04.2024		
Date Assessment Completed	29.04.2024		
Names of those who contributed to the assessment :			
Name	Job Title	Organisation	Area of Expertise
Matt Boxall	Head of Public Protection	City of York Council	Regulatory Enforcement including Environmental Health, Trading Standards and Licensing
David Smith	Access Officer	City of York Council	Diversity coordination
York Access Forum	N/a	n/a	Disability awareness

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal?
	Please explain your proposal in Plain English avoiding acronyms and jargon.

	<p>The proposal is a new enforcement policy ('the policy') for the council. It is intended to apply to almost all council services, therefore having a much wider scope than the existing policy which applies to the council's public protection, housing and community safety services. Other services currently follow their own specific guidelines when considering formal enforcement action.</p> <p>The policy sets out the general principles officers will apply to achieve compliance with the wide variety of legislation enforced. As a general rule, officers will seek to ensure compliance through advice and guidance. However, the policy sets out instances where a firmer stance, including prosecution, may be considered more appropriate even in the first instance.</p> <p>Where appropriate, the policy will be underpinned by specific procedures detailing how officers undertake the various aspects of enforcement. Whilst the procedures do not form part of the policy itself (and are not part of this report), the policy will help shape those procedures and therefore the way in which officers undertake their enforcement duties.</p>
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1.2	Are there any external considerations?
	Please explain your proposal in Plain English avoiding acronyms and jargon.
	The policy will guide officers and ensure a consistent approach across (almost) all enforcement activity undertaken by the council which by its very nature is external facing. The format is such that the council can easily demonstrate how it is meeting its obligations under the Regulators' Code for its regulatory functions such as planning, building control, licensing, environmental health and trading standards. The policy is designed to overcome challenges (legal or otherwise) that action taken by officers is unfair and/or is otherwise in accordance with principles agreed by members. Under the council's constitution, officers may take enforcement action in line with an approved enforcement policy.

1.3	Who are the stakeholders and what are their interests?
	Consider both internal and external stakeholders.

There are numerous stakeholders, with different and on some occasions competing interests.

Residents – York’s population is 202,821 according to the 2023 census with a student population of 48,799??. The city consistently ranks amongst the best places to live, but it is recognised that people have very different experiences of what it means to live in York. The policy is aimed at helping everyone to live healthier and happier lives. More details of how it attempts to support the interests of the different groups in our population is detailed below.

Visitors – York welcomes 8.9 million visitors per year according to the York Tourism Strategy with a value to the local economy of £1.7 billion. Visitors come to enjoy the city’s history as well as its contemporary culture including shops, accommodation, eateries, bars, the racecourse and a year-round programme of events and festivals. The city boasts the Purple Flag award in recognition of the diverse and vibrant mix of dining, entertainment and culture while promoting the safety and well-being of visitors and local residents.

Businesses – There are 6,675 businesses in York. These include large manufacturers in confectionary and construction, major players in rail, insurance and health services as well as science and innovation. There are many businesses serving the tourism industry. Businesses must comply with regulations to keep the residents and visitors of York safe and make informed purchasing decisions amongst other things. They must also comply with laws on protecting the environment, the health and safety of their employees etc. Businesses must compete on a level playing field and by virtue of the Regulators’ Code be helped to grow (where they wish to).

Local interest groups and associations – there are a number of examples where the council recognises particular interest groups and associations. Examples of business groups include groups representing private landlords, taxi drivers, licensees. However, there are also examples of groups representing particular sectors of the community including disabled residents and gypsies and travellers. Schools have governing bodies who are responsible for determining local policies and procedures for their staff and pupils.

Government Departments/Bodies - There are several government departments and bodies which regulate and inspect our activities. These include OFSTED, Food Standards Agency, DEFRA, Department for Transport amongst others like the

	<p>Information Commissioner. Some bodies such as the Planning Inspectorate and the Parking Adjudicator provide routes of appeal against our decisions. Our activities must comply with any specific requirements of these bodies. The Local Government Ombudsman may also deal with complaints about how we have carried out our administrative duties including enforcement activity.</p> <p>Courts – Much our enforcement activity results in court action either in the criminal or civil courts. Our activity must comply with the rules of evidence and court procedure in order to secure successful convictions and/or court orders. Unsuccessful action brings the risk of costs being awarded against the council.</p> <p>Other enforcement partners include North Yorkshire Police, North Yorkshire Fire and Rescue and other emergency services.</p>
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1.4	<p>What results/outcomes do we want to achieve and for whom?</p>
	<p>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>The policy is aimed to guide officers and ensure a consistent approach when enforcement activity is undertaken by the council. Adopting the new enforcement policy will support the following council plan priorities:</p> <ul style="list-style-type: none"> priority a) Health and wellbeing: A health generating city, for children and adults priority b) Education and skills: High quality skills and learning for all priority c) Economy and good employment: A fair, thriving, green economy for all priority d) Transport: Sustainable accessible transport for all priority e) Housing: Increasing the supply of affordable housing priority f) Sustainability: Cutting carbon, enhancing the environment for our future priority g) How the council operates <p>Furthermore, the policy supports the administration’s four commitments to Affordability; Environment; Equalities and Human Rights; and Health Inequalities.</p>

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 this source
	Enforcement policy consultation survey	Obtain equalities data for respondents to the consultation
	Office of National Statistics - 2021 Census	Details of York's population, and its make up.
	York Open data https://data.yorkopendata.org/dataset/york-profile/resource/5b1bd45f-bfb5-418a-b4f4-0bea0221bde4	Detailed information about York's population profile by ward.
	York Tourism Strategy https://democracy.york.gov.uk/documents/s171446/Appendix%20B%20-%20Tourism%20Strategy.pdf	Information relating to York's visitor economy
York Health and Wellbeing Board 'A Joint Strategic Needs Assessment'	Information about	

	https://www.healthyork.org/	the health and wellbeing of York's population
	Economic Strategy 2022- 2032 https://www.york.gov.uk/downloads/file/8949/york-economic-strategy-2022-to-2032	Information about economic activity in York.
	An Overview of York's economy: https://democracy.york.gov.uk/documents/s106043	Information about economic activity in York.

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.	
	Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	There was a limited response from people identifying as having some protected characteristics in the survey including females and disabled people.	The equalities impact assessment draws on census and other data to support the proposals.

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?
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Below we have listed the 9 protected Characteristics recognised under the Equality Act.

Enter here any evidence you already have and what you have learned from your consultation with stakeholders.

Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.

Use the following guidance to inform your responses:

Indicate:

Where you think 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 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.

**High impact
(The proposal or process is very equality relevant)**

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.

**Medium impact
(The proposal or process is somewhat equality relevant)**

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 contribute to promoting equality and the exercise of human rights

Low impact

There is little evidence to suggest that the proposal could result in adverse impact

	(The proposal or process might be equality relevant)	<p>The proposal operates in a limited way The proposal has consequences for or affects few people</p> <p>The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>
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Equality Groups and Human Rights	Key Findings / Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>According to the census, the median age of people in York is 39 years. Around 38,700 (19.1%) of York residents are over 65, with 5,400 (2.7%) over 85 years old. According to the Joint Strategic Needs Assessment, there were 2,927 people living with dementia in York in 2020. Age being the strongest known risk factor for dementia.</p> <p>The census also identified that there were around 44,000 people (21%) in York under 19 years of age. Around 8500 (4.2%) were under four years old. The four years and under category was the only age group which had decreased as a percentage of the population (down from 5.4% of the population in 2011) .</p>	Positive	High

	<p>According to York Open data, 69.67% of residents agree that their local area is a good place for children and young people to grow up.</p> <p>The policy states that 'In taking formal enforcement action, the council aims to... ensure vulnerable residents are safe, and children and young people have childhoods in which they enjoy and achieve'. Examples of the situations which may result in formal enforcement action may be considered even in the first instance include 'fraudulent, aggressive or otherwise unfair trading practices targeting consumers or businesses', 'scams or otherwise cheating consumers at home' which often target vulnerable adults. It also includes 'children persistently or severely absent from education' as well as 'illegal sales of age restricted products' e.g. alcohol, cigarettes and vapes amongst other things. 'Noise and other nuisance', and 'clean air offences' can have a particularly detrimental effect on members of the community who are vulnerable by way of age. The policy would include anti-idling enforcement around schools.</p>		
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	<p>There were 38 respondents to the consultation who answered the question about their age (Q.21). Most of those respondents said they were between 40 and 55 years old (39.5%), there were no respondents under 16, and 15.8% of respondents were 65+. All respondents 65+ 'agreed' with the situations which may result in formal enforcement action.</p>		
<p>Disability</p>	<p>According to the census, just over 34,000 (16.8%) of York's population are disabled residents with just under 12,000 (5.9%) being 'disabled and limited a lot'. The 'Joint Strategic Needs Assessment, 818 people were living in York with a learning disability in 2020. The policy states that 'in taking formal enforcement action, the council aims to... to ensure vulnerable residents are safe...' and '...achieve compliance with highway regulations for the benefit of all road users and pedestrians'. As well as the examples above in relation to age (which equally apply to people who are vulnerable by way of a disability), other examples of the situations which may result in formal enforcement action may be considered</p>	<p>Positive</p>	<p>Medium</p>

	<p>immediately include 'failing to comply with pavement café licence conditions', 'A-boards obstructing the highway' and 'illegal parking'. These were issues highlighted by the York Access Forum. In relation to taxis, which is a form of transport used by many disabled residents because of the door-to-door service provided, it also includes 'drivers and operators who fail to comply with the required standards'. These standards include disability awareness.</p> <p>The policy also commits information being provided in a 'clear, concise and accessible language' and the policy itself will be provided in an accessible format on the council's website.</p> <p>There were 38 respondents to the consultation who answered the question about whether they had 'any physical or mental health conditions lasting or expected to last 12 months or more' (Q.25). Most respondents (79%) answered 'no'. Three respondents (7.9%) answered 'yes'. Two of those three respondents answered that they 'agreed' with the situations that may result in formal</p>		
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	enforcement action, the other answered 'don't know/not sure'.		
Gender	<p>According to the census, 51.9% of the population are female, and 48.1% male. The aims of the policy are not gender specific. However, there are some indirect positive impacts arising from the occasions in which formal enforcement action may be considered even in the first instance. For example, the safety of women and girls is a key consideration in the enforcement of 'conditions relating to the sale of alcohol' and 'unlicensed taxi drivers' for example, as such groups may be more vulnerable when intoxicated or at particular times such as in the late night economy.</p> <p>There were 38 respondents to the consultation who answered the question about their gender (Q.22). Most identified as male (65.8%), with only 7 respondents (18.4%) saying they were female. A further 6 people (15.8%) said they 'prefer not to say'. There were no respondents who identified as 'non binary /gender variant'. All the female respondents 'agreed' with</p>	Positive	Medium

	the situations which may result in formal enforcement action.		
Gender Reassignment	<p>According to the census, 93.41% of residents over 16 years old have a gender identity the same as their sex registered at birth. The impacts in this respect are similar to gender.</p> <p>There were 38 respondents who answered the question about their gender identity being the same as their sex registered at birth (Q.23). The majority respondents (86.8%) answered 'yes'. The remainder answered 'prefer not to say'. The impacts and effects of the policy on the group of people with this protected characteristic are similar to gender.</p>	Positive	Low
Marriage and Civil Partnership	<p>According to the census, just over 4 in 10 people (41.3%) said they were married or in a registered civil partnership. There are no notable impacts or effects from the policy on this protected characteristic</p>	Neutral	Low
Pregnancy and maternity	<p>According to the 'Joint Strategic Needs Assessment', Yorks birthrate has fallen every year since 2009 and remains significantly below</p>	Neutral	Low

	<p>the England Average at 36.8 per 1000 v 55.3 per 100 in England in 2020. There are no notable impacts or effects from the policy on this protected characteristic</p>		
<p>Race</p>	<p>According to the census, just over 15,600 (7.3%) of York's population are Black, Asian and racially minoritised communities. York Open data shows 4.6% of the population are 'Gypsy or Irish Traveller' and the same number are 'white other'.</p> <p>Furthermore, other than the UK, China is the top country of birth, with Polish the most popular language other than English or Welsh. Polish is spoken by 1,344 residents.</p> <p>The aims of the policy are not race specific, however one of the policy aims so to 'improve quality of life and well-being by ensuring... safe neighbourhoods'. As noted above, the policy commits officers to ensure that information 'will be clear, concise and in an accessible language' and the policy itself will be provided in an accessible format on the council's website. It is noted that a number of the city's businesses, including food businesses, are owned</p>	<p>Positive</p>	<p>High</p>

	<p>and operated by people whose first language may not be English. Officers have access to interpreters where necessary.</p> <p>There were 38 respondents who answered the question about their ethnic group (Q.24). The most respondents were 'White – English, Welsh Scottish/Northern Irish/British' (73.7%), those identifying as 'White – Irish' and 'Any other white background' each made up 5.3% of respondents to the question. There was one person (2.6%) of respondents identifying as 'Black - Caribbean' and 'Any other ethnic background' respectively. The remainder 'preferred not to say'.</p> <p>Under the new Gypsy Traveller Action Plan to work with the York Travellers Trust to review our Unauthorised Stopping Policy within the next 12 months.</p>		
<p>Religion and belief</p>	<p>According to the census, 93,500 (46.1%) of residents report having 'no religion', making it the most common response. Some 89,000 (43.9%) identified as Christian, the remaining specified</p>	<p>Positive</p>	<p>High</p>

	<p>religions namely Buddhist, Hindu, Jewish, Muslim, Sikh and 'Other' made up 3% of respondents in total.</p> <p>The aims of the policy are not specific to religion or belief, but there are similar positive impacts of the policy to those identified for race.</p> <p>There were 36 respondents who answered the question about their religion (Q.27). The most respondents were 'Christian' (47.2%), followed by 'No religion' (27.8%), 'prefer not to say' (16.7%), Buddhist (5.6%) and 'Other' (2.8%).</p>		
<p>Sexual orientation</p>	<p>According to the Council Plan, 5.5% of LGBTQIA+ live in York, that's higher than 3.0% in our region and 3.1% in England and Wales.</p> <p>The aims of the policy are not specific to sexual orientation, but again the policy aims to 'improve quality of life and well-being by ensuring... safe neighbourhoods'. The safety of LGBTAIA+ groups is a consideration in enforcement of 'licensable activities' as this group may be more vulnerable when intoxicated or at particular times such as in the late night economy</p>	<p>Positive</p>	<p>Medium</p>

	<p>There were 37 respondents who answered the question about their sexual orientation (Q.28). Most respondents said they were 'heterosexual/straight' (70.3%), followed by 'prefer not to say' (24.3%), and 'bisexual' and 'gay or lesbian' (2.7% each).</p>		
<p>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes, including:</p>			
<p>Carer</p>	<p>According to the census, around 16,200 residents (8%) of York's population are residents with carer responsibilities. These are people aged 5 years and over. The aims of the policy are not specific to carers.</p> <p>There were 36 respondents who answered the question asking if they were someone who 'looks after, or gives help or support to, anyone because they have a long term physical or mental health conditions or illnesses, or problems related to old age (excluding anything which is part of paid employment)' Most respondents replied 'no' (75%), followed by 'prefer not to say' (19.4%) and 'yes' (5.6%).</p>	<p>Neutral</p>	<p>Low</p>

<p>Low income groups</p>	<p>According to the York profile, 1.6% of the working population (aged 16-64) claim out of work benefits (either Job Seekers Allowance or Universal Credit). Furthermore, 11.5% of children are living in low income families and there are 13.5% of households in fuel poverty.</p> <p>York Open data shows 20% of the population are in private rented accommodation and 14% are in social rented accommodation. Public Health figures identify that there are links between health inequality and areas of deprivation.</p> <p>The policy has a positive impact on low income groups in a number of ways. For example, to 'help people to live healthier lives by preventing ill health and harm, and promoting public health', 'improve housing conditions and raise the standard of management in the private rented sector' and 'to provide safer, healthier, affordable and warmer homes in the private sector'. There are numerous examples where formal enforcement action may be taken in the</p>	Positive	Medium
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	first instance to help protect those on low incomes such as 'poor health and safety in private rented homes', 'illegal evictions'.		
Veterans, armed forces community	There are no specific impacts identified for this group.	Neutral	Low
Other	<p>According to York Open data there were 71.13 crimes and 22.50 incidents of ASB per 1000 population in 2022-23. The highest levels being in the Guildhall ward.</p> <p>Furthermore, 82.18% of residents are satisfied with their local area as a place to live.</p> <p>The enforcement policy is intended to guide officers when carrying out activities to reduce crime and anti-social behaviour. There are many examples of crimes enforced by officers (in partnership with the police where appropriate) which may contribute to residents being satisfied with their local area as a place to live. These include many of the offences under the categories of 'animal cruelty', 'dog attacks', 'noise and other nuisance', 'managing street works', 'illegal street trading', 'unauthorised traveller encampments', 'fly tipping', 'littering and dog</p>	Positive	High

	fouling', street urination', and numerous 'planning offences' amongst other things.		
Human Rights: List any impacts on Human Rights:			
<p>The enforcement policy specifies that any impacts on human rights will be considered before enforcement activity is undertaken. Examples might include surveillance activity and requests for personal information (which may include sensitive personal information such as details of previous convictions) when conducting enforcement activity. In undertaking human rights assessments, officers have regard to any collateral intrusion of others not associated with the matter under investigation.</p>			

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	<p>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact.</p>
	<p>Where positive impacts have been identified, what is being done to optimise opportunities to advance equality or foster good relations?</p>
	<p>As noted above, the enforcement policy has a positive impact on many groups with protected characteristics and other socio-economic groups. Officers are appropriately authorised to enforce the legislation they are responsible for under the council's constitution. Furthermore, they are trained in conducting investigations and obtaining evidence admissible in court. Officers are also trained in identifying activities in the course of an investigation which may amount to surveillance and/or a request for personal information to ensure any such conduct is lawful. Processes (set by the Information Governance team) are in place to ensure appropriate considerations are made, management authorisation is obtained and records are kept.</p>

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision.	
	Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column. 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.
	Option Selected	Conclusion / justifications
	No major change to the proposal.	The enforcement policy has a positive impact on many groups with protected characteristics and other socio-economic groups

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.			
	List below the actions that have been identified and who will be responsible to carrying them out. Add as many lines as you need.			
	Impact / Issue	Actions 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?		
	The enforcement policy provides for an annual review by members of formal enforcement action undertaken by officers.		



Meeting:	Executive
Meeting date:	12 September 2024
Report of:	Bryn Roberts – Director of Governance
Portfolio of:	Councillor Douglas - Executive Leader

Decision Report: Lord Mayoralty Points Allocation

Subject of Report

1. To invite the Executive to consider a request to reinstate unspent points foregone in respect of a previous Lord Mayoralty allocation in 2019/2020, and to consequently amend the forthcoming Lord Mayoralty allocations accordingly, to take effect for the forthcoming municipal year, 2025/2026.

Benefits and Challenges

2. A clear and simple process for the selection of a Lord Mayor is essential in the interests of public transparency and secures the full and proper engagement of all parties in the appointment of a Lord Mayor for the City. Failure to adopt a universally accepted process would potentially arise in disputes regarding the integrity of any appointments made.
3. However, there must also be a degree of fairness applied to such allocations; where a minority group is unable to nominate a member, consideration should be given to the allocated points 'rolling over' to a future year.

Policy Basis for Decision

4. The appointment of the Lord Mayor in York is a fundamental part of the city's continuing historic traditions. The role of Lord Mayor is firmly enshrined in the Council's Constitution, as an ambassador for the city and its cultural and economic ambitions. As such, the

appointee will play an active part in promoting all the Council's priorities. Whilst the qualification requirements for nominations for the Lord Mayoralty are set out in Article 5 of the Constitution, the procedure for arriving at such nominations is not prescribed in the Constitution.

Financial Strategy Implications

5. There are no financial strategy implications arising from this report.

Recommendation and Reasons

6. Members are asked to consider the information presented in paragraphs 6 to 13 below, and to determine whether they wish to implement the requested reallocation of unspent points to the Conservative Group for the 2019/2020 nomination to the current points calculation, such reinstatement to take effect for the 2025/2026 municipal year.

Reason: To ensure the fairness of approach which is appropriate in the nomination of Lord Mayors for Office.

Background

7. The system for nominating the Lord Mayor is based on an accumulation of points determined by the number of seats held by each group or individual on the Council. The group (or individual) having the largest cumulative total of points on Lord Mayor's Day each year is invited to nominate the Lord Mayor for the following year. It should be noted that currently a nominee for Lord Mayor requires at least four years' service as a City of York Councillor and should be elected to serve a further term, as set out in Article 5 of the Constitution.
8. Should a group lose all its seats on the City Council, it may have any accumulated points frozen until seats are once again gained by that group on the Council.
9. A group (or individual) loses 47 points when nominating the Lord Mayor or when not taking up the offer of nominating. Under the current points system, the number of points accumulated by each group or independent Member, as we move towards the Annual Meeting in May 2025, is as follows:

Party	Points at LM Day 2024	Loss for LM 2024/2025	Points at LM Day 2025	Total
Labour	42	-47	-5 + 24	19
Lib Dem	-5		-5 + 19	14
Conservatives	10		10 + 3	13
Councillor Warters (Independent)	-35		-35 +1	-34

10. The above table shows that, without adjustment, the Labour Group, with 19 points, will qualify for the Lord Mayoralty in 2025/2026 under the existing points system.
11. Notwithstanding this, however, the Conservative Group has submitted a request to have its previous points deduction (-47 points for the year 2019/2020) reinstated on a one-off basis. The reason given for this is that whilst the Conservative Group was invited to nominate to the Lord Mayoralty for the year 2019/2020, it had no members who were able to take up the role for that year.
12. Members may be aware that the Conservative Group allocation was made at an Executive meeting held on 28 November 2018; at that point, the Conservative Group comprised 14 members. However, following the elections in May 2019 the Conservative Group size had reduced to two members. Of those two members, one was newly elected and therefore ineligible, and the other was eligible but unable to secure the necessary release from employment to be able to perform the duties of Lord Mayor as the role demanded.
13. The position is now that changed, and the Conservative Group has therefore asked that those points be reallocated. Were that to be done, and the points applied to the 2025/2026 year, the results would be as follows:

Party	Points at LM Day 2024	Loss for LM 2024/2025	Points at LM Day 2025	Total
Labour	42	-47	-5 + 24	19
Lib Dem	-5		-5 + 19	14
Conservatives	10		10 + 3 + 47	60

Councillor Warters (Independent)	-35		-35 +1	-34
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14. This would result in the Conservative Group, with 60 points, qualifying for the Lord Mayoralty in 2025/2026.
15. For the sake of clarity, this reallocation would be applied to cover the situation where a minority group (or an individual) is unable to nominate a member due to pre-existing work and personal commitments; where a group (or an individual) is able to nominate a suitable member but chooses not to do so, the points reallocation would be unlikely to be appropriate; however, any future requests for points reallocations would be considered on their facts.

Consultation Analysis

16. Prior to the preparation of the report, the views of the Group Leaders have been sought. The Labour and Conservative Group leaders have expressed agreement with the proposed adjustment to the current points scores; the Liberal Democrat Group leader has expressed opposition to the adjustment.
17. Once determined, the qualifying Group will undertake its own consultative exercises within the Group as part of its process for securing its nominee for the role. Once the Group has reached an agreement for its nomination to the Office of Lord Mayor, the Leader of the Group will make a formal announcement with their nominee at a forthcoming meeting of the Council, prior to the Annual Meeting being held.

Options Analysis

18. Members have two options in respect of the request. They may:
 - a. decide to reallocate the relevant unspent points to the Conservative Group, as requested; this would likely result in an invitation to the Conservative Group to consider a nomination for the office of Lord Mayor for the Municipal Year 2025/2026; or
 - b. decide that given the passage of time since the Conservative Group's loss of points, it would not be reasonable to

reallocate the points; this would result in an invitation to the Labour Group to consider their nomination for the office of Lord Mayor for the Municipal Year 2025/2026

19. Members are therefore asked to consider the information provided and decide whether or not to reallocate the lost points.

Organisational Impact and Implications

20. There are no direct implications in relation to financial, human resources, legal or equalities arising from the recommendations in this report.

Risks and Mitigations

21. There are no specific risks associated with this decision, as there will be a Group which receives the right to nominate to the role of Lord Mayor irrespective of the decision taken.

Wards Impacted

22. All Wards.

Contact details

For further information please contact the authors of this Decision Report.

Author

Name:	Bryn Roberts
Job Title:	Director of Governance
Service Area:	Democratic Services
Report approved:	Yes
Date:	17 June 2024

Background papers

- None

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