

**Notice of a public meeting of
Executive**

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

Date: Tuesday, 21 January 2020

Time: 5.30 pm

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

A G E N D A

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by **4:00 pm on Thursday, 23 January 2020.**

*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, Members are asked to declare:

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

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

2. **Exclusion of Press and Public**

To consider the exclusion of the press and public from the meeting during consideration of Annexes 5, 6 and 7 to Agenda Item 6 (Castle Gateway Phase One Delivery Strategy) on the grounds that they contain information relating to the financial or business affairs of particular persons. This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. **Minutes** (Pages 1 - 12)

To approve and sign the minutes of the last Executive meeting, held on 28 November 2019.

4. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Monday, 20 January 2020**. Members of the public can speak on agenda items or matters within the remit of the committee. To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

Filming, Recording or Webcasting Meetings

Please note that, subject to available resources, this meeting will be filmed and webcast, or recorded, including any registered public speakers who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts> or, if recorded, will be uploaded onto the Council's website following the meeting.

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

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/download/downloads/id/11406/protocol_film_or_webcasting_filming_and_recording_of_council_meetings_20160809.pdf

- 5. Forward Plan** (Pages 13 - 20)
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.
- 6. Castle Gateway Phase One Delivery Strategy** (Pages 21 - 114)
The Corporate Director of Economy & Place to present a report which asks Executive to approve a recommended delivery strategy for the first phase of the regeneration of the Castle Gateway, which will deliver many key public benefits of the masterplan, and to make associated budget recommendations to Council.
- 7. The Transfer and Transformation of Haxby Hall Care Home (by way of long lease) and Associated Land Transactions** (Pages 115 - 152)
The Corporate Director of Health, Housing & Adult Social Care to present a report which sets out proposals for the council to purchase high quality care and facilities at Haxby Hall Care Home, while ensuring that existing residents remain in their home and enabling staff to retain their employment.
- 8. Shaping the Future of Bootham Park Hospital** (Pages 153 - 212)
The Corporate Director of Economy & Place to present a report which explores the options available to the council to help it shape the future of the Bootham Park Hospital site, guided by extensive public and stakeholder engagement.
- 9. Interim Report on Financial Inclusion and Welfare Benefits Activities 2019/20** (Pages 213 - 234)
The Director of Customer & Corporate Services to present a report which provides an update on the impact of recent and imminent welfare benefits changes in York, and on other welfare benefits and financial inclusion activity, over the six months to 31 September 2019.
- 10. Discretionary Rate Relief Awards 2020-2022** (Pages 235 - 248)
The Director of Customer & Corporate Services to present a report which details new applications in respect of Discretionary Rate Relief (DRR) for the period 1 April 2020 to 31 March 2022, and proposes changes to the administration of the DDR scheme.

11. 2019/20 Finance and Performance Monitor (Pages 249 - 280)

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The Director of Customer & Corporate Services to present a report which presents details of the council's overall finance and performance position for the period 1 July to 30 September 2019, together with an overview of any emerging issues.

12. Capital Programme - Monitor 2 2019/20 (Pages 281 - 298)

The Corporate Finance & Commercial Procurement Manager to present a report which sets out the projected out-turn position on the council's capital budget for 2019/20, along with requests to re-profile budgets to and from current and future years.

13. Lord Mayoralty 2020/21 (Pages 299 - 302)

The Director of Governance to present a report which invites Executive to consider the points system for the annual nomination of the Lord Mayor of York and to confirm the qualification of the group with the most points to nominate the Lord Mayor for the coming municipal year.

14. Urgent Business

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

Democracy Officer:

Name: Fiona Young

Contact details:

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

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

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

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

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

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

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

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

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City of York Council

Committee Minutes

Meeting	Executive
Date	28 November 2019
Present	Councillors D'Agorne (Vice Chair, in the Chair), Ayre, Craghill, Cuthbertson, Runciman, Smalley, Waller and Widdowson
Apologies	Councillor Aspden
In Attendance	Councillor Myers

PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS

62. Declarations of Interest

Members were asked to declare at this point in the meeting any personal interests not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests, that they might have in the business on the agenda.

Cllr Ayre declared a prejudicial interest in Agenda Item 11 (Yorkshire Purchasing Organisation), as a member of YPO Procurement Holdings Ltd. He left the room during consideration of that item and took no part in the discussion or decision thereon.

63. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during any discussion of:

- Appendices 1-4 to Agenda Item 11 (Yorkshire Purchasing Association and
- Annexes 1-4 to Agenda Item 12 (Establishing an Investment Budget for a Strategic Commercial Property Acquisition)

on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under Paragraph 3 of Schedule 12A to Section 100A

of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

64. Minutes

Resolved: That the minutes of the Executive meeting held on 24 October 2019 be approved and then signed by the Chair as a correct record.

65. Public Participation

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

Cllr Crawshaw spoke on Agenda Item 5 (Forward Plan). As Chair of Customer & Corporate Services Scrutiny Committee, he expressed concern that the decision to defer the Q2 Finance and Performance Monitor report to the January Executive would allow insufficient time for consideration by Scrutiny before the budget was set. He asked that the report be released to Scrutiny Members as soon as possible.

Adam Hewitt spoke on Agenda Item 7 as Head of Public Affairs at York St John University and a resident of York. He expressed support for the York Narrative as a means of increasing investment and fostering pride in the city, to the benefit of both residents and visitors.

Hon. Alderman Brian Watson spoke on Item 7 and on matters within the Executive's remit. He raised concerns about the Narrative in terms of its funding and its relevance to local residents. On other matters, he criticised the approach to York Central and the design of city centre security barriers and asked what the council planned to do with the old Post Office building.

Written representations were received on Item 7 from Sean Bullick, MD of Make it York, supporting the recommendation to adopt the York Narrative.

Michael Hammill spoke on Agenda Item 12 (Establishing an Investment Budget for a Strategic Commercial Property Acquisition). He queried the benefit of withholding the report annexes and of the council purchasing another property instead of concentrating on managing its existing buildings.

Gwen Swinburn also spoke on Item 12. She expressed concern about a lack of oversight of the property portfolio and the fact that the annexes had been withheld instead of redacted.

66. Forward Plan

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.

In response to the comments made under Public Participation on this item, the Executive Member for Finance & Performance confirmed that he would be happy to make the Finance & Performance Monitor 2 report available to all group leaders, on a confidential basis during the pre-election 'purdah' period.

67. Refreshing The Council's Approach to Equalities

The Assistant Director, Communities & Culture presented a report which provided an update on the council's progress towards its equality objectives and set out proposals to strengthen the approach to equalities in key areas.

Under the Equality Act, the council was required to publish equality objectives every 4 years and information to demonstrate compliance with its Equality Duty every year. Recent progress against the five current objectives, set in October 2017, was summarised in Annex A to the report along with a revised action plan. No changes to the objectives were proposed. Key development areas in the action plan were highlighted in report paragraphs 10-30.

With reference to the council's commitment to its leadership role in events promoting inclusion, Members were advised of a request by the Secretary of State for Housing, Communities & Local Government for local authorities to adopt the International Holocaust Remembrance Alliance working definition of antisemitism. This was attached as Annex B to the report.

Resolved: (i) That the progress made against the council's equality objectives be noted and agreement given for the current objectives to remain in place.

(ii) That the action plan set out in Annex A to the report be approved.

(iii) That the key elements of York's equalities system, as set out in paragraph 31 of the report, be endorsed.

(iv) That the International Holocaust Remembrance Alliance working definition of antisemitism set out in Annex B be adopted.

Reason: To strengthen the council's approach to equalities.

68. The York Narrative

The Corporate Director of Economy & Place and the Head of Communications presented a report which sought approval for a proposed York Narrative, developed using funding from the Leeds City Region (LCR) Business Rates Pool after consultation with Executive Members, city partners, young people and residents.

The Narrative was a way of describing York and its surrounding communities. Its aim was to find a better way to present the city to local, regional and national partners and prepare for future funding opportunities, and at the same time identify the values that York cherished, in order to inform future policy making. Its three core values: 'making history everyday'; 'prioritising human experience'; and 'pioneering with purpose' were intended to provide a framework for describing York activities and events. The proposed narrative framework was attached as Annex A to the report. The perception baseline, validation process and consultation feedback were set out in Annex B, with a Community Impact Assessment in Annex C. Members were invited either to adopt the Narrative, as recommended, or make amendments or additions.

During their presentation, and in response to questions from Members and comments made under Public Participation on this item, officers confirmed that:

- 74% of the consultation responses were from York residents.
- Half of the LCR funding (£300k) had been re-allocated to inclusive growth projects, to complement the outcomes of the Narrative.

Resolved: That the York Narrative be adopted on behalf of the city.

Reason: To endorse the implementation of the York Narrative.

At 6:12 pm, the Chair adjourned the meeting in order to take advice from the Monitoring Officer, as he had been the original proposer of the Scrutiny review referred to in the next item. The meeting resumed at 6:18 pm. The Monitoring Officer advised that the council's Constitution did not prohibit a former member of a Scrutiny Committee from considering the recommendations of a Scrutiny review in their later capacity as an Executive Member.

69. Parking Update

The Assistant Director of Transport, Highways & Environment presented a report which reflected on the recommendations made by the Residents' Priority Parking Scheme (Respark) Scrutiny Review Task Group in March 2019 (*agreed by Executive on 18 March; Minute 133 of that meeting refers*) and explored opportunities to implement further service improvements through online services and virtualisation.

The report was a response to the recommendations for officers to review and investigate a number of matters relating to Respark zones and permits, as set out in the original report of the Task Group attached at Annex A. Progress to date on each of the 7 recommendations was set out in paragraphs 50-66 of the report; proposals for further development were detailed in paragraphs 67-75. Officers confirmed that, while moving towards more online delivery, they would ensure that customers who did not use the internet still had access to services.

A document indicating the current progress of Respark schemes on the waiting list was circulated to Members at the meeting.

Resolved: (i) That the progress made in streamlining the process of extending the existing residents' parking zones be noted.

Reason: To confirm that the implementation of residents' parking schemes is being expedited, in line with the recommendations in the scrutiny report.

(ii) That officers be asked to implement options that allow residents to purchase shorter term permits, or develop pay-monthly options.

Reason: To help customers to spread the cost of permits, in line with the scrutiny recommendations.

(iii) That the progress made in recruiting additional staff to process applications for new residents' parking zones be noted.

Reason: To confirm that the implementation of residents' parking schemes is being expedited, in line with the recommendations in the scrutiny report.

(iv) That the procurement of a new parking system that will introduce online self-service for customers, to become the principal channel for online application and payment for parking permits and visitor vouchers, for same-day online payment for parking tickets, and to automate the requirement for evidence, be noted.

Reason: To confirm that the customer experience is being improved, in line with the scrutiny recommendations.

(v) That approval be given to implement paperless virtual parking permits, starting with residents' parking permits, season tickets and visitor permits and rolling out across all permits over time, supported by a compliant checking system to allow residents to see whether a vehicle is authorised to park in a residents' parking zone, and with each implementation to be subject to a separate decision by the Executive Member for Transport.

Reason: To improve the efficiency of the parking service, in line with the scrutiny recommendations.

(vi) That approval be given to move towards cashless parking by:

- a) rolling out the Pay By App/Phone Service to on-street parking machines to allow customers to pay for their parking by phone;
- b) in line with corporate policy, no longer accepting cash in council offices for parking permits and requiring all penalty charge notice (PCN) cash payments to be made through an external service (the same as for Council Tax, where the resident does not pay more for this service);
- c) piloting the provision of a cashless system in Marygate car park, subject to the integration of permits (e.g. Minster Badge and season tickets) into the Pay on Exit technology;
- d) reporting back to the Executive Member for Transport in one year's time, with a view to rolling out cashless parking across the parking estate.

Reason: To respond positively to the March 2019 scrutiny report and its recommendations around efficiency.

70. Millthorpe School - Enhanced Resource Provision

The Corporate Director of Children, Education & Communities presented a report which sought approval to allocate funding of £410k to create a specialist satellite Enhanced Resource Provision (ERP) at Millthorpe School for pupils on roll at Applefields School.

The new 20-place ERP would provide an education for those pupils in Key Stages 3 and 4 who met the criteria for a special school but had needs better suited to a mainstream school environment. It would also enhance and add to the specialist secondary provision currently available in the city, in line with the recommendations of the Inclusion Review.

The development would have no impact on land use, wildlife or on the school playing fields and the new units were expected to be zero carbon, achieving an A+ Energy Performance Certificate.

Resolved: That approval be given to allocate £410,000 from the SEND Facilities Expansion Scheme to create a specialist secondary ERP, comprising two permanent classrooms at Millthorpe School for use by pupils of Applefields School.

Reason: To meet the increasing demand across the city for additional specialist secondary education provision for pupils with special educational needs.

71. Treasury Management and Prudential Indicators Mid Year Review

The Head of Corporate Finance & Commercial Procurement (Interim s.151 Officer) presented a report which provided an update on Treasury Management activities for the period 1 April to 30 September 2019.

The report, prepared in compliance with CIPFA's Code of Practice on Treasury Management, provided: an economic update for the first part of the 2019/20 financial year; a review of the Treasury Management Strategy Statement and Annual Investment Strategy; the prudential indicators; reviews of the council's investment portfolio and borrowing strategy; and a review of compliance with the Treasury and Prudential Limits.

It was confirmed that during the financial year 2019/20 to date, the council had operated within the treasury limits and Prudential Indicators, as set out in the report and Annex A.

Resolved: (i) That the Treasury Management activities to date during 2019/20 be noted.

(ii) That the Prudential Indicators set out in Annex A, and the compliance with all indicators, be noted.

Reason: To ensure the continued performance of the council's Treasury Management function.

72. Yorkshire Purchasing Organisation

The Head of Corporate Finance & Commercial Procurement (Interim s.151 Officer) presented a report which invited Members to consider a proposed transaction by the Yorkshire

Purchasing Organisation (YPO) and amendments to the governance arrangements of the YPO.

Created in 1974, YPO was a joint local government service for the procurement of goods and services. It currently comprised 13 'founder member' authorities, including York, with Wakefield Council acting as 'lead authority'. The transaction, detailed in the exempt appendices to the report, was intended to safeguard and promote its strategic objectives in an increasingly competitive market environment. Wakefield would provide the funding and make the transaction on behalf of all the founder members, who would in turn be asked to stand behind the lead authority's position through an addendum to the Management Agreement.

The proposal was still going through due diligence; this was expected to conclude in early December, in time for review by the relevant statutory officers.

Resolved: (i) That the proposed transaction be supported.

(ii) That financial backing for the transaction be confirmed and approval be given to underwrite a loan through entering into a supplemental agreement, with authority being delegated to the Chief Executive to approve the supplemental agreement set out in Appendix 4 to the report, subject to:

- a) At least 10 of the 13 founder members remaining as founder members and agreeing to enter into the supplemental agreement;
- b) The satisfactory completion of legal and financial due diligence on the proposal giving confidence to process; and
- c) A resolution of the YPO Management Committee to enter into the transaction.

Reason: To enable YPO to continue to provide benefits to its members in the long term.

73. Establishing an Investment Budget for a Strategic Commercial Property Acquisition

[See also under Part B]

The Assistant Director for Regeneration, Growth & Asset Management presented a report which sought to establish a capital budget to fund the acquisition of the freehold interest in a York city centre asset.

A non-binding, subject to contract offer had been made on the property, which was currently let to a commercial tenant. The council was now the preferred bidder. The purchase would be a strategic lever in future consideration of how the city centre would adapt to the changing retail environment, as well as adding to the rental income stream generated by the council's existing commercial portfolio, and was in line with the budget strategy. The property also had development potential for increased public access, and possible residential conversion of the upper floors.

In response to Members' questions, and comments made under Public Participation on this item, officers advised that:

- Keeping the details confidential was a condition of the vendor accepting the council's offer.
- The property strategy to date had been driven by opportunities arising; the My City Centre project would explore the potential for a more interventionist approach.
- The former Post Office building was not public sector owned and had no viable business case or strategic function.
- A report on Bootham Park would be brought in the new year.

Resolved: That authority be delegated to the Director of Economy & Place to complete the purchase once all due diligence has been satisfactorily conducted on the property.

Reason: To ensure the ongoing economic vibrancy of the city centre, whilst increasing the income from the council's commercial portfolio in line with budget targets.

PART B - MATTERS REFERRED TO COUNCIL

74. Establishing an Investment Budget for a Strategic Commercial Property Acquisition

[See also under Part A]

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In response to Members' questions, and comments made under Public Participation on this item, officers advised that:

- Keeping the details confidential was a condition of the vendor accepting the council's offer.
- The property strategy to date had been driven by opportunities arising; the My City Centre project would explore the potential for a more interventionist approach.
- The former Post Office building was not public sector owned and had no viable business case or strategic function.
- A report on Bootham Park would be brought in the new year.

Recommended: That a capital budget of £2.85 million be established to fund the acquisition of the freehold interest in a York city centre asset, as set out in the exempt annex to the report.

Reason: To ensure the ongoing economic vibrancy of the city centre, whilst increasing the income from the council's commercial portfolio in line with budget targets.

Cllr A D'Agorne, Chair

[The meeting started at 5:30 pm and finished at 6:46 pm.].

Forward Plan: Executive Meeting: 21 January 2020

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 13 February 2020

Title and Description	Author	Portfolio Holder
<p>Update of Housing Revenue Account Business Plan Purpose of Report To present the HRA Business Plan, updated to reflect current priorities and the current financial requirements and investment of existing and new housing stock.</p> <p>Executive will be asked to: agree to the updated plan including the financial planning that will be set out in the report.</p>	<p>Paul Landais-Stamp & Denis Southall</p>	<p>Executive Member for Housing & Safer Neighbourhoods</p>
<p>Update of Housing Revenue Account Asset Management Strategy Purpose of Report To set out the updated strategy for managing assets within the Housing Revenue Account, taking account of current ambitions and the financial environment.</p> <p>Members are asked to: agree to the updated strategy.</p>	<p>Mike Gilsenan, Paul Landais-Stamp & Denis Southall</p>	<p>Executive Member for Housing & Safer Neighbourhoods</p>
<p>Q3 19-20 Finance and Performance Monitor Purpose of Report To provide an overview of the council's overall finance and performance position at the end of Q3.</p> <p>Executive will be asked to: note and approve the report.</p>	<p>Ian Cunningham & Debbie Mitchell</p>	<p>Executive Member for Finance and Performance</p>
<p>Capital and Investment Strategy Purpose of Report To set out a framework for all aspects of the council's capital and investment</p>	<p>Debbie Mitchell</p>	<p>Executive Member for Finance and Performance</p>

Title and Description	Author	Portfolio Holder
<p>expenditure including prioritisation, planning, funding and monitoring.</p> <p>Executive will be asked to: recommend the strategy to Full Council.</p>		
<p>Treasury Management Strategy Statement and Prudential Indicators Purpose of Report To set out the treasury management strategy, including the annual investment strategy, minimum revenue provision policy statement and prudential indicators.</p> <p>Executive will be asked to: recommend the strategy to Full Council.</p>	Debbie Mitchell	Executive Member for Finance & Performance
<p>Financial Strategy 2020/21 Purpose of Report To present the Financial Strategy, including detailed revenue budget proposals.</p> <p>Executive will be asked to: recommend the proposals to Full Council.</p>	Debbie Mitchell	Executive Member for Finance & Performance
<p>Capital Programme Monitor 3 Purpose of Report To provide an update on the capital programme.</p> <p>Executive will be asked to: note the issues, and recommend to Full Council any changes as appropriate.</p>	Emma Audrain	Executive Member for Finance & Performance
<p>Capital Programme 2020/21 to 2024/25 Purpose of Report To present the capital programme, including detailed scheme proposals.</p> <p>Executive will be asked to: recommend the proposals to Full Council.</p>	Emma Audrain	Executive Member for Finance & Performance

Title and Description	Author	Portfolio Holder
<p>Schools Capital Maintenance Programme 2020/21 Purpose of Report To set out proposed expenditure of the schools capital maintenance programme for 2020/21.</p> <p>Executive will be asked to: approve the proposals.</p>	Mark Ellis	Executive Member for Children, Young People and Education
<p>City Centre Access – Phase 1 Proposals – Budget Update Purpose of Report To report back on Recommendation (j) of the August 2019 Executive – <i>‘To bring back to Executive the cost of the installation, operation and maintenance of the permanent measures’</i>. An update will also be provided on the permanent measures on Parliament Street and at York Racecourse (recommendations (f) and (i)).</p> <p>Executive will be asked to: review and approve the budget for the Phase 1 permanent measures to include the future revenue budget for annual maintenance costs and monitoring / operation of the measures.</p>	Catherine Higgins	Executive Member for Transport
<p>York Outer Ring Road Improvements – A1237 / Monks Cross Junction Compulsory Purchase Order (CPO) Purpose of Report At the Executive Meeting on 26 September 2019, approval was given in principle to pursue a CPO to acquire the land required to upgrade and improve the junction of the A1237 and Monks Cross Link. The work to draft the necessary documents has now been completed and approval is sought to submit the proposed CPO to the Secretary of State for Transport.</p> <p>Executive will be asked to: note the completion of the relevant documents and give their endorsement for the proposed Order to be submitted to the Secretary of State .</p>	Gary Frost	Executive Member for Transport

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 19 March 2020

Title and Description	Author	Portfolio Holder
<p>Response to the Council Motion on Empty Homes (July 2019) Purpose of Report To inform Executive of the following Council motion: “Given that York has experienced a recent spike in the number of homes left empty for six months or more, that Council Officers produce a report for consideration by the Executive to examine the potential options available to the Council to further reduce the number of empty homes in the city.”</p> <p>Executive will be asked to: respond formally to the motion.</p>	Ruth Abbott	Executive Member for Housing & Safer Neighbourhoods
<p>Protecting Live Music Venues and Nightclubs Purpose of Report To respond to the motion agreed at Council on 31 October calling on the Executive to take a number of actions in respect of live music venues in the city.</p> <p>Executive will be asked to: agree to actions in response to the motion that are within its powers.</p>	Charlie Croft	Executive Member for Culture, Leisure & Communities
<p>EV Charging Strategy Purpose of Report To formalise an electric vehicle charging strategy for City of York Council’s public charging network, to guide future development of the network, which is anticipated to expand rapidly over the coming years in order to meet the likely demand for EV charging and support an accelerated uptake of EV’s in York.</p> <p>Executive will be asked to: approve the EV Charging Strategy.</p>	Andrew Leadbetter	Executive Member for Environment & Climate Change and Executive Member for Transport

Title and Description	Author	Portfolio Holder
<p>City of York Council Fleet Strategy Purpose of Report To consider a fleet replacement strategy which will include the next generation of waste vehicles for the city.</p> <p>Executive will be asked to: approve the fleet replacement strategy.</p>	<p>James Gilchrist & Bill Manby</p>	<p>Executive Member for Environment & Climate Change and Executive Member for Transport</p>
<p>Proposals to Enable the Provision of Older Persons' Accommodation on Lowfield Green Purpose of Report Following the results of consultation with older residents about their accommodation preferences and an unsuccessful procurement exercise to attract a care home developer for the Lowfield Green site, this report will consider how the site for Older People's Accommodation on Lowfield Green can be developed to best meet the needs of our older residents.</p> <p>Executive will be asked to: agree to procure an extra care developer and operator to develop a mixed tenure extra care development on the site previously identified for a care home.</p>	<p>Vicky Japes</p>	<p>Executive Member for Health & Adult Social Care and Executive Member for Housing & Safer Neighbourhoods</p>

Table 3: Items Slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>City Centre Access – Phase 1 Proposals – Budget Update</p> <p><i>See Table 1 for details</i></p>	Catherine Higgins	Executive Member for Transport	21/1/20	13/2/20	Due to the completion of the tender process.
<p>York Outer Ring Road Improvements – A1237 / Monks Cross Junction Compulsory Purchase Order (CPO)</p> <p><i>See Table 1 for details</i></p>	Gary Frost	Executive Member for Transport	21/1/20	13/2/20	To consider the opportunities for integration of ORR dualling and roundabout schemes following the recent government announcement.
<p>EV Charging Strategy</p> <p><i>See Table 2 for details</i></p>	Andrew Leadbetter	Executive Member for Environment & Climate Change and Executive Member for Transport	21/1/20	19/3/20	To enable further detailed analysis of options, taking into consideration the recent budget proposals.

<p>City of York Council Fleet Strategy</p> <p><i>See Table 2 for details</i></p>	<p>James Gilchrist & Bill Manby</p>	<p>Executive Member for Environment & Climate Change and Executive Member for Transport</p>	<p>21/1/20</p>	<p>19/3/20</p>	<p>To enable further detailed analysis of options, taking into consideration the recent budget proposals.</p>
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Executive

21 January 2020

Report of the Director of Economy and Place
Portfolio of the Executive Member for Finance and Performance

Castle Gateway phase one delivery strategy

Summary

1. This report sets out the recommended delivery strategy for the first phase of the regeneration of the Castle Gateway. This phase will deliver many of the key public benefits of the transformative masterplan, including a new footbridge and pedestrian and cycle routes; a riverside public park at the rear of the Castle Museum; new apartments and commercial spaces at Castle Mills and 17-21 Piccadilly; and a multi-storey car park at St George's Field which will allow Castle Car Park to be replaced with new high quality public realm in phase two.
2. The report considers a number of delivery options with different financial and delivery risk profiles, and recommends that the council should take the lead and act as developer for the whole of phase one. Whilst this requires significant short term borrowing during the construction period, the investment will be largely repaid through the sales of the new apartments and income from commercial spaces. This is the option that maximises the financial return to the council to pay for the wider public benefits, minimising the estimated project viability gap that the council will need to fund to £3.3m.
3. At this stage the Executive are only being asked to approve the procurement of construction contractors to undertake the RIBA stage 4 design of St George's Field and Castle Mills and provide a tender price for the build phase. These tender submissions will enable the Executive to make an informed decision on actual costs to then finalise and draw down the budget in late 2020. The budget commitment being sought at this point is £2.15m to deliver the recommendations in this report and progress the next stage of work to allow that informed decision in late 2020, and £532k to pay for a sewer diversion at St George's Field.

Recommendations

4. The Executive is asked to:

- 1) Approve option one for the council to deliver phase one of the Castle Gateway regeneration and allow the future closure of Castle Car Park

Reason: *to implement the first phase of the Castle Gateway under the delivery option that allows the council to control timescales, quality and delivery and requires the lowest level of long term council financial commitment*

- 2) Approve the carrying out of procurement to engage a construction contractor to undertake the design and subsequent construction in respect of the multi-storey car park at St George's Field, and delegate to the Director of Economy and Place (in consultation with the Director of Governance or her delegated officers) the authority to take such steps as are necessary to award and enter into the resulting contract

Reason: *to proceed with RIBA stage 4 design and provide fixed build costs to inform the actual project budget*

- 3) Approve the carrying out of procurement to engage a construction contractor to undertake the design and subsequent construction in respect of the proposed development at Castle Mills, and delegate to the Director of Economy and Place (in consultation with the Director of Governance or her delegated officers) the authority to take such steps as are necessary to award and enter into the resulting contract

Reason: *to proceed with RIBA stage 4 design and provide fixed build costs to inform the actual project budget*

- 4) Note that a further report will be brought back to the Executive in late 2020 on completion of the early contractor engagement stages of the contracts in respect of St George's Field and Castle Mills to report on the actual build costs and to ask the Executive to agree to proceed with construction and recommend to full council the full contract delivery budget

Reason: *To allow the final decision to proceed with the project to be made based on fixed prices.*

- 5) Note that a report will be brought back to the Executive in summer 2020 to establish the design and construction budget for the new public realm at Castle Car Park and the Eye of York

Reason: *To set out the outline business case for phase two to allow the design of the new public realm to commence based on an agreed budget*

- 6) Recommend to full council a budget of £2.15m to deliver recommendations 1 to 5 in this report

Reason: *To enable the identified recommendations to be carried out*

- 7) Recommend to full council a budget of £532k for diversion of the Yorkshire Water sewer and associated toilet block demolition at St George's Field, and to delegate the decision to proceed to the Executive Member for Finance and Performance

Reason: *To allow a decision to be made at the appropriate time to proceed with the sewer diversion that will enable the construction of St George's Field to commence*

- 8) Agree in principle that the Housing Revenue Account (HRA) will fund the construction of 20 apartments at Castle Mills as new council housing at an estimated value of £3.7m, should the council act as developer for the site

Reason: *To enable new council housing to be delivered as part of phase one of the project, should the decision be taken to proceed with Castle Mills in late 2020*

- 9) Note that a report will be brought to the Executive in summer 2020 setting out the recommended delivery strategy for 17-21 Piccadilly

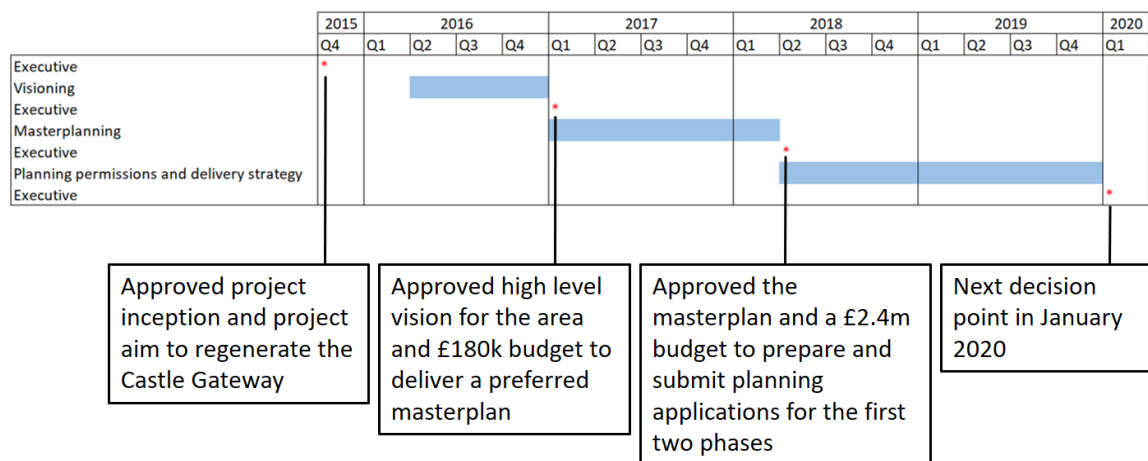
Reason: *To enable a decision as to whether 17-21 Piccadilly should be included in the council led delivery strategy once early design work has provided a more detailed viability appraisal*

Background

5. The Castle Gateway project commenced in early 2015 and the inception was formally approved in October of that year. In January 2017 the Executive approved the high level vision for the area and a budget of £180k to deliver a preferred masterplan. Following the appointment of BDP as architects and masterplanning consultants, and the development of the proposals through the My Castle Gateway project, the masterplan was approved by the Executive in April 2018. At that point a budget of £2.4m was allocated to prepare and submit planning applications for the first two phases of work.

6. The masterplan will transform a large area of the city centre that has endured three decades of failed private sector proposals. By placing the public and stakeholders at the heart of the development and visioning process through the innovative My Castle Gateway engagement project the masterplan has gained wide-spread public and cross-party political support. The regeneration will create new high quality public realm and event spaces, significantly improve the setting of our heritage assets, improve cycle and pedestrian routes throughout the area, and reduce and consolidate car parking in to a modern multi-storey car park (MSCP) outside of the inner-ring road.

Figure 1 – Timeline of Castle Gateway Executive decisions



7. At all stages of the reporting process it has been made clear that this is a regeneration project, with limited development sites to generate a commercial return to fund the proposals, and will require significant levels of public realm and transport intervention and investment. The high level business case identified that the potential income from the development opportunities and external funding could broadly cover the

infrastructure costs of the full ambition of the masterplan. However, it also advised that different phases may have some viability gaps that would require funding and that detailed financial impacts would only become clear as further design, investigation and costings were undertaken. To mitigate these risks, it was agreed that decisions as to how to proceed with the delivery of each individual phase would be taken once more detailed information was available at planning application stage.

8. Since April 2018 work has progressed to refine the delivery phases and masterplan proposals, undertake detailed survey work and design of the development sites, seek pre-application advice and discussions with relevant statutory bodies and the local planning authority, and provide greater clarity on costs. In autumn 2019 the first planning applications were submitted, seeking planning approvals necessary for delivery of the first phase of the Castle Gateway. This phase represents the major step to unlock the delivery of the whole masterplan, and also contains many of the project's significant public benefits, including:
 - Providing the replacement MSCP at St George's Field that will allow Castle Car Park to close and be replaced with new public realm
 - A new pedestrian cycle crossing over the inner-ring road
 - A new pedestrian cycle bridge over the Foss
 - A new public park at the rear of the Castle Museum and a riverside pocket park on Piccadilly
 - 106 new apartments at Castle Mills - 20 of which would be new council housing – above street level commercial spaces suitable for small independent traders
 - New apartments above further commercial spaces at 17-21 Piccadilly
9. The anticipated costs to deliver the whole of the first phase of the masterplan is £55m, as set out in Figure 2 below. Costs and delivery strategies for future phases will be brought to the Executive at the appropriate point in the decision making process. However, now that the planning applications have been submitted for St George's Field and Castle Mills (including the new bridge and public parks), a decision is required as to how to fund and proceed with the delivery of the first

phase. There are a number of alternatives as to how to finance and deliver phase one, each with different short term and long term funding implications.

Figure 2 – Castle Gateway phase one

Site	Includes	Anticipated cost
St George's Field	MSCP, coach park, new access road, new riverside public realm, public toilets	£14.2m
Pedestrian/cycle crossing	New crossing point over the inner-ring road	£0.8m
Castle Mills	106 apartments, 20 of which will be council housing, ground floor commercial spaces and new riverside pocket park	£28.2m
Foss Bridge	New pedestrian cycle bridge between Castle Mills and the rear of the museum	£2.4m
Public realm	New public park and cycle route to replace previously private land at the rear of the Castle Museum	£1.5m
17-21 Piccadilly	New apartments above ground floor commercial spaces	£5.9m
Contingency		£2m
Total		£55m

Figure 3 – images of phase one developments



St George's Field (£14.2m)



Inner-ring road crossing & riverside park (£2.3m)



Castle Mills and new Foss bridge (£30.6m)



Permanent redevelopment of 17-21 Piccadilly (£5.9m)



Options

10. At this stage there is a viability gap in phase one as the financial return from the development sites and external funding sources that have been identified do not fully cover the £55m estimated cost of delivery. However, it is considered that the overall benefits of the project outweigh the long term impact of funding the relatively small viability gap in the recommended option. There are three main options that have been considered, each with varying degrees of risk, cost and control, with a fourth option not to proceed with any part of the masterplan and dispose of any council owned sites in the area. The key principle that underpins the delivery options is that the greater the short term financial risk the council is prepared to take the higher the commercial return is likely to be, and the lower the consequent project viability gap and long term revenue impact.
11. The suitability of establishing a joint venture delivery partnership for the council owned sites was also considered and discounted. The primary purpose of a joint venture is to allow the council to offset some of the development risk and borrowing cost to deliver a project. Joint ventures can be structured in a number of ways dependent on the level of risk the council is willing to take, but in principle they exist where capital investment or council borrowing is not available. In the case of Castle Gateway the council's priority is to maximise the financial return from its development sites to fund the masterplan and control delivery - neither of which would be achieved through a joint venture. It should be noted that joint ventures are also complex legal entities that take significant periods of time to set up and deliver.

Option 1 – the council acts as developer for all elements of phase one

12. Under this option the council would fund and manage the development of all elements of the project, taking on the role of developer to benefit from the full commercial return and profit to help fund the wider public benefits of the project. The council would undertake short term borrowing of £45.8m (after taking into account HRA funding for the affordable housing at Castle Mills) to fund the whole development of phase one, including:
 - St George's Field MSCP
 - the pedestrian/cycle bridge and inner-ring road crossing,
 - the public park at the rear of the Castle Museum
 - the developments at Castle Mills and 17-21 Piccadilly

13. The short-term borrowing to build the above would be largely repaid by the commercial return from the sale of the apartments and income from commercial spaces at the Castle Mills and 17-21 Piccadilly developments. There would be a resulting £3.3m deficit which the council would need to service through long term borrowing. This delivery option would maximise the financial returns to the council through the full profits from the development opportunities; give the council full control over the timescales and quality of delivery; and would result in the smallest project viability and subsequent long term financial revenue impact to the council.

Option 2 – the council builds St George’s Field MSCP and disposes of 17-21 Piccadilly and Castle Mills with a restricted use of residential and a requirement to build the new Foss bridge

14. This option would still deliver the key principles of the masterplan and would reduce the council’s short term borrowing. The council would still need to fund:
 - St George’s Field MSCP
 - the pedestrian/cycle bridge and inner-ring road crossing,
 - the public park at the rear of the Castle Museum

However, the development sites at Castle Mills and 17-21 Piccadilly would be disposed of to the private sector, meaning the cost of borrowing to fund the construction would be borne by the developer, with the council receiving a capital receipt for the land. To ensure the disposed sites are not developed other than in accordance with the masterplan, restrictive covenants would be imposed prohibiting the sites from being developed or used for anything other than residential schemes (instead of hotels or student accommodation), and at Castle Mills the purchaser would be contracted to build the bridge with council funding.

15. Although the council’s developer risk and short term borrowing would be reduced to £14.9m under this option, so would the commercial return from the development sites, and the residential restrictions on the use of the sites would significantly reduce the market land value. This would result in a significantly higher project viability gap of £13m that the council would need to service through long term borrowing. The council would also have ceded control of the delivery of Castle Mills, the bridge, and 17-21 Piccadilly to private developers.

Option 3 – do not proceed with St George’s Field MSCP; close Castle Car Park; and dispose of 17-21 Piccadilly and Castle Mills with a restricted use of residential and a requirement to build the new Foss bridge

16. Under this option the council would close Castle Car Park without building the new MSCP to replace the lost car parking provision. This would allow the main principles of the masterplan to be delivered, including the closure of Castle Car Park for new public realm without incurring the significant capital cost of the new MSCP. This would almost remove the need for any short term council borrowing to finance the delivery of other elements of phase one. There would also be no project viability gap, with a small financial return from the disposal of Castle Mills and 17-21 Piccadilly. The sites would be disposed under the same restrictions and requirements as option 2 to provide the bridge and ensure only residential development takes place on council controlled sites on Piccadilly.
17. However, although the short term borrowing and exposure to risk is reduced, it would result in a significant reduction in annual car parking income of £810k per annum for future council budgets, with the lost revenue considerably outweighing the long term borrowing costs required to fund the viability gap of £3.3m in option one. All the work in developing the detailed design proposals of phase one to date would also lead to abortive costs of £1.5m. In summary, option 3 would minimise the short term risk to the council, but would create a significant long term funding liability that would impact on long term council budgets and could lead to a loss of support for the masterplan from city centre businesses opposed to the level of lost parking.

Option four – do not implement the masterplan and sell 17-21 Piccadilly and Castle Mills without any restrictions

18. The final alternative is to not proceed with the Castle Gateway regeneration and draw the project to a close. This would result in no further expenditure beyond upgrades to the existing poor quality surface level car parks in the area, and a significant anticipated capital receipt of in the region of £7m from the unencumbered sale of the council’s development sites at Castle Mills and 17-21 Piccadilly. As with option 3 this would result in abortive costs of £1.5m. The clear disadvantage of option four is that it results in the abandonment of the project and a failure to deliver the masterplan.

Analysis

19. The following section provides a detailed analysis of the advantages and disadvantages of each option. Due to the complexity of the financial implications of each, and the size of potential short term borrowing required there is also a stand-alone detailed financial summary which compares and appraises each option.

Option one - the council acts as developer

Figure 4 – summary of option one

Funding implications	Advantages		
Total cost - £55m	<ul style="list-style-type: none"> • Maximises council's financial income • Minimises the project viability gap • Lowest long term financial impact • Retain complete control over delivery • New council housing • Deliver highest quality design and sustainability standards • Restrict the use of short term lets • Contingency to convert sale apartments to private rent in case of market downturn to ensure delivery 		
External and HRA funding - £9.2m			
Short term council borrowing - £45.8m			
Income - £42.5m			
Viability gap - £3.3m			
<table border="1"> <tr> <td data-bbox="284 1234 794 1317">Cost of the short term council borrowing over 4 years - £1.5m</td> </tr> <tr> <td data-bbox="284 1357 794 1429">Long term annual financial impact over 25 years - £0.29m pa</td> </tr> </table>	Cost of the short term council borrowing over 4 years - £1.5m	Long term annual financial impact over 25 years - £0.29m pa	Disadvantages
Cost of the short term council borrowing over 4 years - £1.5m			
Long term annual financial impact over 25 years - £0.29m pa			
	<ul style="list-style-type: none"> • Highest level of short term borrowing • Council carries all developer risk 		

20. Option one is the only delivery model which would allow the council to retain full control of delivery of the masterplan. By funding and managing the construction process the council can decide when to proceed with development, chose to continue development should market conditions change, and ensure the interface and critical path between all aspects of the delivery programme. The planning application for Castle Mills is currently under consideration and if approved the council would be in a position to deliver the project at pace, bringing back in to use a vacant site and delivering the new pedestrian/cycle bridge in the shortest possible timeframe.

21. Financially, option one maximises the financial return from the council owned development sites and consequently minimises the overall project viability gap. This is because the council would retain all of the value generated by the completed developments. Once all of the apartments are sold on the open market and commercial spaces are let the value generated is anticipated to be in the region of £42.5m (see Annex 7). In addition the HRA would fund the building of 20 new council homes at Castle Mills, reducing the impact on General Fund borrowing. To mitigate the risk of the residential sales market suffering a downturn during the construction period the council could convert the completed sale homes to private rent until conditions improve. The rental income would generate an anticipated yield of 4.75% which would cover the council's borrowing costs until market conditions improved and the apartments could be sold.
22. In addition to that income stream the council has submitted an £8m funding bid to the West Yorkshire Transport Fund (WYTF), of which £4m would be eligible for phase one, and have an in principle agreement with Homes England for £1.4m of Accelerated Construction Funding (ACF), if the council acts as developer. In total the income and funding from phase one is anticipated to be £51.7m. This would result in an estimated viability gap on completion of phase one of £3.3m, which would result in a total long term financial cost to the council of £287k per annum, significantly lower than the other masterplan delivery options in this report (how the long term financial impact is calculated is set out in the Financial Appraisal section from paragraph 37).
23. A further consideration is the achievement of the expected social, quality and sustainability standards of the proposals. The planning application for Castle Mills has been developed through extensive public, stakeholder, and statutory consultee engagement. In addition to high design standards it would:
 - provide new council housing
 - meet the 28% carbon reduction target set out in the draft Local Plan
 - be a car-free development
 - restrict the use of apartments for short term lets

If the council were to act as developer for the site this commitment to design quality and sustainability would be maintained throughout the whole project delivery, and form part of the design principles for a future planning application for 17-21 Piccadilly.

24. Option one is the only option that allows the council to retain control over the delivery and quality of the masterplan; maximises the financial return from the development of its land assets; and consequently results in the lowest long term funding commitment from the council to deliver the masterplan. Whilst this will result in significant short term borrowing this would be largely repaid within a four year period and before any other future large scale capital projects, such as York Central and the outer ring road, will require council borrowing.

Option 2 - the council builds St George’s Field MSCP and disposes of 17-21 Piccadilly and Castle Mills with a restricted use of residential and a requirement to build the new Foss bridge

Figure 5 – summary of option two

Funding implications	Advantages		
Total cost - £18.9m	<ul style="list-style-type: none"> • Reduces level of short term council borrowing 		
External funding - £4m	<ul style="list-style-type: none"> • Council doesn’t carry direct developer risk 		
Short term council borrowing - £14.9m	<ul style="list-style-type: none"> • Delivers key elements of masterplan 		
Income - £1.7m	Disadvantages		
Viability gap - £13.2m	<ul style="list-style-type: none"> • Lose control of masterplan delivery • Significantly reduces financial return • Significantly increases long term funding requirement • Delays project delivery • Risk of no delivery and no capital receipt • Lower quality residential developments with no control over social and environmental benefits 		
<table border="1"> <tr> <td data-bbox="284 1395 778 1473">Cost of the short term council borrowing over 4 years - £0.5m</td> </tr> <tr> <td data-bbox="284 1507 778 1585">Long term annual financial impact over 25 years - £0.98m pa</td> </tr> </table>	Cost of the short term council borrowing over 4 years - £0.5m	Long term annual financial impact over 25 years - £0.98m pa	
Cost of the short term council borrowing over 4 years - £0.5m			
Long term annual financial impact over 25 years - £0.98m pa			

25. Under option two the council would fund and build the MSCP at St George’s Field, whilst disposing of its development sites. The sites would be disposed with restrictions limiting the use of the sites to residential to prevent a developer from building hotel or student accommodation, and at Castle Mills the developer would be required to also build the new pedestrian/cycle bridge. It should be noted that the requirement for the bridge would mean that the Castle Mills development would need to be

through a development agreement approach rather than merely a land sale, which would require a complex procurement exercise.

26. In principle option two allows the delivery of the masterplan without the council undertaking the developer risks. However, even with restrictions applied to the development sites the council would still be conceding significant control over the delivery of the masterplan. Restrictions applied to the sale of land can be a useful tool but they do not guarantee delivery (as they do not oblige the buyer to develop the land), and it would mean that the timing of the Castle Gateway regeneration would be under the control of private developers rather than the council.
27. In the best case delivery timescale scenario any developer(s) acquiring the sites would more than likely pursue their own planning permissions which, coupled with the procurement and land sale process, would lead to a delivery delay in excess of 18 months. Should they fail to secure planning permission then the land sale and procurement process would need to begin again, adding further significant delay. As most bids are likely to be subject to planning there would be no capital receipt forthcoming unless and until a favourable planning permission was secured.
28. Even if an alternative planning permission is secured, any downturn in the residential sale market may result in the developer delaying construction to allow conditions to improve for them to maximise their profit. Consequently there would be no certainty as to when or whether the sites - and bridge - would be developed. Although it is possible to mitigate this risk to an extent through long stop legal clauses to take back the site if development has not commenced by a certain date, this would result in the whole sale process having to recommence with further associated delays.
29. Financially option two does have the benefit of reducing the short term borrowing to the council to £14.9m. However, due to the restrictions placed on the site the land values would be limited, and coupled with the council not receiving the developer profit it would result in the financial return to the council being significantly lower than option one. This in turn results in a much higher project viability gap, meaning the council would need to fund £13.2m, which would have an ongoing revenue impact of almost £1m per annum, almost £700k per year more than option one (see the financial appraisal section for sensitivity testing to assess the impact of receiving higher capital receipts for the sites).

30. The other key disadvantage of disposing of the sites is that developers are likely to seek to reduce some of the social and environmental benefits that the council has committed to delivering as part of its proposals and planning applications. This may result in lower quality design, failure to meet the draft Local plan sustainability targets, or a failure to provide on-site affordable housing. It is also unlikely that they would maintain a car-free approach, or sell the apartments with restrictions on short term lets due to the impact on values and saleability. Whilst the reduction in standards may reduce the construction costs and improve the profitability of the scheme, most of that financial uplift would be retained by the developer as profit. The council could seek to impose further requirements on developers through the disposal of the sites, but this would have a further impact on land value and project viability.
31. Option two would allow the masterplan principles to be delivered for less upfront council investment and having transferred the direct developer risk to the private sector. However, whilst the short term borrowing is reduced the council would have ceded control over delivery and quality, and the assumed income would be entirely dependent on achieving alternative planning permissions for complex sites and favourable prevailing market conditions. More importantly, the council losing the developer profit opens up a substantial viability gap, resulting in much higher ongoing long term financial funding requirements for the council of up to almost £1m per annum.

Option three - do not proceed with St George's Field MSCP, close Castle Car Park, and dispose of 17-21 Piccadilly and Castle Mills with a restricted use of residential and a requirement to build the new Foss bridge

Figure 6 – summary of option three

Funding implications	Advantages		
Total cost - £4.6m	<ul style="list-style-type: none"> • Negligible short term council borrowing • Council doesn't carry any direct developer risk • Delivers key elements of masterplan • Castle Car Park closes earlier 		
External funding - £3m			
Short term council borrowing - £1.6m			
Income - £1.7m			
Viability gap - £0.1m surplus	Disadvantages		
	<ul style="list-style-type: none"> • All disadvantages of option 2, plus: • City centre business would not support loss of 327 parking spaces • Council loses significant parking revenue • £1.5m abortive costs • Higher long term financial impact than option 1 		
<table border="1"> <tr> <td>Cost of the short term council borrowing over 4 years - £0m</td> </tr> <tr> <td>Long term annual financial impact over 25 years - £0.56m pa</td> </tr> </table>	Cost of the short term council borrowing over 4 years - £0m	Long term annual financial impact over 25 years - £0.56m pa	
Cost of the short term council borrowing over 4 years - £0m			
Long term annual financial impact over 25 years - £0.56m pa			

32. Option three effectively removes the council's need for any short term borrowing or direct developer risk, even returning a small upfront surplus through the removal of the capital cost to build the MSCP. It would still achieve the key masterplan principle of closing Castle Car Park, and the delivery of the new pedestrian cycle footbridge. However, crucially it does not provide the replacement car parking which many city centre businesses have said is essential for them to support the masterplan, or offset the loss of £1.2m revenue that is currently generated by Castle Car Park.
33. Whilst it is anticipated that there would be some retained revenue through displacement to existing council car parks at St George's Field and Piccadilly - based on analysis of car parking displacement during the part closure of Castle Car Park for the Rose Theatre - the annual loss of revenue would be in the region of £810k per annum. This would result in a long term negative financial revenue impact for the council of £560k per annum (once the loss has been offset by the new income generated from the new event space at Castle Car Park), which would be a significant sum of money that the council would need to fund every year in setting the annual budget.
34. In addition to the revenue implications and impact on city centre businesses of lost car parking at a time of unprecedented high street pressures, the delivery of Castle Mills and 17-21 Piccadilly would be

subject to the same negative delivery, timescale and quality implications set out in option two.

Option four - do not implement the masterplan and sell 17-21 Piccadilly and Castle Mills without any restrictions

Figure 7 – summary of option four

<p>Funding implications</p> <p>Total cost - £0m</p> <p>External funding - £0m</p> <p>Short term council borrowing - £0m</p> <p>Income - £6.6m</p> <p>Viability gap - £6.6m surplus</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Cost of the short term council borrowing over 4 years - £0m</p> <p>Long term annual financial impact over 25 years - £0m pa</p> </div>	<p>Advantages</p> <ul style="list-style-type: none"> • No capital investment required • No loss of car parking revenue • Capital receipt from unrestricted sale of development sites <p>Disadvantages</p> <ul style="list-style-type: none"> • Does not deliver the Castle Gateway project and area remains distressed • Missed opportunity to deliver a masterplan with public, stakeholder and political support • £1.5m abortive costs • Significant reputational damage of not proceeding with masterplan
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35. Option four is to not proceed with the delivery of the Castle Gateway masterplan; retain and upgrade Castle Car Park; abandon the new pedestrian cycle bridge and riverside park; and dispose of Castle Mills and 17-21 Piccadilly on the open market without any restrictions. This would generate a significant capital receipt of approximately £7m for the council and would have no long term revenue implications resulting from borrowing or loss parking revenue.

36. However, this option would result in the lost opportunity to implement a masterplan that is at an advanced stage, with unprecedented level of public support, for an area that has endured decades of failed proposals, when there are viable delivery options. This would lead to significant reputational damage for the council and result in the Castle Gateway remaining a neglected part of the city centre, dominated by surface level car parking and vehicles, damaging our heritage assets and cultural attractions, and lead to three years of abortive time and costs.

Financial appraisal

37. Due to the scale of the financial implications of the project the following section considers and compares the financial impacts of each option in detail. The key principle in assessing each option is to differentiate between the risks associated with short term borrowing and financial return, and the impact of long term borrowing. Short term borrowing does have a revenue impact, as the full costs of the project delivery have to be financed until the financial return from the sales of either land or property are realised to pay back the initial outlay. However, this is time limited until the project has completed and the benefits are realised.
38. The greater impact on the council's long term financial position is having to service any project viability gap – if there is a shortfall to deliver the project that has to be funded by the council this results in an ongoing annual revenue cost to the council over a 25 year period. Similarly any loss of existing annual revenue from car parking also results in a long term impact on council's finances and budgets. Under all masterplan delivery options the long term impact is mitigated by an estimated £250k annual income from the commercial return from the new event space to replace Castle Car Park. It is therefore the project viability gap and the long term financial cost to the council that is of paramount importance. These impacts are summarised in detail in Figure 8 below:

Figure 8 – summary of the financial impacts of each option

	Option 1	Option 2	Option 3	Option 4
	CYC as developer	CYC to build SGF and sell CM and 17-21 restricted	SGF is abandoned and sell CM and 17-21 restricted	Don't deliver the masterplan, sell development sites
Total cost	£55,000,000	£18,900,000	£4,600,000	£0
Short term council funding required	£45,800,000	£14,900,000	£1,600,000	£0
Cost of short term borrowing over a 4 years	£1,530,000	£544,000	£0	£0
Total income (sales, HRA and external funding)	£51,700,000	£5,675,000	£4,675,000	£6,600,000
Surplus/Viability gap (income – cost)	-£3,300,000	-£13,225,000	£75,000	£6,600,000
Long term borrowing cost to council to fund viability gap (pa)	-£230,000	-£926,000	£0	£0
Lost car parking revenue (pa)	-£307,000	-£307,000	-£810,000	£0
New income from events spaces (pa)	£250,000	£250,000	£250,000	£0
Long term financial cost to the council	-£287,000	-£983,000	-£560,000	£0
Abortive costs written off to revenue	£0	-£800,000	-£1,500,000	-£1,500,000
Short term council funding required	High	Medium	Low	None
Long term council funding required	Low	High	None	None
Loss of parking revenue	Low	Low	High	None
Long term financial impact	Low	High	Medium	None

39. Based on the principle's set out above the two key figures to consider in Figure 8 are the short term borrowing cost over a four year period, and the long term borrowing cost to the council, summarised as follows:

Figure 9 – short term and long term borrowing implications

	Option 1	Option 2	Option 3
Short term borrowing required	£45,800,000	£14,900,000	£1,600,000
Total cost of borrowing from revenue over a 4 year period	£1,530,000	£544,000	£0
Long term 25 year annual revenue impact	£287,000	£983,000	£560,000

40. Option one has the highest short term borrowing cost of £1.6m over a four year period. This would need to be funded from revenue budgets identified within future financial strategies. It does however have a significantly lower long term financial impact for the council. This option would mean the impact on future revenue budgets of £287k per annum, rather than £983k under option two and £560k under option three.
41. In arriving at these long term financial impacts officers have been prudent in assuming a reduction in net parking revenue of £310k per annum even under option one and two due to the higher running costs associated with an MSCP and reduced number of spaces. It should also be noted that the £250k per annum income assumed from the event space at Castle Car Park will be dependent on future Executive decisions on the delivery strategy for phase two of the masterplan which are not part of this report. These decisions may also have additional funding implications which will need to be considered at the appropriate point (see Risk Management section, paragraph 106).
42. The figures for options two and three are based on the independent land valuations set out in Annex 5 and 6, and the assumed sale values of £1.7m for Castle Mills and 17-21 Piccadilly reflect the proposed restrictions and complexities associated with each site (values would be significantly higher for hotel or student accommodation, land uses that were ruled out in the masterplan). Whilst this advice is robust and based on market evidence, experience suggests that actual offers for the sites may be significantly more based on developer 'hope' value that they can reduce quality and further increase density. Consequently officers have applied sensitivity testing to option two to assess the impact of an increased capital receipt for the sites over and above the independent financial advice.
43. This testing showed that even if the council was to receive £7m instead of the £1.7m valuation figure, and ignoring all other risks associated with actually realising that sum, the project viability gap under option two would still be £7.9m, which would result in an ongoing total annual financial impact for the council of £610k, still significantly higher than the £287k in option one. In addition to the reduced commercial return the council would not receive the Homes England ACF of £1.4m which is only available if the council act as developer.
44. For option three it would result in a higher capital receipt from phase one of £5.4m (noting that this is based on an assumed value and not formal valuation advice), but crucially the impact of ongoing lost car parking

revenue would remain the same. Due to the importance of not acquiring large ongoing long term financial commitments option one is the recommended option from a financial perspective.

Recommended option – option one

45. Having analysed all of the options and considered the different implications of each approach it is recommended that the council should act as developer for phase one of the Castle Gateway regeneration.

Figure 10 – Options appraisal summary

	Option 1	Option 2	Option 3	Option 4
Short term council borrowing	£45.8m	£14.9m	£1.2m	£0m
Surplus/viability gap	-£3.3m	-£13.3m	£0.07m	£6.6m
Long term annual financial revenue impact	-£0.29m	-£0.98m	-£0.56m	£0
Delivery of masterplan outcomes				
Long term financial impact				
Abortive costs				
Delivery risk (control and timescales)				
Social outcomes				
Quality outcomes				
Sustainability outcomes				
Reputational outcome				

46. Option four has been discounted as it does not deliver the masterplan and would result in the closure of the project when there are viable alternatives for delivery. Option three has been discounted, as although it still delivers the key principles of the masterplan with the minimum levels of council short term borrowing and developer risk, it does not provide any replacement car parking to compensate for the closure of Castle Car Park. Option two has been discounted as, although it delivers all of the key principles of the masterplan, with the private sector funding and

taking the developer risk for the sites on Piccadilly, it results in the biggest project viability gap.

47. Consequently the recommended option is option one. This would maximise the potential financial return to the council; minimise the project viability gap and long term borrowing required to deliver the project; deliver the full ambition of the first phase of the masterplan; and allow the council to control and drive the delivery in terms of timescale, quality and sustainability.
48. Given the size of the financial commitment it is proposed that the Executive only commit to the principle of the approach at this stage, with the final approval and drawdown of the budget to be taken once actual tender returns for construction have been received. Based on the proposed timescales for the next stage of work this decision would be brought back to the Executive in late 2020. The proposed procurement approach for St George's Field and Castle Mills that will allow this staged decision making is set out in the following procurement strategy section.
49. In respect of 17-21 Piccadilly, the designs are not yet at a stage that would allow an in principle decision as to whether the council should act as developer for that site. All cost and financial return assumptions remain at a very high level. Consequently the recommendation as to how to proceed with the delivery of this site will be brought back to the Executive on completion of the RIBA stage 2 designs in the summer of 2020. The cost of undertaking this work forms part of the existing Castle Gateway delivery budget and as such no further funding is required at this stage. It should be noted that if an alternative approach is ultimately taken for the delivery of 17-21 Piccadilly, or the current assumptions regarding the site's capacity for development alter significantly in the next stage of design, then the viability gap for phase one could change.

Procurement strategy

50. To enable the staged approach to decision making it is proposed that the procurement of St George's Field and Castle Mills results in a contract containing an Early Contractor Involvement (ECI) phase. This will allow the detailed design phase up to RIBA stage 4 to be undertaken in collaboration with a contractor, enabling their input to optimise the detailed design; commence construction planning; identify opportunities; and provide the contract sum for the construction phase. This period normally takes between 8 and 12 months but is not an additional delay to the project, as in an alternative process that did not involve an ECI phase

the council would need to lead and undertake the RIBA stage 4 design period before the tender process could begin.

51. Once the ECI phase has completed progression to the delivery stage with the contractor would only commence if they had performed to the council's satisfaction in the first stage by reference to performance standards set out in the contract and provided an agreed affordable price for construction. It should be noted that the RIBA stage 4 design that is produced through this process is owned by the council so that if the construction cost is in excess of the budget a new procurement exercise could be carried out with the market based on that detailed design.
52. It is proposed that St George's Field and Castle Mills are procured separately, given that they are different types of construction projects that will likely require contractors with different specialisms. Under this approach BDP, who were project architects during the planning application process, would be novated to the contractor to continue the detailed design. This will ensure design continuity and comfort that the hours allotted to the RIBA stage 4 design are agreed up front so that a contractor does not seek to reduce tender costs through allowing insufficient architect time to the project.
53. The key benefit of this approach is that it would allow a report to be brought back to the Executive at the end of the ECI phase once the fixed costs of delivery are known to enable a decision to be made based on fixed costs. It is therefore recommended that the council proceed with the procurement of a contractor for both Castle Mills and St George's Field resulting in a contract incorporating an ECI phase, with a report to be brought back to the Executive at the end of the ECI phase for a final decision to draw down the budget and proceed with construction.
54. For Castle Mills it is also proposed to add a second contract 'lot' to the procurement to cover 17-21 Piccadilly. This would not commit the council to using the contractor to build out 17-21 Piccadilly but, if the Executive do decide to develop 17-21 Piccadilly itself following the completion of RIBA stage 2 design, and are happy with the Castle Mills contractor based on contract performance, it could choose to proceed on that basis.

Timescales and next steps

55. The following section sets out an overview of the project delivery. The separate procurements of contractors and RIBA stage 4 design to provide a fixed price for the construction of St George's Field and Castle

57. Due to a proposed planning condition that the construction of Castle Mills cannot commence until after the groundworks for St George's Field has started, start on site for that development would begin in spring 2021. Based on a two year construction programme the anticipated completion date would be spring 2023.
58. To achieve this timescale for delivery:
- Officers would proceed with the procurement of construction contractors for St George's Field and Castle Mills to allow the development of the RIBA stage 4 design following January Executive
 - This would allow a report to be brought back to Executive in late 2020 with fixed construction costs to enable a decision to proceed to be taken
 - In the meantime RIBA stage 2 design work for 17-21 Piccadilly will be undertaken to establish more detailed cost and sales value estimates, to allow a recommended delivery route for that site in summer 2020
 - A report will also be brought back to the Executive to establish the budget for the new public realm at Castle and Eye of York with the intention that planning permissions are in place and the project can proceed once Castle Car Park closes in spring 2022

Finances to deliver the next stage of work

59. To deliver the recommendations set out in this report a budget of £2.15m will be required. This is not additional budget but is part of the total anticipated project costs of £55m set out in the report. Although the drawdown of this element would be at risk if the tender returns proved to be unaffordable and the project did not proceed, it will enable a considered step by step approach to decision making without having to commit to the full project costs now. This is a prudent approach to delivery and financial management.
60. The £2.15m consists of:

- £1.87m to cover St George's Field and Castle Mills procurement costs; RIBA stage 4 design; and project management resource
- £0.28m to complete the planning applications for phase two - a £2.4m budget was allocated by Executive in April 2018 to deliver the planning applications for both phase one and two. Phase one has now completed and work is about to proceed on phase two. Based on the actual costs to date in submitting planning applications for phase one it is anticipated that a further £0.28m will be required to complete this work.

61. For development of the St George's Field site to proceed it will require the diversion of an overflow sewer that crosses the site at a cost of almost £500k and will take Yorkshire Water 6 months to complete. To allow the diversion to take place the existing toilet block will also require demolition (to be replaced with new toilets in the MSCP). The cost of this diversion is part of the overall construction budget for St George's Field set out in this report. Until the Executive take the final decision to proceed with St George's Field in late 2020 there is no absolute certainty that the development will go ahead, and if the Executive decided not to proceed in late 2020 the sewer would have been diverted and toilet block demolished unnecessarily at a cost of £532k.
62. Delaying the sewer diversion until after that decision point would in principle result in an estimated 3 month delay to the programme, which would not have a significant detrimental impact on delivery. However, that is predicated on the assumption of Yorkshire Water being able to schedule the work for that period, and it taking place over the winter months with increased flood risk potentially impacting on the diversion. A further complication is that Yorkshire Water are re-tendering their contractor delivery partner, meaning the delivery of any work that is commissioned after June 2020 is uncertain.
63. It is therefore proposed that an additional budget of £532k is allocated to allow the sewer diversion and toilet demolition, but the decision to proceed with commissioning the work is delegated to the Executive Member for Finance and Performance. This will allow a flexible and reactive decision to be taken at the appropriate point when the need to divert the sewer due to programme outweighs the risk of St George's Field not proceeding. There are likely to be mitigating points that will inform that decision, including receipt of planning permission and the final tender price which is due at the end of August.

Council Plan

64. The regeneration of the Castle Gateway is one of the priorities set out in the Making History, Building Communities 2019-23 Council Plan. The proposals will help contribute to meeting all eight of the plan's core outcomes, and significantly improve an area of the city that is home to many of our heritage assets and cultural institutions. The focus on reducing car parking and creating new pedestrian and cycle links will help create a greener and cleaner city and enable people to get around sustainably. New homes will be created on Piccadilly and new bridges and public realm will create world class infrastructure, bringing back in to use vacant sites and driving the vibrancy of the area will help to build strong, sustainable communities within the city walls. Proceeding with the first delivery phase of the masterplan will reaffirm the council's commitment to engaging residents and investing in shaping our city for the future.

Consultation

65. The masterplan is the product of comprehensive and innovative public consultation through the My Castle Gateway project, which has applied a multi-platform approach to engagement with face to face interactions, social media, and regular public updates. This has then continued through to the delivery phases, with the planning applications for Castle Mills and St George's Field again being subject to intensive public engagement including walks, ward and resident committees, and drop-in events. In addition to public and residents, other stakeholders have been involved throughout as part of the Castle Gateway Advisory Group, which has met on a monthly or bi-monthly basis to consider the emerging plans and have been integral in shaping the proposals.
66. Ward members from the affected neighbouring wards and leaders of other political parties have been kept up to date with regular briefings to ensure a cross party approach as requested by the Executive in January 2017. Internally, specialist officers across the council, and those whose services are affected by the proposals, have contributed to the development of the masterplan and planning applications.
67. The delivery options set out in this report are the product of external advice and support from consultants, and were shaped through contractor engagement events to assess the level of interest in the

project and the advantages or disadvantages of different delivery models and procurement approaches.

Implications

68. The following section from paragraphs 69 – 95 sets out the specialist advice on the financial, legal, and property implications of the recommended option from the appropriate officers.

Financial

69. This project has significant financial implications, which are considered within the report. This section summarises the key impact of the recommended option

Overall Capital Cost and Funding

	£'m	£m
Capital Cost		55.0
Funded by		
HRA Capital Resources	-3.7	
Homes England Grant	-1.4	
WYCA Grant	-4.0	
Castle Mills (sales and commercial income)	-34.5	
17-21 Piccadilly (sales and commercial income)	-8.1	
		-51.7
Net Overall Cost		3.3

Funding the Project

70. The long-term funding gap would be funded from prudential borrowing at an ongoing cost of £0.2m per annum. In addition to forecast lost net parking income the ongoing long term funding requirement is approximately £0.3m.
71. The project will need significant short term borrowing which is currently modelled to be at a peak of £40m at the end of 2022/23. The short-term borrowing costs are forecast to total £1.6m over the period with a peak of

c£1m in 2022/23. These will need to be identified within future year's budget strategy reports subject to further funding approvals. The HRA Contribution of c £3.7m is available within current HRA capital budgets – Local Authority Homes Phase 2.

Funding and Spend to date

72. The council has approved £2.58m of capital towards supporting the Castle Gateway project including funding to demolish Castle Mills car park. This funding has been used to fund design work at St George's Field MSCP as well as the new build at Castle Mills along with associated management costs and taking the schemes to planning. To date the spend is anticipated to total £1.7m at the end of the financial year. The additional funding request of £2.15m will fund the next stage required to progress these two schemes that is procurement and final design.
73. It is assessed that were the scheme to be abandoned at this stage these costs would be deemed to be abortive and will need to be written off to revenue. Should the funding be allocated at this stage and the scheme not progress further the potential abortive costs will increase to £4.73m, plus up to a further £0.53m if the sewer was diverted before that decision point.

Risk Management

74. The risk management section below considers a number of the most significant financial risks that need to be considered alongside the decision to progress with the project.

Legal

Grant Funding

75. It is noted that £1.4 million of ACF will be received from Homes England (HE) but only if the council implements option one. HE's standard grant agreement for ACF contains a number of provisions to be aware of in respect of clawback and profit share, which could apply even if the council is not in breach of any of its obligations in the grant agreement. The Council would also become liable to repay to HE all or a proportion of the HE grant funding if the council breaches any of its obligations under the grant agreement, such as failing to achieve the delivery milestones within the timescales set out in the agreement.

76. It is noted that £4 million of WYTF will be received from WYCA in respect of phase 1. The standard terms of the WYTF require the council to repay to WYCA all, or a proportion of, the funding received from WYCA if the council does not comply with its obligations under the grant agreement.

Option one - the council acts as developer for all elements of Phase

Commercial/Contractual - Procurement

77. The procurement of contractors for the design and construction works at Castle Mills and the design, demolition and construction works at St George's Field will be carried out in accordance with the council's Contract Procedure Rules and the Public Contracts Regulations 2015 (PCRs), as the value of the works is in excess of the EU threshold of £4.7 million.
78. The inclusion of an ECI phase within a contract is permitted by the PCRs as long as the procurement process carried out in awarding the contract has been open, fair and transparent. In order to ensure this, all bidders within the procurement process must have been able to bid on equal terms. Although a fixed price for the construction works element of the contract would not be able to be submitted as part of the bids received, equality can be achieved by requiring the bidders to submit indicative prices for the construction work, for example, against a schedule of rates. This enables all bidders to be evaluated equally.
79. The form of contract would set out the terms of an ECI phase as well as the usual contractual terms expected for a design and build contract. At the end of the ECI phase the contractor would only be able to progress to the construction phase of the contract if the performance standards set out in the contract have been achieved and the fixed price [presented] by the contractor is within the set budget. In the event the contractor had not achieved the performance standards or the construction cost is in excess of the budget a new procurement exercise could be carried out with the market based on the detailed design produced by the contractor as part of the ECI phase.

Commercial/Contractual - Powers, Structure and Governance

80. The Council has a number of powers to develop, sell or lease Castle Mills and develop the MSCP at St George's Field, subject to certain

restrictions. The Council may rely on the general power of competence in section 1 of the Localism Act 2011. If the council's primary purpose for an activity governed by the general power of competence (such as buying property) is 'commercial', section 4 of the Localism Act 2011 then requires the council to act through a company. Whereas if the primary purpose is deemed to be 'not commercial' (such as economic development and regeneration) then a separate company vehicle will not be required even if an ancillary purpose of the project is commercial.

81. The Castle Gateway project is a regeneration scheme which uses a commercial approach to generate funding for the social objectives of the broader scheme. Any profits made from the purchase and development of land/property will be reinvested to fund the wider regeneration.
82. Section 12 of the Local Government Act 2003 (LGA 2003) gives a local authority a separate/additional power to invest (including potentially the power to act primarily for commercial purposes without needing to form a company), provided this is in line with the council's 'investment strategy'.
83. If the council were intending to borrow money to invest in property for the sole purpose of acting as a commercial landlord and seeking to generate ongoing profits, the council would not be able to rely on section 12 of the LGA 2003. However, given the underlying reasons for the investment is for regeneration and to promote economic development the council can rely on its powers under the LGA 2003 with regards to borrowing and investment.

Property

84. The approval and co-operation of Yorkshire Water (YW) will be needed for the diversion of the mains sewer within the St George's Field site before construction of an MSCP on that site can commence. Yorkshire Water will require the council to enter into a 'diversion agreement' (which will be prepared by YW and be on YW's standard terms for such a document) and will require the council to pay/reimburse YW for all costs incurred by YW in carrying out the necessary diversion works.
85. Construction of an MSCP on the St George's Field site will also require demolition of the public toilet block currently standing on that site which is operated on the council's behalf by Healthmatic under a contract for the management and maintenance of public toilets in the City of York. The contract is not due to expire until 31st March 2029 and so the Council will need to consult and co-operate with Healthmatic in relation

to the closure of the existing facilities and re-development elsewhere. The contract will need to be varied accordingly including a recalibration of the payment mechanism to take account of the temporary reduction in the number of service users (which is an integral part of the Healthmatic revenue costs specified in the current contract). Any revised payment terms will need to be negotiated and agreed with Healthmatic.

86. It is understood that development of the Castle Mills site will also require the co-operation of YW as there is a public sewer within that site. Although it will not be diverted, the development proposals would involve building near to it and so YW would require the council to enter into a 'build over agreement' (which will be prepared by YW and be on YW's standard terms for such a document).
87. In the event the residential sales market experiences a downturn it is understood there may be a decision to convert the completed residential sale homes to private rental accommodation until conditions improve. Any apartments which are rented out by the council for a term of less than 21 years to persons for occupation as their principal or sole residence will be 'secure tenancies' pursuant to the Housing Act 1985. The tenants would therefore have the substantial rights and protections which secure tenants benefit from including: (i) the right to be granted a lease for a Term of 125 years pursuant to the 'Right to Buy' once they have been a tenant of a local authority for the qualifying period (ii) security of tenure/protection from eviction in accordance with the provisions of the Housing Act 1985.
88. The tenant of any apartment whose lease is granted for a fixed term of at least 21 years will have a statutory right to be granted an extension of 90 years to the term of their original lease (in return for a paying a premium to the landlord). (A majority of such tenants may also have a statutory right to acquire the freehold of the building).
89. The tenants of any commercial/non-residential units will have security of tenure, and therefore a statutory right to renew their lease on similar terms, under the Landlord and Tenant Act 1954 unless this is excluded before the leases are granted (by adopting the exclusion procedure specified in that Act).
90. The property implications regarding possible leases at Castle Mills in respect of the security of tenure and Right to Buy provisions of the Housing Act 1985 would not be applicable if the apartments were let through a company structure. Forming a company and transferring the

land to that company so that the company, rather than the council itself, granted any leases, would ring-fence the risks associated with the rental of the apartments.

91. Should there be a decision to convert the completed residential sale homes to private rental accommodation in the event of a downturn in the residential sales market, further consideration would need to be given at that time to the associated legal and property implications.
92. The council proposes to seek to impose a clause in leases of apartments prohibiting subletting for short-term letting/holiday letting, this may adversely impact upon the premium received for the grant of the lease. Further the council may have difficulty in monitoring and enforcing compliance (as courts are reluctant to authorise the forfeiture of residential leases/eviction of residential tenants).
93. Construction of a new bridge may require approval from the Secretary of State for Transport pursuant to Section 106(3) of the Highways Act 1980 if the relevant section of the Foss is classed as 'specified navigable waters'

Options 2, 3 and 4

94. A consideration of the legal implications in respect of Options 2, 3 and 4 is set out in Annex 4.

Property

95. The report sets out the various property disposal/ development options available in detail and considers the merits for and against such in detail. External independent property advice has been sought and which has informed the recommendations as set out within this report and which is contained within Confidential Annex 5 and 6.

One Planet Council / Equalities – see One Planet Council 'Better Decision Making Tool in Annex 3

Human Resources – *no impact*

Crime and Disorder – *no impact*

Information Technology – *no impact*

Risk Management

Recommended option

96. The recommended option is not without significant risk. The council will need to undertake substantial short-term borrowing to achieve the anticipated financial returns from the sale of the apartments and generate income from the commercial units. Financial returns from new development can only ever be estimates at this stage in the process. The final outcome is particularly sensitive to fluctuations in the cost of construction and residential market values. A squeeze at either end of the cost to income ratio can reduce the anticipated profit, and in a worst case scenario of rising build costs and a collapse in sales values can have a significant impact on financial returns.
97. To mitigate this risk officers have undertaken a number of measures. Firstly, the current Castle Mills costs are based on detailed planning application drawings that minimise unknown costs and up-to-date market analysis of build costs by the project's cost consultants, Turner and Townsend. These costs also include contingencies and the anticipated build cost inflation has been applied. The sales valuations undertaken by Hudson Moody are based on the actual floor plans, and conservative assumptions have been applied to safe-guard against unforeseen market fluctuations. To ensure that the actual costs for the project do not prove to be significantly higher than the estimates at this stage the final Executive approval will only be given on completion of the RIBA stage 4 design and tendered contract sums.
98. Secondly, the council have modelled the impact of converting the apartments from market sale to market rent in the event of a downturn in the residential sales market, and this has confirmed that the rental income generated would be sufficient to cover the borrowing costs until such time as market conditions had recovered and the apartments could be sold. This may require the establishment of a separate company in which to transfer the rented units as set out in the Legal Implications section.
99. Whilst the level of short term borrowing is significant, based on the current programme it should have been repaid before other major council funding commitments for York Central and the outer ring-road are due. However, it should be noted that any delay to programme may result in an overlap which whilst not an issue in principle it would increase the council's short term borrowing exposure. The financial commitment

needed to deliver the Castle Gateway masterplan would however reduce the council's capacity to undertake any new major capital investment project during the construction period.

External funding sources

100. The financial assumptions set out in this report are predicated on receiving £4m of WYTF for phase one and £1.4m of ACF from Homes England. The WYTF is drawn from the council's existing funding agreement for other historic transport projects that are no longer proceeding. However, the repurposing of these funds still requires approvals from the West Yorkshire Combined Authority (WYCA). The business case is currently being taken through the WYCA decision making process, and a final decision is expected in summer 2020. Whilst the funding is already part of the council's existing funding commitment the spend has to be ratified by WYCA, and if that process is unsuccessful it would lead to a further funding gap or a decision not to implement the transport measures such as the new bridge and inner-ring road crossing.
101. The £1.4m ACF has been agreed in principle. However, it contains some exacting requirements over the modern methods of construction that must be used and has tight delivery timescales. The council will only commit to the funding if the required construction methods are cost effective and can be delivered. Should the council decide not to proceed with the funding it would need to be covered by the £2m project contingency that form part of the total scheme costs.

Failure to secure planning

102. St George's Field and Castle Mills have been submitted for planning and are due to be determined in March 2020. Both are challenging sites in sensitive heritage areas with significant planning constraints. Whilst officers have undertaken thorough pre-application processes with both planners and statutory consultees - and remain hopeful of positive outcomes - there is no guarantee of permission being granted by planning committee.
103. Should St George's Field fail to secure planning permission then there would be no alternative parking provision to allow the closure of Castle Car Park. It would not be cost effective to reduce the size of the MSCP as any further reduction in height or number of spaces would not justify the expensive foundation and ground work costs. As there is no other

viable new car park location in the area the Executive would need to reconsider option three or four set out in this report.

104. Should Castle Mills fail to secure planning permission then there would be no commercial return to pay for St George's Field. The council could look to revise the planning application to reduce height or density, but this would reduce the income from sales and further increase the project viability gap. Alternatively the council could look to dispose of the site with restrictions as residential and a requirement for the bridge and then fund the resulting higher viability gap; or sell without restrictions for the highest offer, reducing the viability gap but not delivering the bridge and public park elements of the masterplan.

Reputational damage of abandoning at the next decision point

105. The proposed delivery strategy is to procure construction contractors to undertake the next stage of design and provide a fixed price for the build phase. This form of contractual engagement is not designed or intended to allow projects to be abandoned simply because the council do not like the outcome of the ECI stage. There will be specific performance and pricing parameters set out in the contract within which the contractor must operate in order to proceed to the build phase of the contract. However, because the contractor has been paid for their work in developing the RIBA stage 4 design under an ECI phase the council do own that design work and do have the capacity to decide not to proceed if the contractor has not achieved the required performance standards or the fixed price for the build phase is over-budget. Consequently, although it would not be best practice to decide not to proceed at the end of the ECI phase the contractor would have entered in to the ECI phase knowing that this would be a possible outcome and be comfortable with that risk.

Closure of Castle Car Park

106. Due to a proposed planning condition requiring the closure of Castle Car Park within 3 months of completion of St George's Field MSCP the council are in effect committing to close Castle Car Park once they make the decision to proceed with phase one. Consequently the Executive will need comfort that there is a budget available to replace the closed Castle Car Park with public realm. It should also be noted that the financial strategy for phase one has assumed a £250k per annum income from holding events at Castle Car Park once it has closed. To create a space capable of generating this level of income may need further capital

investment that does not form part of this report as part of the funding strategy for phase two. To that end a report will be brought back to the Executive in the summer of 2020, before the final decision to proceed with St George's Field is taken by the Executive, setting out the proposed funding strategy for the new public realm.

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Background Papers:

Report to the Executive, 'York's Southern Gateway', October 2015
Report to the Executive, 'York Castle Gateway', January 2017
Report to the Executive, 'The Castle Gateway Masterplan', April 2018

Annexes

Annex 1 – Castle Gateway masterplan

Annex 2 – Castle Gateway phase one summary

Annex 3 – One Planet Council Better Decision Making Tool assessment

Annex 4 – Legal implications of options 2, 3 and 4

Confidential Annex 5 – Stapleton Waterhouse site valuations of Castle Mills

Confidential Annex 6 – Stapleton Waterhouse site valuations of 17-21
Piccadilly

Confidential Annex 7 – Summary of phase one viability appraisal for option
one

List of Abbreviations Used in this Report

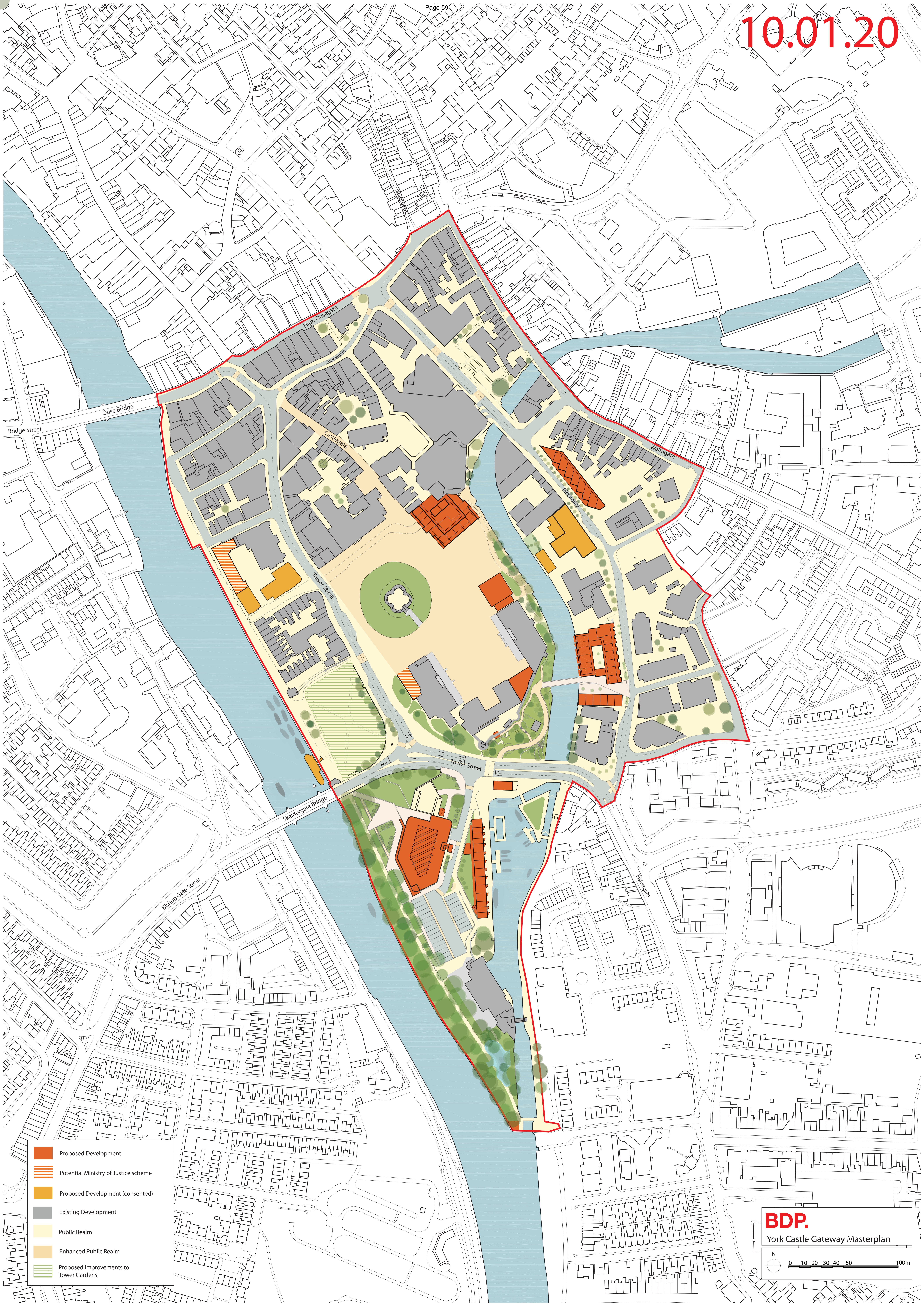
ACF – Accelerated Construction Fund

ECI – Early Contractor Engagement

MSCP – Multi-storey car park

WYCA – West Yorkshire Combined Authority

WYTF – West Yorkshire Transport Fund



- Proposed Development
- Potential Ministry of Justice scheme
- Proposed Development (consented)
- Existing Development
- Public Realm
- Enhanced Public Realm
- Proposed Improvements to Tower Gardens

BDP.
 York Castle Gateway Masterplan

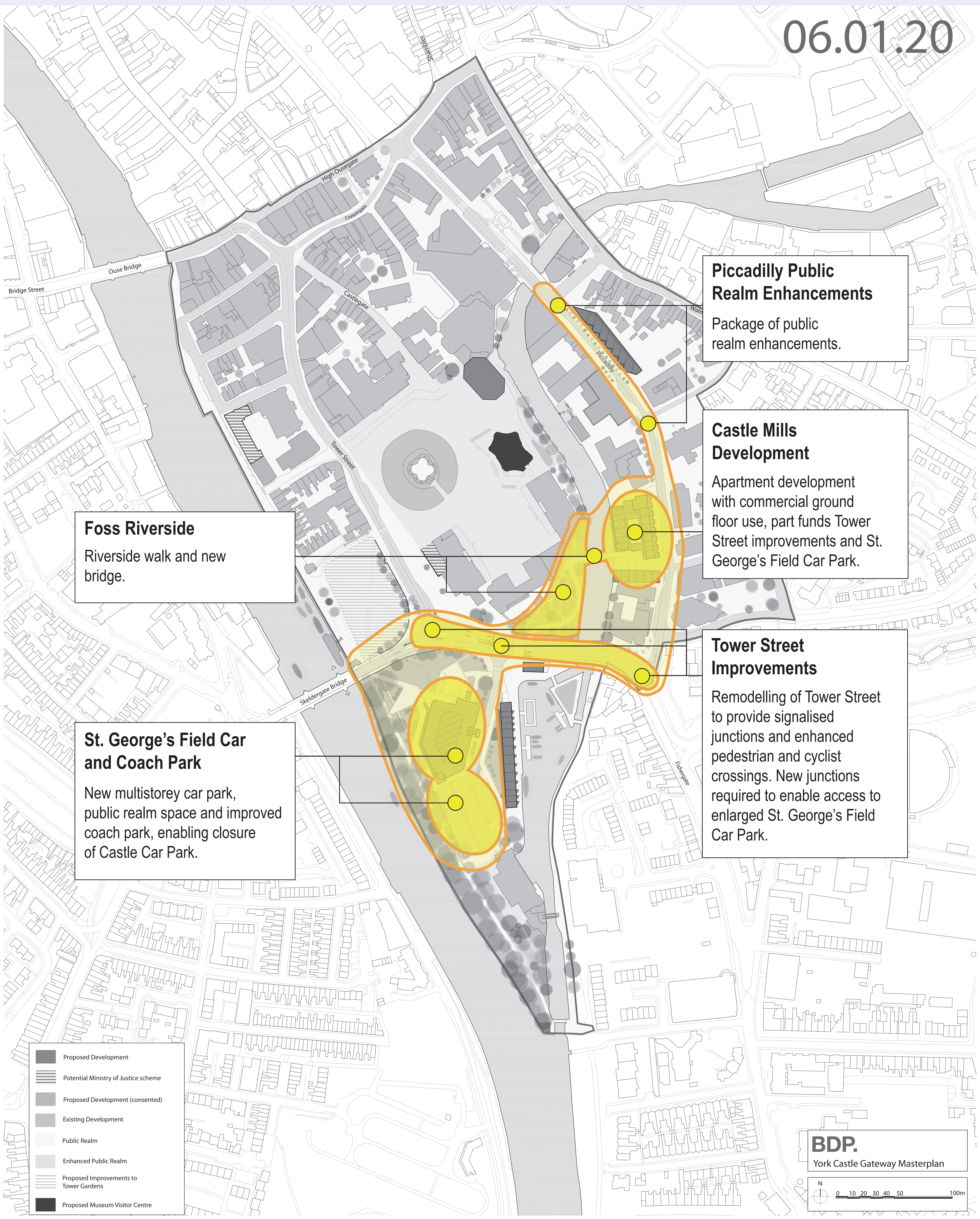
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- St George's Field MSCP and coach park
- Castle Mills apartments
- Tower Street (ring road) junction remodelling
- Foss Riverside Walk North
- Foss Bridge
- Piccadilly Public Realm

06.01.20



Piccadilly Public Realm Enhancements
 Package of public realm enhancements.

Castle Mills Development
 Apartment development with commercial ground floor use, part funds Tower Street improvements and St. George's Field Car Park.

Tower Street Improvements
 Remodelling of Tower Street to provide signalised junctions and enhanced pedestrian and cyclist crossings. New junctions required to enable access to enlarged St. George's Field Car Park.

Foss Riverside
 Riverside walk and new bridge.

St. George's Field Car and Coach Park
 New multistorey car park, public realm space and improved coach park, enabling closure of Castle Car Park.

- Proposed Development
- Potential Ministry of Justice scheme
- Proposed Development (consented)
- Existing Development
- Public Realm
- Enhanced Public Realm
- Proposed Improvements to Tower Gardens
- Proposed Museum Visitor Centre

BDP.
 York Castle Gateway Masterplan

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 0 10 20 30 40 50 100m

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The 'Better Decision Making' tool has been designed to help you consider the impact of your proposal on the health and wellbeing of communities, the environment, and local economy. It draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services by considering the equalities and human rights implications of the decisions we make. The purpose of this tool is to avoid decisions being made in isolation, and to encourage evidence-based decision making that carefully balances social, economic and environmental factors, helping us to become a more responsive and resilient organisation.

The Better Decision Making tool should be used when proposing new projects, services, policies or strategies, or significant amendments to them. The tool should be completed at the earliest opportunity, ideally when you are just beginning to develop a proposal. However, it can be completed at any stage of the decision-making process. If the tool is completed just prior to the Executive, it can still help to guide future courses of action as the proposal is implemented.

The Better Decision Making tool must be attached as an annex to Executive reports. A brief summary of your findings should be reported in the One Planet Council / Equalities section of the report itself.

Guidance to help you complete the assessment can be obtained by hovering over the relevant question.

Please complete all fields. If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

Introduction

Service submitting the proposal:

Regeneration and Asset Management

Name of person completing the assessment:	Katie Peeke-Vout
Job title:	Regeneration Project Manager
Directorate:	Economy and Place
Date Completed:	07.01.20
Date Approved (form to be checked by head of service):	08/01/20 (Andy Kerr)

Section 1: What is the proposal?

1.1	Name of the service, project, programme, policy or strategy being assessed?
	Castle Gateway phase one delivery strategy - This report to the Executive is for the consideration of the delivery options for phase one to progress the delivery the preferred masterplan for Castle Gateway that the Executive approved in April 2018. The Executive are asked to proceed with the preferred delivery option, which is for the Council to deliver the first phase of the masterplan, and to procure contractors to produce detailed designs to enable the decision to proceed to be made based on final costs.
1.2	What are the main aims of the proposal?
	The overall aim of the Castle Gateway project is to regenerate the Castle Gateway area, to maximise the social, environmental and economic benefits for the city. The aim of this proposal is to outline the financial implications of the delivery of the first phase of the preferred masterplan and outline the delivery strategy to securing the wider aims of the masterplan.
1.3	What are the key outcomes?

	<p>The Castle Gateway Masterplan seeks to deliver social, economic and environmental benefits. These will be achieved through the delivery of improved sustainable transport routes, improved public realm, reduction in vehicles within the inner ring road and increased flood resilience. A key outcome of the overarching masterplan is to give the Castle Gateway a sense of place as a valuable and well-used part of the city for residents, visitors and businesses.</p> <p>Phase one will enable the removal of car parking from the setting of Clifford’s Tower and the Eye of York and provide replacement modern city centre car parking in a new multi-storey car park at St George's Field. The closure of Castle Car Park and delivery of phase one will also enable:</p> <ul style="list-style-type: none"> - A new pedestrian/cycle crossing over the inner-ring road and bridge over the river Foss - Create a new riverside public park at the rear of the Castle Museum - A new residential and leisure building at the rear of the Coppergate Centre. - New public space around Clifford's Tower and the Eye of York. - Better pedestrian and cycle routes throughout the area. - New residential and commercial development at Castle Mills Car Park and 17-21 Piccadilly. - Improvements to public spaces and streetscapes throughout the area. <p>Progression of the masterplan will also support the York Museums Trust ambitions for the Castle Museum.</p>
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Section 2: Evidence

	<p>What data / evidence is available to support the proposal and understand its likely impact? (e.g. hate crime figures, obesity levels, recycling statistics)</p>
2.1	<p>The Castle Gateway scheme is embedded in the Local Plan and is underpinned by evidence base work undertaken to support the Plan. Site specific technical work undertaken to support the masterplan includes the Castle Piccadilly Engineering Constraints Study (Arup 2015) and transport technical work undertaken by WSP (2017). The Castle Piccadilly Planning Brief, which was agreed in 2006, also provides an important evidence base. A list of relevant documents to support the masterplan can be found in Appendix 1 of the BDP Masterplan Stage 1 Report (March 2018). A technical review of transport proposals can be found in Appendix 1 of the BDP Masterplan Stage 2 Report (December 2017). Both documents formed part of the April 2018 Castle Gateway masterplan Executive report.</p>
2.2	<p>What public / stakeholder consultation has been undertaken and what were the findings?</p>

A bespoke, comprehensive approach to public consultation and engagement has been undertaken from a very early stage in the project and will continue on an ongoing basis. An advisory group of principal land holders and custodians for this area of the city has provided advice and critical challenge to the masterplan proposals. My Castle Gateway, a long term bold and innovative public engagement initiative, has reached a diverse audience through a wide range of participatory approaches including social media (Facebook, twitter, instagram and YouTube channels), events, walks, talks and debates. Further detail can be found online on the My Castle Gateway website and social media channels. My Castle Gateway is an ongoing and open conversation which has ensured that the public has been involved from the very early stages of visioning and masterplanning and will continue to be involved through the delivery stages of the project and beyond. In addition, officers have regularly engaged with other key stakeholders with an interest in the area and internally with Members and council officers.

	<p>Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</p>
2.3	<p>Wider development, cultural and transport and other infrastructure related initiatives will have impacts when considered in combination with the Castle Gateway scheme. Strategic cumulative assessment of these issues will be undertaken as part of the strategic plan/development planning process.</p> <p>Further modelling and assessment will be undertaken in connection with development of proposals as they come forward and will have due regard to cumulative issues (internal and external to the project). The most appropriate forms of mitigation will be applied and this will form the evidence and basis for future consultation/further Council decisions on scheme delivery detail.</p>



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 Informing our approach to sustainability, resilience and fairness

Section 3: Impact on One Planet principles

Please summarise any potential positive and negative impacts that may arise from your proposal on residents or staff.
This section relates to the impact of your proposal on the ten One Planet principles.

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

Equity and Local Economy

Does your proposal?		Impact	What are the impacts and how do you know?
3.1	Impact positively on the business community in York?	Positive	The decision to progress phase one will deliver new commercial development which will promote private sector employment growth and increase footfall through the area. Investment in infrastructure will help to create conditions which are attractive to do business in York. New residential development will help to meet York's housing requirements for affordable housing. The construction of all of the above will create employment and supply chains.
3.2	Provide additional employment or training opportunities in the city?	Positive	As above. The new Piccadilly city centre neighbourhood will create conditions which are attractive to local and independent business, whilst construction projects of this scale will create a significant number of jobs. The procurement of contractors will also have a focus on creating training and apprenticeship opportunities.

3.3	<p>Help improve the lives of individuals from disadvantaged backgrounds or underrepresented groups?</p>	Positive	<p>The My Castle Gateway project has shaped the proposals through a wide-ranging public engagement exercise, including homeless, disabled and visual impaired groups.</p> <p>Castle Mills will provide new council housing which will provide homes for people and families in housing need.</p> <p>The connected York Museum’s Trust proposals for the Castle Museum focus on improved accessibility and increased participation for underrepresented and hard to reach groups.</p>
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Health & Happiness

Does your proposal?		Impact	What are the impacts and how do you know?
3.4	<p>Improve the physical health or emotional wellbeing of residents or staff?</p>	Positive	<p>Extending the pedestrian and cycle network to provide better connectivity will encourage more people to cycle and walk in and around the City, having positive impacts of residents’ physical health and emotional wellbeing. The creation of new public realm at St George’s Field, the rear of the museum and Castle car park will provide different typologies of high quality space where people will be able to choose to either come together and participate in a range of activities and events or enjoy the landscaped areas in a way that suits them.</p>

3.5	Help reduce health inequalities?	Positive	It is considered that delivery of the key outcomes identified in 1.3 of this assessment will ultimately deliver net benefit to the city in terms of air quality, accessibility and amenity. One of the emerging themes from the My Castle Gateway project was for public areas that people could use without spending money, and this has formed a key part of the masterplan.
3.6	Encourage residents to be more responsible for their own health?	Positive	As above.
3.7	Reduce crime or fear of crime?	Positive	New buildings, infrastructure and public realm will be designed to modern standards of construction and Secure by Design principles. It will also bring back in to use vacant and derelict sites which present a risk of anti-social behaviour. The decision to progress phase one will help deliver a scheme with net benefits to the City.
3.8	Help to give children and young people a good start in life?	Positive	The procurement of construction contracts would be subject to council policies on promoting apprenticeships. The next stage of work will also explore opportunities for children's play areas, and will support the Castle Museum's ambitions for expansion.

Culture & Community

Does your proposal?		Impact	What are the impacts and how do you know?
3.9	Help bring communities together?	Positive	The decision to progress phase one will ultimately deliver high quality public space at the Eye of York and Castle area where people will be able to come together and participate in a range of activities and events. New and improved routes for pedestrians and cyclists will facilitate movement and accessibility to public spaces. This will help to deliver a scheme with net benefits to the City.
3.10	Improve access to services for residents, especially those most in need?	Positive	Improved cycle and pedestrian routes will improve transport options for those on low incomes and mobility problems.
3.11	Improve the cultural offerings of York?	Positive	The proposal to close and replace Castle Car Park with a new area of public realm is specifically intended to achieve this objective, offering a new event space for the city and supporting the improvement of cultural attractions such as the Castle Museum and Clifford's Tower. The decision to progress phase one will help deliver a scheme with net benefits to the City.
3.12	Encourage residents to be more socially responsible?	Neutral	

Zero Carbon and Sustainable Water

Does your proposal?	Impact	What are the impacts and how do you know?
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3.13	Minimise the amount of energy we use and / or reduce the amount of energy we pay for? E.g. through the use of low or zero carbon sources of energy?
3.14	Minimise the amount of water we use and/or reduce the amount of water we pay for?

Positive	<p>The proposals for the new multi storey car park includes photovoltaic solar panels and dedicates 15% of the spaces for electrical vehicle charging points with the potential to increase this with future demand.</p> <p>Castle Mills apartments will meet the draft Local Plan policy to achieve a 28% carbon reduction over and above current building regulations.</p> <p>Interventions to deliver an energy efficient building will continue to be explored through the detailed design stage of the Castle Mills development.</p> <p>The public infrastructure improvements will also improve sustainable transport routes in to the city.</p>
Neutral	

Zero Waste

	Does your proposal?
3.15	Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?

Impact	What are the impacts and how do you know?
Neutral	

Sustainable Transport

Does your proposal?

Impact	What are the impacts and how do you know?
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3.16	Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?
3.17	Help improve the quality of the air we breathe?

Positive	Masterplan proposals will help to promote a shift towards sustainable transport by improving pedestrian and cycle networks. The decision to progress phase one will help to deliver an attractive new riverside pedestrian and cycle route from the south of the city in to the Eye of York and Castle area and connect with Piccadilly via a new pedestrian/cycle bridge across the River Foss. This includes a new crossing will facilitate pedestrian/cycle access across the inner ring road. The proposals will be the subject to further and subsequent evidence base work and Member approvals.
Positive	Proposals to promote a shift towards sustainable transport will help to reduce carbon emissions and mitigate against poor air quality. The new multi-storey car park at St George's Field will result in an overall reduction in parking in the area of 130 spaces, remove car parking from within the inner-ring road, and also deliver 15% of the parking dedicated to EV charging points. Further detail on impacts and mitigation will be subject to further assessment and consideration by Members.

Sustainable Materials

Does your proposal?	
3.18	Minimise the environmental impact of the goods and services used?

Impact	What are the impacts and how do you know?
Neutral	

Local and Sustainable Food

Does your proposal?		Impact	What are the impacts and how do you know?
3.19	Maximise opportunities to support local and sustainable food initiatives?	Neutral	

Land Use and Wildlife

Does your proposal?		Impact	What are the impacts and how do you know?
3.20	Maximise opportunities to conserve or enhance the natural environment?	Positive	<p>St George’s Field will replace a significant area of existing surface level car parking with new landscape proposals incorporating new and replacement tree planting and increased green areas.</p> <p>New riverside habitat will be created as part of the new River Foss walk which will help to enhance the city's biodiversity.</p>
3.21	Improve the quality of the built environment?	Positive	<p>Improving the quality of the built environment is one of the key aims of closing Castle car park and replacing with a new area of public realm and provide a new building which will reduce the negative impact of the rear of the Coppergate Centre and servicing yard.</p> <p>The new multi storey car park at St George’s Field</p>

			<p>utilises a smaller footprint than the existing surface level car park and the surrounding area will be landscaped.</p> <p>Castle Mills and 17-21 Piccadilly will replace what was previously poor quality industrial buildings with high quality new apartment buildings.</p>
3.22	Preserve the character and setting of the historic city of York?	Positive	<p>This objective has been positively considered in the masterplan framework and will deliver net benefits to the City. The proposal to close and replace Castle Car Park with a new area of public realm will significantly improve the setting of the city's heritage assets.</p> <p>The design of both the multi storey car park and the development on the Castle Mills site have taken the historical setting and character in to account throughout the design process.</p>
3.23	Enable residents to enjoy public spaces?	Positive	<p>The creation and improvement of public space is the key aim of the overall masterplan. The newly created public realm in place of the existing Castle car park will create an area where people will be able to come together and participate in a range of activities and events.</p> <p>New and improved routes for pedestrians and cyclists will facilitate movement and accessibility to public spaces. This will help to deliver a scheme with net benefits to the City.</p>

3.40	Additional space to comment on the impacts
This high level assesement can be used to assess the project at key stages in its development.	



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Section 4: Impact on Equalities and Human Rights

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

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

Equalities

Will the proposal **adversely impact** upon 'communities of identity'?

Will it **help advance equality** or **foster good relations** between people in '**communities of identity**'?

	Impact	What are the impacts and how do you know?
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4.1	Age
4.2	Disability
4.3	Gender
4.4	Gender Reassignment
4.5	Marriage and civil partnership
4.6	Pregnancy and maternity
4.7	Race

Positive	New and improved public spaces will ultimately accommodate a diverse range of uses and activities for people of different ages from young people to older residents.
Mixed	The proposals will ultimately deliver modern standards or accessibility and legibility in the public realm, streetscape and new buildings. Whilst the relocation of parking from Castle Car Park to the new multi-storey car park on St George's Field would result in the replacement spaces being further from the city centre a wider city strategy for disabled parking users is being developed through consultation which will define the best locations and solutions for disabled parking.
Neutral	
Neutral	
Neutral	
Neutral	
Neutral	

4.8	Religion or belief
4.9	Sexual orientation
4.10	Carer
4.11	Lowest income groups
4.12	Veterans, Armed forces community

Neutral	
Neutral	
Neutral	
Positive	New and improved public spaces will ultimately accommodate a range of uses, activities and events which can be accessed and enjoyed at low or no cost to residents.
Neutral	

Human Rights
Consider how a human rights approach is evident in the proposal

4.13	Right to education
4.14	Right not to be subjected to torture, degrading treatment or punishment

Impact	What are the impacts and how do you know?
Neutral	No direct impacts
Neutral	No direct impacts

4.15	Right to a fair and public hearing	Positive	Public engagement and consultation was designed and undertaken to ensure that this objective is achieved.
4.16	Right to respect for private and family life, home and correspondence	Neutral	No direct impacts
4.17	Freedom of expression	Positive	Public engagement and consultation was designed and undertaken to ensure that this objective is achieved.
4.18	Right not to be subject to discrimination	Neutral	
4.19	Other Rights	Neutral	

4.20	Additional space to comment on the impacts		
The public engagement and consultation process was designed to ensure that these objectives were achieved. The My Castle Gateway initiative has ensured that the public has had an opportunity be involved in the visioning and masterplanning from a very early stage and will continue to be involved through the delivery stages of the project and beyond.			



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Section 5: Planning for Improvement

	<p>What have you changed in order to improve the impact of the proposal on the One Planet principles? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)</p>
5.1	<p>Development of the January 2017 vision and the preferred masterplan for the Castle Gateway project evolved through a participatory process of engagement with the public and stakeholders over a 12 month period. The My Castle Gateway initiative has been instrumental in enabling the community to shape the emerging proposals and changes have been reflected and embedded in the masterplan as part of an iterative and ongoing process. This has resulted in an overall positive impact of the proposals on One Planet principles and has helped to identify areas where further work will be required help mitigate potential impacts on the principles (eg. impact on disabled parking provision, impact on the historic city, and impact on air quality).</p>

	<p>What have you changed in order to improve the impact of the proposal on equalities and human rights? (please consider the questions you marked either mixed or negative as well as any additional impacts that may be achievable)</p>
5.2	<p>See above.</p>

	<p>Going forward, what further evidence or consultation is needed to ensure the proposal delivers its intended benefits? e.g. consultation with specific vulnerable groups, additional data)</p>
5.3	<p>The level and type of further public consultation and engagement will reflect the different stages of delivery of the various elements of the proposals. My Castle Gateway will continue to engage with the public to develop a public brief for the Eye of York and Tower Gardens. As individual projects within the overall Castle Gateway scheme are progressed, consultation with specific stakeholders and groups will build on engagement undertaken to date.</p>

5.4 Please record any outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal? (Expand / insert more rows if needed)

Action

Person(s)	Due date

In the One Planet / Equalities section of your Executive report, please briefly summarise the changes you have made (or intend to make) in order to improve the social, economic and environmental impact of your proposal.



Executive

21 January 2020

Legal: –

1. Further legal implications in respect of Options 2, 3 and 4 are set out below:

Option 2 - the Council builds St George's Field MSCP and disposes of 17-21 Piccadilly and Castle Mills with a restricted use of residential and a requirement to build the new Foss bridge

Commercial/Contractual - Procurement

2. The comments in respect of the procurement of a contractor in respect of the development of a MSCP at St George's Field in paragraphs 77-79 in the main body of the report apply similarly to this option.
3. In addition, given the council would be seeking to dispose of 17-21 Piccadilly and Castle Mills with restrictions placed on the developer, this could invoke the PCRs. Whether or not the PCRs would apply would depend on the degree to which the council sought to impose restrictions.

Commercial/Contractual - Powers, Structure and Governance

4. See paragraphs 80 – 83 in the main body of the report

Property

5. The comments in respect of the diversion of the YW sewer and the demolition of public toilet block at St George's Field site as per those in the main body of the report for option 1 apply in relation to construction of MSCP.
6. In addition to receiving payment of a purchase price upon transfer of the Castle Mills site and/or the 17-21 Piccadilly site, the council could seek to require payment of additional monies subsequently as 'overage' (profit share) when the developer disposes of completed apartments (but this

would probably reduce the amount which the developer is willing to pay at the point when the land is transferred to them).

7. Whilst a restrictive covenant prohibiting development and use of the Castle Mills and 17-21 Piccadilly sites other than for residential purposes would bind the buyer and future owners/successors in title:
 - a. it would not oblige the buyer to build anything on the land within any particular timescale (so the buyer might landbank the site(s) and not develop /regenerate the site(s) for some time)
 - b. the buyer or future owner of the site(s) could potentially obtain the release or modification/relaxation of such a covenant by applying to the First Tier Tribunal (under section 84 of the Law of Property Act 1925) if they persuade the FTT that the covenant prohibits a reasonable use of the land or serves no useful purpose.
 - c. the imposing of such a restrictive is likely to reduce the capital receipt that the council receives for selling these sites.

8. Although the council could impose a positive covenant/contractual obligation on the buyer of the Castle Mills site to build a bridge:
 - a. the 'burden' of positive covenants in freehold transfer deeds does not automatically 'run with the land'. Therefore if the initial buyer sells the land without having built the bridge, the council could not enforce the covenant against the new owner (though it could seek to sue the original buyer) unless the new owner had given a direct covenant to the council by signing a deed of covenant in favour of the council when it bought the land (which is possible but is a cumbersome process)
 - b. positive covenants within a lease (unlike those in a freehold transfer deed) are automatically binding upon the original tenant's successors in title but a lease (rather than freehold ownership) is unlikely to be attractive/acceptable to developers
 - c. if the covenant is breached, the council may not be able to persuade a court to grant an injunction forcing the buyer/future owner to build the bridge (instead the court may only order the defaulting party to pay some monetary damages to the council)

- d. any buyer of the Castle Mills site may seek to insist that any obligation on it to commence construction of the bridge is only triggered when construction/disposal of apartments on the Castle Mills site has reached a particular stage/threshold (which would be at their discretion)
 - e. is likely to reduce the capital receipt obtained for disposal of the Castle Mills site
9. The comments at option one in the main body of the report in respect of possible approval from the Secretary of State for Transport for construction of a new bridge also apply to option two.
10. A Section 38 Agreement (as provided for in section 38 of the Highways Act 1980) between the Council as Highways Authority and developer may be required regarding the dedication/adoption of the bridge as highway/public right of way.

Option three - do not proceed with St George's Field MSCP, close Castle Car Park, and dispose of 17-21 Piccadilly and Castle Mills with a restricted use of residential and a requirement to build the new Foss bridge

Commercial/Contractual

11. The comments in respect of option two, above, also apply to option three.

Property

12. With the exception of the comments in respect of the MSCP, the comments in respect of option two, above, also apply to option three.

Option four - do not implement the masterplan and sell 17-21 Piccadilly and Castle Mills without any restrictions

Commercial/Contractual

13. A straightforward disposal of land is not subject to the Public Contracts Regulations 2015 and so there would be no requirement to carry out a procurement process if the sites were disposed of without imposing any restrictions.

Property

14. If the Council disposes of 17-21 Piccadilly and Castle Mills sites without any restrictions limiting future development or use (or any obligations requiring particular development within any timescale) then the capital sum received for those sites should be maximised but the buyer(s) will be able to build whatever they consider appropriate on the sites (subject to obtaining planning permission) or landbank the sites without carrying out any development/regeneration on the sites unless and until the buyer wishes to do so.
15. The Council's only ability to control development of those sites would be limited to exercise of its statutory functions and powers as local planning authority.

List of Abbreviations Used in this Annex

FTT - First Tier Tribunal

MSCP – multi-storey car park

PCRs – Public Contracts Regulations 2015

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

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Executive**21 January 2020**

Report of the Corporate Director of Health, Housing & Adult Social Care.

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

The Transfer and transformation of Haxby Hall Care Home (by way of long lease) and associated land transactions.**Summary**

1. The proposals described in this report will deliver our objective to ensure that the Council is purchasing high quality care in high quality facilities at Haxby Hall care home, while ensuring existing residents remain in their home and enabling staff to retain their employment.

Recommendations

2. The Executive is asked to:

- Note the appointment of Yorkare Homes Ltd (Yorkare) as Preferred Bidder to be the new residential care provider for Haxby Hall Care Home, which, when transferred as a going concern, will enable uninterrupted care for the residents as well as continued employment for the staff working there, via a relevant transfer.
- Approve the acquisition of two adjacent properties on York Road, Haxby from Yorkare at an agreed combined purchase price of £500,000 providing access for the redevelopment of Haxby Hall.
- Agree to grant Yorkare a long lease of the Haxby Hall site, and of the two adjacent properties, for a term of 125 years in return for the Council receiving payment of a premium of £450,000.
- Approve, were it to be available for sale within two years of the transfer of Haxby Hall, the purchase of the existing Haxby ambulance station at a cost to the Council of £150,000.
- To further approve that, if the purchase of the ambulance station site were to proceed, to grant Yorkare a lease of that site (for a

Term equal to the then remaining period of the lease of the main care home site) in return for Yorkcare paying a Premium to the Council. The Premium to be an amount equal to any costs incurred by the Council in purchasing the freehold of the ambulance station site which are in excess of £150,000.

Reason: To enable Haxby Hall care home to be transferred as a going concern, and modern care home facilities to be developed from the south of the site. To enable the residents of Haxby Hall to avoid the upheaval and uncertainty of what for some residents would be a second home move in a relatively short time frame following the closure of their previous home(s) earlier in the programme.

Background

3. Haxby Hall Care Home cannot continue to provide care in its current condition due to poor facilities, including lack of en-suite bathrooms and general poor environmental quality. It is no longer fit for purpose and does not meet the requirements of our residents with high physical care needs. If an application were made to the CQC for a new registration in the current building, it would be refused.
4. On 25th January 2018, following consultation with staff and residents, Executive agreed that a developer/operator should be procured, who would take over Haxby Hall residential home as a going concern, with a commitment to deliver improved care facilities on the site. In accordance with this approval, an OJEU notice was issued on 3rd May 2018., the supporting documents for which ensured that bidders put forward proposals which
 - a. Would demonstrate that the bidder is a high quality, CQC registered provider who would offer back to the Council a minimum of 8 residential beds for people living with dementia for 10 years (with an option to extend the contract for a further 5 years) at the Actual Cost of Care rate.
 - b. The care of the existing residents of Haxby Hall would be transferred into the care of the successful bidder which would trigger a transfer of the staff in accordance with TUPE¹ regulations. The care provider would then improve, remodel or redevelop Haxby Hall.

¹ Transfer of Undertaking Protection of Employment regulations 2006 (TUPE) as amended by the collective redundancies and transfer of undertakings (protection of employment (Amendment) Reg 16

5. The Care Act 2014 enshrined a statutory duty for councils to shape their local market. That is to say, to ensure a stable supply of sustainable, good quality services for people who need to use them, and to forecast changes in demand over the long term. The proposals for Haxby Hall are one component of the council's response to this duty.

The Procurement Process

6. Following evaluation by a multi-disciplinary team, and based on Yorkare's high quality bid submission, the Corporate Director for Health Housing & Adult Social Care, under delegated powers, has appointed them as the Preferred Bidder pending entry into contract.
7. The bid from Yorkare, which was conditional on their being able to access the rear of the site for a phased development, includes:
 - a. an offer to contract back with the Council an additional bed (i.e. a total of 9) for residential care for people living with dementia at the Council's Actual Cost of Care rate.
 - b. an offer of £300,000 to the Council as a premium for the grant of a 125 year lease for the current Haxby Hall site.
 - c. the phased redevelopment and expansion of Haxby Hall into a 63 bed residential care home
8. Yorkare, who would be a new provider in York, have demonstrated to the project team, which is reinforced by 'good' and 'outstanding' CQC inspection ratings, that they deliver a high standard of care in their five existing homes and that they have appropriate levels of experience in the design and development of new care homes.
9. Currently, however, no access is available to the rear of the site and it would not be possible to redevelop the care home while continuing to provide care to the residents and to retain the staff during the development.
10. If Yorkare were not able to retain the staff and residents on site (or identify an alternative care home, which is CQC registered and acceptable to the Council, to which staff and residents might temporarily move), then the procurement would be void and alternative options would need to be explored for Haxby Hall care home.

Ability to redevelop the Haxby Hall site

11. In order for the residents, service provision and staff to remain on site, the redevelopment must be undertaken in two phases for which access is needed to the rear of the site. This will allow a new building to be developed behind the operational care home into which, once complete, residents will be moved to permit redevelopment of the front of the site.
12. The procurement documentation suggested that the ambulance station site might be able to be acquired, along with the potential to secure at least temporary access via the Ethel Ward playing fields.
13. The Council has been working with Yorkshire Ambulance Service for some time to identify an alternative site for the existing ambulance station. While the Council has put a variety of options forward, the ambulance service have not yet reached a decision as to how they would like to proceed.
14. When the semi-detached house at No. 7 York Road, Haxby was marketed for sale, Yorkare Homes Limited were able to proceed quickly to purchase it with a view to securing an alternative access.
15. Yorkare have also approached the owner of the semi-detached house at No. 5 York Road, Haxby who is also prepared to sell their property, and negotiations are now well progressed. The acquisition of these two properties will permit Yorkare to access the rear of the site.
16. As Haxby Hall is proposed to be leased for a period of 125 years, it would not be appropriate for Yorkare to control the freehold of part of the site, particularly as it will be the access route to the newly constructed care home. It is therefore recommended that the Council acquire the freehold of 5 and 7 York Road from Yorkare in order that these two properties can also be leased back to Yorkare alongside the Haxby Hall site.
17. An independent valuation has been sought and has confirmed that given their importance to the assembled site, it is reasonable for the Council to purchase No. 5 and No. 7 York Road, Haxby for the combined consideration of £500,000. Yorkare are prepared to sell the properties at this price.

Haxby Ambulance Station

18. The existing ambulance station is in a poor state of repair and is detrimental to the visual amenity of the street scene, as well as the environment for residents of the care home.

19. Irrespective of whether or not alternative access is achieved via the properties as described above, the acquisition of the Ambulance Station Site for incorporation in the care home development would be beneficial, to the Council as freehold owner of the wider site, to the residents of Haxby Hall for additional amenity and to Yorkcare, who are keen to ensure that the new care home development is as attractive as possible to residents. Within their bid, Yorkcare offered an additional sum of £150,000 towards the purchase of the ambulance station site.
20. Yorkcare have offered that this £150,000 could be paid over to the Council on the proviso that, should the ambulance station site become available within two years of the transfer of Haxby Hall, it will be made available, as originally intended, towards the purchase of the site.
21. Yorkcare have also indicated that, if it is Yorkshire Ambulance Service's preference, and if it would facilitate the sale of the existing station site, they may be able to incorporate an ambulance stand-by point within the care home redevelopment, depending on the timing of any decision by the ambulance service.
22. If purchased, the freehold of the ambulance station site would be vested in the Council and leased back to Yorkcare for the remainder of the term of the 125 year lease.
23. If the ambulance station site is NOT purchased within the two years, Yorkcare have confirmed that the Council can retain the £150,000.
24. It should be noted at this point that, if the ambulance station site is not acquired, there is a risk that it is purchased by others and put to an alternative use, which is not consistent with or appropriate to its adjacency to the care home.

Financial implications

Capital

25. On 14th July 2016, the Executive approved £600,000 to be added to the Capital Programme to meet the acquisition costs as well as to fund enabling and related works regarding development of the Haxby Hall site. This was to be funded from sales of the Council's Older Persons' Homes.
26. Yorkcare have offered a premium for the Haxby Hall care home lease of £300,000 plus a further contribution of £150,000 irrespective of whether or not the ambulance station site is to be purchased.

27. The proposal contained within this report fall within the capital budget previously proposed and approved for the scheme.
28. Further detail regarding the capital transactions is shown at Annex 2
Revenue
29. The revenue implications of this proposals fall within current budgets.
30. Detailed revenue considerations are included in Annex 2

Timescales

31. Assuming that all agreements and approvals are forthcoming, and subject to all parties continuing to be fully engaged, we are working to the following timetable:

Council and Yorkcare develop legal documentation	December 2019 – January 2020
Yorkcare and Council engage and consult with staff in relation to TUPE	January 2020 – March 2020
Yorkcare and Council enter into Business Transfer Agreement	February 2020
Transfer of Haxby Hall Care Home to Yorkcare	April 2020
Yorkcare consultation and planning submission	June 2020
Yorkcare commence first phase of redevelopment	Autumn 2020
(if available for sale) Council purchases ambulance station site for inclusion in Yorkcare lease and redevelopment site	Within two years of transfer

Any changes to the above timescales will be communicated immediately to staff and residents at Haxby Hall and reported to the Executive Member for Adult Social Care and Health.

Property and Legal implications

32. The legal and property implications of this proposal are detailed at Annex 3.

Human Resources

33. Executive agreed to consult residents and staff at Haxby Hall on the option to seek a partner to take over the ownership and management of this facility. This consultation identified the expectation that, should this progress, a relevant transfer will be deemed to take place. As a result the TUPE regulations will apply to those employees assigned to Haxby Hall, which will see their employment transfer to the new care provider in accordance with the regulations.
34. The Business Transfer Agreement reinforces the expectations of the transferor and transferee in respect of TUPE, with any transfer arising to be managed in accordance with the legislation.
35. Yorkare adhere to the Fair Work Framework, providing staff with an effective voice, opportunity, security, fulfilment and respect, which contributes to emotional wellbeing.

Equalities

36. In order to fully understand the implications of the proposals for Haxby hall and the associated land deals, a Best Decision making assessment has been undertaken. This is contained at Annex 4
37. The assessment highlights the positive impacts for older residents. The recommended further actions have been shared with Yorkare.

Risks

38. The original risk to delivery of a redevelopment of Haxby Hall care home was that the ambulance station site would not be available for access. Yorkare have overcome this risk to delivery by having identified and secured the opportunity to access the rear of the site via the residential properties on York Road.
39. The proposals within this paper include that the Council and Yorkare, as partners with shared objectives, share the risk of whether the ambulance station site becomes available for purchase.
40. The key risks to delivery of this proposal are:

Risk	Mitigation
Inability to negotiate terms for land transactions, which are acceptable to all	<ul style="list-style-type: none"> • Terms as described within this paper have been agreed with Yorkare

parties	
Parties to the proposal decide not to proceed or the scheme is otherwise aborted.	<ul style="list-style-type: none"> • The properties at No. 5 and No. 7 are in the ownership of Yorkare, who are keen to proceed with the proposal put forward.
Yorkare fail to secure planning consent for the proposed redevelopment.	<ul style="list-style-type: none"> • Tender documents includes a feasibility appraisal and planning officer's response, giving design guidance to bidders. • Evaluation of bids has included a viability assessment of the proposals.
Concerns reported to the Council regarding ongoing care provision following transfer	<ul style="list-style-type: none"> • CQC inspections of the Yorkare's existing four care homes have rated three of them as "outstanding" and one as "good", taking account of all five areas of safe; effective; caring; responsive and well-led. • Yorkare has demonstrated in their tender submission that they will respond sensitively to residents and staff, during the redevelopment of the site • As a contracted care provider, Yorkare will be subject to the Councils Adult Social Care annual programme of Contracts Monitoring and Quality Assurance
TUPE transfer process and procedures	<ul style="list-style-type: none"> • The transfer of Haxby Hall Care Home will trigger a TUPE transfer of the staff. The Council has extensive experience of conducting such transfers. • The Business Transfer Agreement reinforces the requirements of transferor and transferee
State Aid challenge	<ul style="list-style-type: none"> • Any aid in terms of making land available or monetary sums paid by the Council is lawful as it, was within the remit of the public procurement and available to all participants and, at the values proposed, is permitted as being within the de-minimis levels contained within the State Aid regulations .

Annex 1 Site plan

Annex 2 Financial Analysis

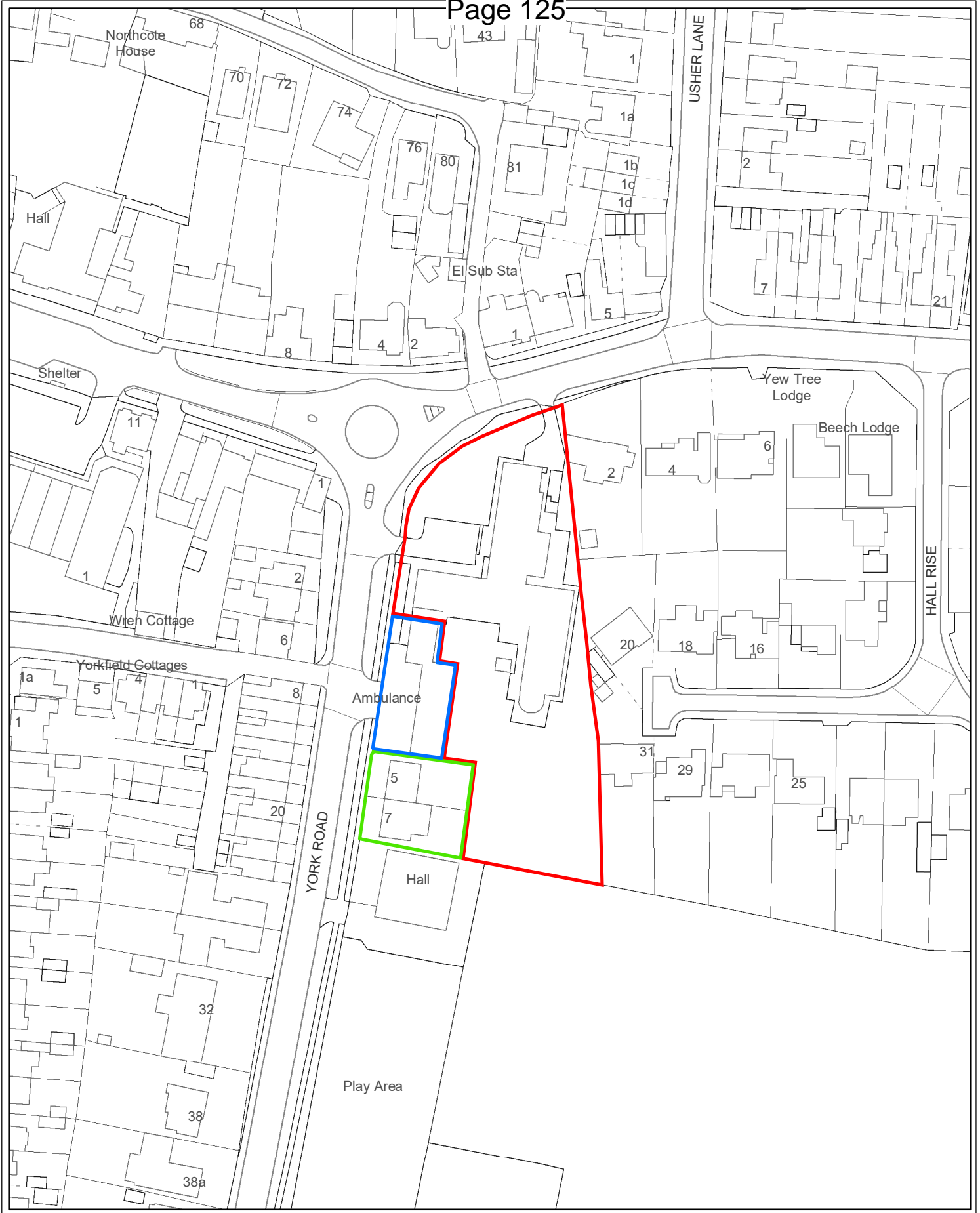
Annex 3 Legal Assessment

Annex 4 Best Decision Making Assessment

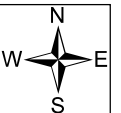
Contact Details

Author:	Chief Officer responsible for the report:		
Vicky Japes Head of Older Persons' Accommodation Programme Tel: 01904 553382 vicky.japes@york.gov.uk	Tom Brittain Assistant Director for Housing & Community Safety Michael Melvin Assistant Director Adult Social Care		
	Report Approved	✓	Date 08/01/20
Specialist Implications Officer(s)			
Legal: Walter Burns (Ext 4402) Gerard Allen (Ext 2004) Jill Anderson (Ext 2260)			
Finance: Debbie Mitchell (Ext 4161) and Steve Tait (Ext 4065)			
Property: Nick Collins (Ext 3360)			
HR: Joy Holmes (Ext 4233)			
Wards Affected: Haxby and Wigginton			

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Haxby Hall



SCALE 1:1,250

DRAWN BY: KLM

DATE: 27/11/2019

Originating Group:

Asset & Property Management

Drawing No.

E00644

Asset & Property Management

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ANNEX 2

Financial implications –
capital**Budgets as approved**

Expenditure	£000	Income	£000
Budgeted spend	600	Budgeted receipts	300

1. It is proposed that the Council purchase the adjacent properties for £500,000.

Expenditure and income based on Yorkare bid			
Enabling Spend to date	34	Receipts to date	0
Future enabling spend (including stamp duty)	51	Yorkare premium for 125 year lease	300
Purchase of York Road sites	500		
Total	585		300
Over/(under)budget	(15)		0

2. In this scenario, the Council's expenditure in enabling the scheme is £15,000 less than that originally approved. The Haxby Hall site is increased, permitting access to the rear of the site.
3. The Haxby Hall site, valued with a 125 year lease, has been determined to be £1m - £1.25m. With the inclusion of the two residential properties, the value is increased by £100,000.
4. If the ambulance station site were to become available then:

Additional acquisition of ambulance station site			
Expenditure	£000	Income	£000
Enabling spend to date	34	Receipts to date	0

Future enabling spend (including stamp duty)	61	Yorkare premium for 125 yr lease	450
Purchase of York Road sites	500		
Purchase of ambulance station site	150		
Total	745		450
Over/under budget	145		150

5. In this scenario, the Council's expenditure in enabling the scheme remains £5,000 less than that originally approved and the Haxby Hall site is increased again by the ambulance station site.
6. By reference to independent valuation, the value of the Haxby Hall care home site (including the residential properties) with 125 year lease, is increased in value by £500,000.
7. If the ambulance station site were NOT to become available within two years, then expenditure is £165,000 under budget:

Additional acquisition of ambulance station site			
Expenditure	£000	Income	£000
Enabling spend to date	34	Receipts to date	0
Future enabling spend	51	Yorkare premium for 125 yr lease	450
Purchase of York Road sites	500		
Total	580		450
Over/under budget	(15)		150

Financial implications - revenue

8. Haxby Hall's gross budget for 2019/20 is £1,739k, net budget £817k; the current customer base at 26th Nov 2019 is comprised of:
 - 19 residential customers (including 5 self-funders)
 - 10 residential with dementia customers (inc 1 self-funder)
 - 10 customers in step down beds
 - 7 customer in short term residential placements
9. Within the Yorkare proposal self-funders can remain at Haxby and continue to pay the rate the Council currently charges (£713 per week) with capped inflationary increases each year.
10. Step down beds were not a requirement of this procurement, and will need to be provided in another setting. The Better Care Fund contributes £260k per annum to the cost of these beds.
11. Council financial modelling of the Older Persons' Accommodation Programme assumes that the Better Care Fund will cover any additional cost or reduce the step down places commissioned to fit the budget. Step down accommodation is available in the Council's extra care developments.
12. Any short term placements may also have to be commissioned from the private sector at market rate. The modelling assumes five beds per week would need to be commissioned at market rate, the average number per week placed at Haxby Hall in 2019/20.
13. The remaining 23 permanent customers will remain in Haxby Hall and Yorkare will accept the Council's standard rates for these customers. This is £524 per week for residential and £564 per week for residential care for people with dementia. This arrangement applies to all individuals who are resident in Haxby Hall at the time of transfer.
14. When this customer group has reduced to nine, the Council will then block contract for nine residential with dementia beds at the Council's standard rate, currently £564 per week.
15. The Council will need to spot purchase any additional permanent beds at market rate. Market prices are expected to stabilise given the development at Burnholme as well as this improved facility at Haxby, should this proposal for be approved. The modelling assumes that the number of placements will also reduce month on month.

16. Based on the assumption that staff and the service transfer on 1st April 2020, and the Council need to buy the same number of care beds financial modelling suggests that:

(all in £000s)	2020/21	2021/22	2022/23
Net Cost	726	825	828
Budget	817	817	817
(saving)/cost	(89)	8	11

However as the independent living and community led model of care evolves in the city the requirement for residential care beds should ease and we would expect these costs to fall.

17. With Haxby Hall being the last of the Council's Older Persons' Homes to close or transfer, the budget assumes that no further management costs will be incurred.

ANNEX 3

Legal implications

1. Section 120 of the Local Government Act 1972 gives the Council power to acquire by agreement any land/property:
 - (i) for the purposes of any of its functions under that Act or any other Act or
 - (ii) for the purposes of the benefit, improvement or development of the Council's area or
 - (iii) for any purpose for which the Council is authorised by that Act or any other Act to acquire land

2. Section 123 of the Local Government Act 1972 gives the Council power to dispose of property (including by granting a lease). Consent from the Secretary of State for Housing, Communities and Local Government is necessary for the disposal by the Council of any property for a price lower than best consideration (full market value). However (by a General Disposal Consent circular) consent is given by the Secretary of State to disposal for less than best consideration if both of the following conditions are satisfied:
 - (i) The Council considers that the purpose of the disposal will contribute to the improvement of the economic, environmental or social well-being of the Council's area and
 - (ii) The difference between the price being obtained and best consideration/market value does not exceed £2,000,000.

3. Property Services consider that
 - (a) the proposals described within this paper represent 'best consideration' (given the restrictive permitted use of the site specified in the lease and the obligation contained in the lease for Yorkcare to carry out expensive substantial improvement works and the requirement that care beds be offered back to the Council at Actual Cost of Care)
 - (b) In any event even if the premiums payable to the Council for the grant of the lease(s) is less than best consideration, the

difference between those premiums and best consideration does not exceed £2 million

such that consent is not needed from the Secretary of State for the grant of the proposed 125 year lease(s) to Yorkare.

4. The issue of State Aid should be considered in relation to this project as Council land has been made available as part of the tender. Factors such as size and quality of development, bed numbers and prices, nomination rights and other facilities offered to the Council or its residents, had an impact on the value bidders were prepared to offer for the land itself. This may be below open market value and thus potentially be seen as a state resource being made available on preferential terms, which is a characteristic of state aid. The fact that more land is potentially being made available post-tender adds to the complications. The Council is not putting in any more money than was originally approved, and the provider will be required to pay for any extra land at market value. Whilst this may mitigate a potential risk of challenge it could still be seen as facilitating an advantage to the provider over and above what was originally advertised.
5. The fact that the Council conducts a fully EU compliant procurement process, where all parties have equal chance to express an interest and to bid and that the price offered for the land is part of the evaluation model, ensures that no advantage is being given to one organisation over another and that there is no distortion of either competition or the market. As this was the case when this procurement was carried out, then it is likely that the Council is not in contravention of EU state aid regulations and is unlikely to be subject to any challenge in this respect. It is not unlawful to offer an incentive to allow a project to come to fruition as long as the opportunity is open to all.
6. However, consideration must be given to the fact that the circumstances of this procurement have changed in relation to the land offering, in terms of the Haxby Ambulance Station site and 5 & 7 York Road. Whilst the possibility of the Haxby Ambulance Station site becoming available was noted in the tender documents, the availability of 5 and 7 York Road was not. It is understood the original intention was for the Haxby Ambulance Station site to be used as access to the site but that is no longer the case and access will now be provided through 5 and 7 York Road. Should there be an option to acquire the Haxby Ambulance

Station site in the future, consideration will need to be given to what use the additional land is being put to as it could be argued that this change is a substantial modification to the original tender which, had it been in these terms, would have attracted other bidders. This lends itself to an increased risk of challenge under procurement law as well as possible state aid infringements.

7. This could be mitigated by the fact there was little interest in the proposal as advertised and extra consideration is being offered by the developer. There is a judgement to be made between the public interest in producing an environmentally enhanced scheme which should offer more beneficial facilities for residents and a strict interpretation of some of the legal procedures
8. It could also be argued that, as the site with the existing ambulance station to the frontage is less visually appealing than had been envisaged within the tender documents, Yorkcare are in a less advantageous position.
9. If the Council gives a commitment to Yorkcare that the Council will purchase the freehold of the ambulance station site (if it can be acquired within two years following transfer of Haxby Hall) and then grant a (circa 125 year) lease of it to Yorkcare then this could be interpreted as the Council facilitating the generating/delivery of an additional benefit to Yorkcare that was not available when bids were sought during the procurement process.
10. The Executive had previously approved (and the information was publically available) £600,000 to enable the scheme to be brought forward in such a manner as to enable existing staff and residents to remain in Haxby Hall.
11. The inclusion of long lease of the existing ambulance station site was identified as a possibility within the procurement documentation for the Transfer and Transformation of Haxby Hall. The "Notes for Bidders" document included within the tender included the following "*Haxby is currently an important operational base for A&E and Patient Transport (PTS) services provided by Yorkshire Ambulance Service (YAS). The station was built in circa 1978 and has had little by the way of upgrade or improvements works done since it was built. The property is now dilapidated and no longer fit for requirements however it very strategically located for meeting incident demand in Haxby and the surrounding area.*"

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Annex 4 - Better Decision Making Tool for Haxby Hall Transfer and Transformation.



Informing our approach to sustainability, resilience and fairness

Introduction

Service submitting the proposal:

Older People's Accommodation Programme

Name of person completing the assessment:

Vicky Japes

Job title:

Head of Older People's Accommodation Programme

Directorate:

Health, Housing & Adult Social Care

Date Completed:

25/11/2019

Date Approved:

Section 1: What is the proposal?

1.1	<p>Name of the service, project, programme, policy or strategy being assessed?</p> <p>The Transfer and Transformation of Haxby Hall care home to ensure the provision of high quality residential care for residents, as part of the Older Persons' Accommodation Programme.</p>
1.2	<p>What are the main aims of the proposal?</p> <p>To acquire a site on York Rd to create an accessible, viable site for the redevelopment of Haxby Hall care home. To lease the Haxby Hall site to Yorkare Homes and for them to then undertake a phased redevelopment of the site to allow the care home to be modernised and extended while the staff and residents remain on site.</p>

1.3	<p>What are the key outcomes?</p>
	<p>We propose to undertake a series of transactions which will deliver key outcomes for the residents of Haxby and of York. We will look to:</p> <ul style="list-style-type: none"> • Purchase the site of no5 and no7 York Rd from Yorkare Homes to enable access to the south of Haxby Hall. • Grant Yorkare a long lease of the site of no5 and no7 York Rd as well as the Haxby Hall site for a term of 125 years. • Subject to vacant possession of the adjacent ambulance station becoming available, purchase the ambulance station site and lease this to Yorkare to provide an improved site for the care home. <p>The transactions described above will enable Yorkare to redevelop the Haxby Hall care home to provide high quality residential care facilities for the local community, retaining a care home in the heart of Haxby and retaining the care home staff in ongoing work.</p> <p>The Council will secure 9 beds at Actual Cost of Care rates to enable access to high quality care across the city.</p> <p>The number of care beds available at Haxby Hall will be increased from 49 to 63, giving our residents increased choice for their residential needs in later life.</p> <p>The built environment in the Haxby area will be improved through the delivery of a new development, which is sensitive to their local environment and heritage.</p> <p>Haxby will see both social and economic benefit from the development of a larger care home in the town centre</p> <p>A new, high quality care provider will be introduced to the City.</p>

Section 2: Evidence

2.1	<p>What data / evidence is available to support the proposal and understand its likely impact? (e.g. hate crime figures, obesity levels, recycling statistics)</p>
	<p>National benchmark statistics indicate that as the Older Person's population in York continues to grow, York will have a shortage of all types of older person's accommodation including residential care, specifically for those living with dementia. The Council is currently paying for care home beds at rates significantly above the Actual Cost</p>

	<p>of Care rate, as there is a high demand for beds across the city. This proposal will ensure that the Council has access to 9 high quality beds at the Actual Cost of Care rate. It will also provide high quality beds for residents who are self funding their care.</p> <p>Consultation with staff, residents and the local community indicate that it is important that Haxby Hall care home is retained in the heart of the town.</p>
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	<p>What public / stakeholder consultation has been undertaken and what were the findings?</p>
2.2	<p>Engagement sessions were carried out with staff and residents prior to the proposal to procure a care home operator.</p> <p>Once procured Yorkcare initiated a series of discussions with Haxby Hall staff, taking them to view their other care homes and sharing their ambitions for the site.</p> <p>Consultation was undertaken with Haxby Town Council to consider various access options to the west and south of the care home site. The Town Council were not supportive of plans to access the site via Ethel Ward playing fields and this potential solution was therefore not progressed.</p> <p>Similarly, consultation with the Explore Library service and Haxby Scouts found that neither organisation was supportive of plans to have an access road for the care home between the scout hut and the young children's play area. This possible solution was therefore rejected.</p> <p>Haxby Hall resident and staff engagement will continue throughout the project, both prior to and following transfer to Yorkcare</p> <p>Engagement has been undertaken with immediate neighbours of the Haxby Hall site. Ongoing communication with Yorkshire Ambulance Service will continue throughout the project.</p>

	<p>Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</p>
2.3	<p>The combined impact of the development will be to deliver a large high quality care home in the heart of Haxby, and an amended frontage on York Rd.</p> <p>A project to extend and enhance the scout hut to incorporate a community library also on York Road is likely to be being developed at the same time as the care home scheme. This will add to the provision</p>

of enhanced community facilities. Ongoing communication between the projects will be required to ensure that disruption is minimised and positive outcomes are maximised.

Section 3: Impact on One Planet principles

Equity and Local Economy

Does your proposal?	Impact	What are the impacts and how do you know?
<p>3.1</p> <p>Impact positively on the business community in York?</p>	<p>Positive</p>	<p>Yorkare’s key professional appointments and construction partners are either from York or from the East Riding. Yorkare have committed, in their bid, to place key contracts for food supply with local butchers and greengrocers and service contracts with local service providers. Their activities will include employment of local entertainers as well as outings to pubs and theatres, trips to local shops and cafes, social clubs and the library.</p>
<p>3.2</p> <p>Provide additional employment or training opportunities in the city?</p>	<p>Positive</p>	<p>The new care home will be larger, requiring additional care staff. The tender submission from Yorkare identified their plans to recruit and train local care staff. They have undertaken to hold recruitment open days and to partner with local schools and colleges to promote careers in care and to provide work experience and</p>

			<p>apprentice opportunities.</p>
<p>3.3</p>	<p>Help improve the lives of individuals from disadvantaged backgrounds or underrepresented groups?</p>	<p>Neutral</p>	<p>The care home beds purchased by the Council will be available for Adult Social Care customers who are living with Dementia, for whom residential care is considered to be the best accommodation option. This will give these residents access to a significantly improved environment. The remaining care beds will be available for customers who self fund their care, and for whom the location and services at Haxby meet their needs.</p>

Health & Happiness

Does your proposal?

Impact What are the impacts and how do you know?

3.4	<p>Improve the physical health or emotional wellbeing of residents or staff?</p>	Positive	<p>The project is designed to provide an enhanced living environment for the care home residents. All bedrooms will have en-suite facilities, there will be additional communal, social facilities, corridors will be wider and the whole site will be fully accessible. These enhancements will significantly improve the quality of life for the residents.</p> <p>Staff will transfer in accordance with the TUPE legislation. Following the redevelopment, staff at the care home will have an enhanced working environment.</p> <p>Yorkcare adhere to the Fair Work Framework, providing staff with an effective voice, opportunity, security, fulfilment and respect, which contributes to emotional wellbeing.</p>
3.5	<p>Help reduce health inequalities?</p>	Positive	<p>The project will provide an additional number of care home beds and will provide a care home in the heart of a community with a high proportion of older residents.</p>

3.6	Encourage residents to be more responsible for their own health?	Neutral	<p>This project will provide care services designed to maintain wellbeing and to ensure that residents can take an active role in the activities within the care home and the wider community. Choices of activities will be offered and residents will be consulted on activities, food choices, the garden design and trips. Community groups will be invited to deliver activities for residents and the wider community within the care home.</p> <p>Yorkare participate in a variety of lifestyle initiatives, which have a positive impact on the residents' health. A recent rehydration project has reduced trips and falls by 67%.</p>
3.7	Reduce crime or fear of crime?	Neutral	<p>The project will provide an extended care home, providing natural surveillance to the north, south and west of the site.</p>
3.8	Help to give children and young people a good start in life?	Neutral	<p>The primary focus of this project is the development of facilities to support older people to live well. However Yorkare, have committed to working with the Explore library service and Haxby Scouts to ensure that the York Rd frontage and the rear of both sites are planned to work well together.</p> <p>Yorkare will attend careers</p>

		fairs and partner with local schools to offer work experience and apprenticeships in the care environment. The project also provides opportunities for intergenerational activities.
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Culture & Community

Does your proposal?		Impact	What are the impacts and how do you know?
3.90	Help bring communities together?	Positive	<p>The project will provide enhanced care and communal facilities. The residents of the care home will be encouraged to take part in activities provided within the care home and community groups, schools and relatives will be encouraged to bring activities into the care home for the benefit of residents and the wider community.</p> <p>Crucially, Yorkcare have undertaken to play an active part in reducing the social isolation of others in the community, encouraging them to visit, take part in activities and, if they wish, volunteer to become a part of the care home community</p>
3.10	Improve access to services for residents,	Neutral	An increased number of care home beds will be available,

	especially those most in need?		many specifically for those living with dementia.
3.11	Improve the cultural offerings of York?	Neutral	Yorkcare have committed to working with schools and community groups to make cultural activities available to the care home residents. They have also committed to working with the Haxby Scouts and Explore library service as their project progresses.
3.12	Encourage residents to be more socially responsible?	Neutral	Yorkcare have indicated their ambition to encourage community groups and volunteers to support activities within the care home.

Zero Carbon and Sustainable Water

	Does your proposal?	Impact	What are the impacts and how do you know?
3.13	Minimise the amount of energy we use and / or reduce the amount of energy we pay for? E.g. through the use of low or zero carbon sources of energy?	Neutral	The development of a new Care Home will ensure compliance with current building regulations. The boilers at Haxby hall are currently in a poor state of repair and are inefficient. The provision of new heating systems and building management systems will create significantly more energy efficient buildings.

3.14	Minimise the amount of water we use and/or reduce the amount of water we pay for?	Neutral	
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Zero Waste

	Does your proposal?	Impact	What are the impacts and how do you know?
3.15	Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?	Neutral	

Sustainable Transport

Does your proposal?	Impact	What are the impacts and how do you know?
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3.16	Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?	Positive	<p>The Haxby Hall site is in the heart of the town. Many of the existing staff are local residents who will continue to be able to travel to work on foot or by bike. An increased number of jobs will be available, targeting local residents when the new care home is developed.</p> <p>Yorkcare will actively encourage their staff to use sustainable travel methods.</p> <p>The care home is on the main bus route to Haxby.</p>
3.17	Help improve the quality of the air we breathe?	Neutral	

Sustainable Materials

	Does your proposal?	Impact	What are the impacts and how do you know?
3.18	Minimise the environmental impact of the goods and services used?	Neutral	<p>Yorkcare's key professional appointments and construction partners are either from York or from the East Riding, reducing travel distances. Yorkcare have committed, in their bid, to place key contracts for food supply with local butchers and greengrocers and service contracts with local service providers. Their</p>



activities will include employment of local entertainers as well as outings to pubs and theatres, trips to local shops and cafes, social clubs and the library.

Local and Sustainable Food

	Does your proposal?
3.19	Maximise opportunities to support local and sustainable food initiatives?

Impact	What are the impacts and how do you know?
Neutral	Yorkare will include a kitchen garden/allotment within the new care home site, for the residents' gardening club to grow produce for consumption.

Land Use and Wildlife

	Does your proposal?
3.20	Maximise opportunities to conserve or enhance the natural environment?

Impact	What are the impacts and how do you know?
Mixed	Yorkare are planning to invest in the garden space at the care home to encourage birds and wildlife to visit.

3.21	Improve the quality of the built environment?	Positive	The new care home will reflect the context of its town centre location but to also respond to the surrounding residential properties in terms of massing and materials used. Yorkare are planning to design a home that reflects the historic Haxby Hall design.
3.22	Preserve the character and setting of the historic city of York?	Neutral	The project is focussed on developing and enhancing care facilities in the Haxby area. It is in a residential area of the city, but with strong community support to retain the care home in the heart of the community. The care home developer is keen to design a building that is reminiscent of the original Haxby Hall in character. This will enhance the views in the town centre.
3.33	Enable residents to enjoy public spaces?	Mixed	Yorkare are committed to providing outdoor social spaces for their residents, including a kitchen garden/allotment.

Section 4: Impact on Equalities and Human Rights

Equalities

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

		Impact	What are the impacts and how do you know?
4.1	Age	Positive	The care facilities are being delivered specifically to enhance the living environment for an increased number of older residents.
4.2	Disability	Positive	<p>The care home will be designed with wide accessible communal spaces and corridors, all rooms will have en-suite toilet and bathing facilities to support privacy and independence.</p> <p>The design will enable people living with dementia to be cared for with dignity and in a safe environment, and for them or their relatives to be able to make choices regarding their lifestyle preferences and environment.</p> <p>Narrow corridors in the current building are restrictive for those with physical disabilities and many rooms lack en-suite facilities.</p>
4.3	Gender	Neutral	The care home facilities will be available to all. The provision of increased communal facilities and en-suite bathrooms will enable the scheme to support individual dignity, and activities to suit all.

4.4	Gender Reassignment	Positive	<p>Yorkcare's tender submission reflects their commitment to equality of access and support for individual's dignity. Individual care plans will reflect the needs, beliefs and lifestyles of each resident and will support these.</p> <p>Relatives and carers will be welcomed to the care home and will be invited to take an active role in the development and operation of the scheme.</p> <p>Staff will offered "Free to be Me" training offered by York LGBT Forum.</p> <p>The Council will be buying 9 beds at Actual Cost of Care rates which will ensure access to high quality care home beds for adult social care customers.</p>
4.5	Marriage and civil partnership	Positive	
4.6	Pregnancy and maternity	Neutral	
4.7	Race	Positive	
4.8	Religion or belief	Positive	
4.9	Sexual orientation	Positive	
4.10	Carer	Positive	
4.11	Lowest income groups	Positive	
4.12	Veterans, Armed forces community	Positive	

Human Rights

Consider how a human rights approach is evident in the proposal

		Impact	What are the impacts and how do you know?
4.13	Right to education	Neutral	<p>Yorkcare are a high quality care home provider, who are regularly assessed by the CQC. Current ratings show that in all of their care homes, the quality of care is either</p>
4.14	Right not to be subjected to torture, degrading treatment or punishment	Positive	

4.15	Right to a fair and public hearing	Neutral	Good or Outstanding. The new care home building will provide an enhanced living environment, enhanced opportunities for communal activities and enhanced access to privacy and dignity for bathing etc.
4.16	Right to respect for private and family life, home and correspondence	Positive	
4.17	Freedom of expression	Neutral	
4.18	Right not to be subject to discrimination	Neutral	
4.19	Other Rights	Neutral	

Section 5: Planning for Improvement

	What have you changed in order to improve the impact of the proposal on the One Planet principles? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)
5.1	<p>Following consultation we agreed not to progress our plans to access the rear of the site by developing a road between the scout hut and the play area. This decision will ensure that continued safe access to the play area is available by the scout hut and library users.</p> <p>The evaluation of the care home provider's tender submission included responses to the bidder's proposals to contribute to social value. Yorkare's bid was particularly highly scored based on its proposals to address social isolation, to contribute to the local economy and to work with schools and colleges to promote careers in care.</p>

	<p>What have you changed in order to improve the impact of the proposal on equalities and human rights? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)</p>
5.2	<p>We incorporated questions about the quality of care and care planning into the procurement process for the care home provider, including how the care home provider proposes to enable residents to make personal choices and to preserve their privacy and dignity, including for those residents who are living with dementia.</p>

	<p>Going forward, what further evidence or consultation is needed to ensure the proposal delivers its intended benefits? e.g. consultation with specific vulnerable groups, additional data)</p>
5.3	<p>On going engagement and consultation with neighbours will be undertaken throughout the development to help avoid any negative impact during construction work.</p> <p>Ongoing engagement with staff and residents in the run up to the transfer to ensure that the transition is smooth and managed in accordance with TUPE regulations.</p> <p>Yorkcare have committed to undertake extensive consultation with Haxby Hall residents and staff, to ensure that the design of the new care home best meets functional needs of the services as well as preferences in relation to the environment. This will include the offer of visits to other Yorkcare homes in order for residents and staff to appreciate how the new care home might look and feel.</p>

5.4	<p>Please record any outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal? (Expand / insert more rows if needed)</p>
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Action

Person(s)

Due date

<p>Explore opportunities for locally sourced suppliers for the care home.</p>	<p>Yorkare</p>	<p>During construction and operation of the care home April 2020 onwards.</p>
<p>Ensure that the Care Home project works collaboratively with the library/ scout hut project.</p>	<p>Project Manager and Scout hut project manager</p>	<p>Throughout the projects.</p>
<p>Encourage rainwater capture and high environmental standard in the design of the new care home.</p>	<p>Project Manager and Yorkare</p>	<p>During the design phase and ongoing operation.</p>



Executive**21 January 2020**

Report of the Corporate Director Economy and Place
Portfolio of the Executive Member for Finance and Performance

Shaping the Future of the Bootham Park Hospital Site

Summary

1. This report explores the options available to the Council to help it shape the future of the Bootham Park Hospital site (“**the Site**”), guided by extensive public and stakeholder engagement.
2. Executive are asked to agree that the Council will use our rights as owner/landlord of a strip of access road to the Site to secure:
 - a. beneficial public use of the parkland in front of the hospital building
 - b. improved pedestrian and cycle routes through the Site as part of the city’s sustainable transport transformation; and
 - c. conservation and redevelopment of the Site to deliver homes and services which are of benefit to the City.
3. A recent announcement identifies that a purchaser for the site has been identified who will deliver a 125 unit independent living retirement community, public access to areas of the main historic building, emergency landing of the air ambulance on the hospital field and a commitment to open negotiations to secure public access to the grounds and maintaining the cycle and pedestrian access through the site.
4. Executive note that the submitted Local Plan requires a full appraisal of the significance of the historic buildings, landscape and archaeology on the Site and that any redevelopment proposals must arise out of this understanding.

Recommendations

5. The Executive is asked to:
 - 1) Note the results of the further phase of public and stakeholder engagement and the priorities identified for the future of Bootham Park Hospital Site.

Reason: So that the Council's efforts to shape the future of the Site can be shaped by the views and priorities of York citizens and stakeholders.

- 2) Authorise officers to negotiate with the current and future owner of the Bootham Park Hospital Site in order to secure beneficial public use of the parkland in front of the hospital building, improved pedestrian and cycle routes through the Site and conservation and redevelopment of the Site to deliver homes and services which are of benefit to the City, and using the powers we hold as owner/landlord of land over which the eastern access to the Site passes, the Council's rights to maintain the cycle route that passes through the Site and as owner of property adjacent to the Site, bring back to Executive the relevant decisions regarding property or asset agreements.

Reason: So that officers can negotiate to achieve the desired outcomes in order to shape the future of the Site.

- 3) Seek the delivery of sustainable transport routes through the Bootham Park Hospital Site and Bridge Lane via transport plans for this and adjacent developments.

Reason: To further improve cycle journeys from the new Scarborough Bridge to the District Hospital and beyond, and from the residential areas of Rawcliffe and Clifton into the District Hospital and the city centre.

- 4) Note that the submitted Local Plan requires a full appraisal of the significance of the historic buildings, landscape and archaeology on the Site and that any redevelopment proposals must arise out of this understanding and that the Local Planning Authority be asked to provide pre application engagement with any future land owner/developer

Reason: So that developers of the Site have clear and advance knowledge of the priorities and interests of public and stakeholders so that they can shape their development proposals accordingly.

- 5) Deploy the remaining monies in the One Public Estate budget, estimated to be £15,000, to fund planning, legal and other help and advice in order progress the actions needed to shape the future of the Bootham Park Hospital Site.

Reason: So that work can progress to shape the future of the Site.

Background

6. The Bootham Park Hospital Site is a key feature of the health estate in York both because of its long-term historic links with mental health care in the city (it was one of the first, purpose built, mental health hospitals in the UK), and because of its proximity to the York District Hospital next door (which is owned by York Teaching Hospital NHS Foundation Trust).
7. The Grade 1 listed building opened its doors in 1777, one of the first purpose-built mental health ‘asylums’ in England. For the next 240 years the hospital’s, at times controversial, history reflects the country’s changing social attitudes and medical approaches to mental health. Those approaches finally outgrew the hospital in 2015. It closed after proving unable to provide an appropriate environment for modern mental health services. These modern mental health services will be provided by a new £37 million, 72-bed, hospital which will open on Haxby Road in 2020. The new hospital will be called Foss Park Hospital. The state-of-the-art facility will provide two adult, single sex wards and two older people’s wards – one for people with dementia and one for people with mental health conditions such as psychosis, severe depression or anxiety.
8. Now that Bootham Park Hospital has closed, its prominence and its proximity give the city a “once in a lifetime” opportunity to guide re-development for the benefit of health, care, housing and public services in York.
9. This large Site, shown in **Annex 1a**, is 17.85 acres of land owned by NHS Property Services Limited but is up to 24.2 acres when neighbouring public sector land owned by the York Teaching Hospital NHS Foundation Trust [Bootham Court, the old nurses home site] and City of York Council [Union Terrace car park] is included (see ownership in **Annex 1b**). It is in the heart of the city and, subject to sensitive and imaginative redevelopment, is a valuable asset that could be realised for the social and economic benefit of York.
10. The Council has worked with colleagues from the Hospital Trust and others to champion the positive future for the Site. This has included extensive public and stakeholder engagement in the winter of 2018 and the autumn of 2019, the lobbying of government and market engagement to influence the views of those wishing to sell the Site.
11. The current owner of the Site, NHS Property Services Limited, are tasked by central government to sell the Site and despite efforts by the Council and others to shape and/or delay the sale process it has progressed regardless. The first attempt at sale failed in the summer

2019 and the second, which has now concluded, has resulted in the identification of a preferred purchaser who will buy the Site on a conditional basis.

12. NHS Property Services Limited on 13th January 2020 report that:
 - a. They have appointed Enterprise Retirement Living as the preferred purchaser for the former Bootham Park Hospital which was declared surplus to NHS requirements by Vale of York Clinical Commissioning Group [CCG]. Enterprise Retirement Living propose to redevelop the site to provide a 125 unit independent living retirement community and it is planned that the site will be managed under their single ownership.
 - b. The intended scheme will have due regard to the Heritage aspects of the site and public access will be possible at times to areas of the main building which are of particular interest, including the boardroom, gym and bowling alley. This allows the potential for the donation boards and other fixtures associated with the history of the building to remain in situ. Emergency landing of the air ambulance will continue uninterrupted to the hospital field and ongoing NHS use of the Chapel is assured.
 - c. They are willing to positively engage with the Council around their request to secure outcomes which resulted from the recent Council led One Public Estate work and public consultation, which identified public access to the site and grounds and maintaining the cycle path through the site as highly desirable by the people of York.
 - d. They are also at the early stages of discussions with the CCG around reinvestment of a proportion of the disposal receipt, not only from Bootham but also other NHS Property Services Limited assets within York, back in to the primary care estate within York, the intention being to deliver improved estates facilities to enhance patient care which would directly benefit the local community. They will also engage with the Council and other stakeholders in that respect to explore where interests can be aligned. We hope to advise further on these opportunities over the coming months following discussions with the Council and our NHS partners.
13. The announcement by NHS Property Services to appoint a preferred purchaser who will deliver independent living with care retirement housing on the site is good news as it is a vindication of the approach taken by the Council to the disposal of the Bootham Park Hospital site. Via extensive public engagement, lobbying locally and nationally, and via one-on-one market engagement the Council has been able to shape and influence the proposals for the site.

14. The Enterprise Retirement Living proposal and the commitments made by NHS Property Services have to the potential to deliver many of the features and services set out in the Council's Development Plan for the Site, including:
 - a. public use of the Parkland;
 - b. pedestrian, cycle routes through the Site;
 - c. as was our ambition, the use the historic buildings for Extra Care Housing for older people, a use that fits well with the Council's Older Persons' Accommodation Programme;
 - d. emergency landing of the air ambulance; and
 - e. preservation of the integrity and access to the Hospital Trust owned land so that this can be developed, at a later date, to deliver medical training facilities, key worker accommodation and other hospital staff welfare facilities.
15. However, this good news should not distract the Council from the negotiations needed to secure these and other improvements and services on the Site, which benefit the citizens of York.

Consultation

16. In the winter of 2018/9 the Council worked with the York Teaching Hospitals NHS Foundation Trust (owner of the adjoining District Hospital site) to draw up a Site Development Plan for the Site and adjacent publically owned land ("**the Development Plan**"). This plan was devised following extensive public and stakeholder engagement and demonstrates that the following could be achieved on the combined site:
 - 147 dwellings.
 - 52 key worker apartments.
 - A new physiotherapy suite, medical training and research centre of excellence.
 - A 70 bed care home.
 - 60 assisted living/supported living apartments.
 - A new children's nursery.
 - A 250 space multi storey car park.
 - Extensive public open space.
17. The Development Plan was published in July 2019.
18. Cost and value advisers tell us that, with these uses, the combined land holdings can generate value of approximately £10m as well as up to

£15m in developer profit. In addition to cash benefits, the Development Plan has the potential to deliver many other benefits including:

- a. facilities to support the delivery of medical training;
- b. retained and enhanced connectivity to the District Hospital site; and
- c. extensive public open space.

19. In preparing the Development Plan earlier in 2019 we engaged with a number of stakeholders. They report their interests and ambitions as follows:

	Stakeholder	Their interest
a)	Bootham School	Use of the Parkland as playing fields. Willing to invest in upgrading the quality of the field and to guarantee public access, subject to safeguarding issues when pitches are in use by pupils of the school. Will require lease to back-off investment. Issue of how to prevent and/or clear dog mess on playing pitches.
b)	York Minster	Keen to see re-instatement of use of Parkland for use by Minster School pupils for “sports events”, etc. A lease was agreed in 2004 for this use and the school has most recently used the land for school sports in 2017.
c)	Children’s Services	Children’s Services have surveyed need for childcare nursery provision in the vicinity of the Hospital Trust for use by staff and neighbours. Staff need has been identified via survey.
d)	Hospital Trust staff welfare	The Hospital Trust welfare team are keen to see a childcare nursery nearby to help with staff recruitment and retention and replicating provision at Scarborough Hospital. The need is for the nursery to provide flexible cover to match hospital and other workplace shift patterns. Children’s Services also report a shortage of external curriculum space at local schools.
e)	Hospital Trust sustainable transport	In order to manage down car use/trips to the District Hospital Trust site, they are keen to see: <ul style="list-style-type: none"> • retention and enhancement of the west/east pedestrian and cycle route from the new

	Stakeholder	Their interest
		<p>Scarborough Bridge cycle cross, through the Site and onto the District Hospital site;</p> <ul style="list-style-type: none"> • improve the north/south cycle route over the railway line at Glass Bridge and onto Bridge Lane; • secure purpose built cycle parking and associated changing/shower, drying and locker provision in order to support staff use of cycles; and • achieve bus and ambulance access to the District Hospital site via a new route from Clarence Street, improving vehicle flow and journey times.
f)	York CVS	<p>York CVS have taken a keen interest in the Bootham project, have hosted public forum and are willing and able to continue to be involved. Their primary interest is to ensure that the voice of third sector organisations is heard. However, they also have service delivery interest in accommodation for third sector organisations and the establishment of a child care nursery on the Site.</p>

20. In the autumn of 2019 a further engagement exercise on the Development Plan was undertaken. During this engagement we sought views on the published plan and asked people to prioritise their preferences for the Site. The engagement exercise reached 1323 people and generated 1657 items of feedback. All aspects of the plan attracted at least 70% approval. People's highest priorities for development on the Site are:

- maintaining and ensuring access to public green spaces;
- providing Key worker accommodation;
- preserving listed buildings; and
- creating better cycling and pedestrian links.

21. People's highest priorities for development on the site are:

- ensuring access to public green spaces and improving their amenity;

- providing Key Worker accommodation for NHS staff;
- preserving the heritage of the Site including its listed buildings; and
- creating better cycling and pedestrian links.

Above all people want to see the Site deliver real community benefit for the people of York as well as respecting/reflecting the mental health heritage of the Site.

22. The main concerns identified are that inappropriate development of the Site will exacerbate traffic congestion and air quality issues in Gillygate and Bootham; and ensuring that the design of new buildings is appropriate for the heritage setting and does not adversely impact local communities. The development that is least acceptable to people is multi-storey car parks.
23. The survey responses show that there is a high level of support for the mix of uses and extent of development proposed in the Development Plan: 78% agree that the proposals are appropriate and sensitive to the Site's heritage; 71% agree that the level of proposed development is acceptable and that the benefits to York are clear; and 70% feel that the healthcare opportunities included in the plan are right for the Site. The unstructured feedback from all sources also includes support for the overall plan as well as support for some specific aspects of it.
24. *Mental Health* - The importance of the history and future of mental health provision on the Site is evidenced by the volume of responses on this subject. 10% of all responses were related to mental health provision. From some there remains a strong feeling that the Site should be retained and refurbished as a mental health facility that is fit for purpose; others propose that it could be used as a community mental health outpatient hub (alongside new inpatient services at Haxby Road); others welcome the modern provision to be delivered at the Foss Park Hospital whilst some fear that the new services will not meet the need for such things as "place of safety" requirements, a mother and baby unit and services for young people. The common thread running through these views is a desire to respect the history of the Site in the way that it is used in future.
25. The use of the main building to provide Extra Care including dementia needs and the use of the grounds as a publicly accessible space designed to promote mental health and wellbeing were recognised as ways of honouring and continuing the Site's historic links.
26. *Heritage and Development* - Preservation of the historic buildings was one of the highest priorities for people. Some voices were in favour of

this being achieved through public sector or third sector funding for uses such as a community centre, hospice or museum; others thought that appropriate commercially viable single use development of the hospital building as a luxury hotel, leisure centre or Extra Care housing could ensure its preservation and the possibility of some continued public access to enjoy the building's listed interior features. Other limited development of housing for senior living, a care home or Key Worker accommodation in the grounds was also seen as acceptable if it could create a viable scheme that would guarantee the preservation of the historic buildings.

27. *Open Spaces* - The highest priority that people want to see delivered by any redevelopment of the Site is the preservation of, guaranteed public access to the open spaces on the Site. There is a history of the space being used in this way and a strong sense of community entitlement that it should continue. The green space is valued for its peace and its role in improving air quality. People would like to see existing trees preserved and more planted; more natural planting to promote biodiversity; space dedicated to informal play and recreation; more seating; creation of green gym and nature trails to promote health and wellbeing. There are differing views about the provision of formal sports pitches with some voices strongly in favour and others concerned about the impact of floodlighting and goalposts on the setting. Also the use for organised sport is seen as potentially excluding more informal uses.
28. *Community uses and facilities* – in the survey we asked for people's ideas of possible community uses on the Site and what community facilities they would like to see. There was no shortage of ideas. Many were connected with promoting health and wellbeing in different ways. These were some of the most popular
 - a. Community orchard and gardens.
 - b. Reading café on the Rowntree park model.
 - c. Community kitchen for healthy eating activities.
 - d. Community meeting/training space (e.g. for social prescribing).
 - e. Performance space to promote arts & cultural events.
 - f. Use of main building for workshops/studios/business units.
 - g. Drinking water stations and public toilets.
 - h. Changing room block for sports.
29. *Management models* – we were also interested in ideas about how the Site could be best managed to benefit the community and which local organisations might be interested. There was a view that only a private developer could take on the management of the site because the costs and risks were so high. Others put forward the idea of a Community Land Trust or the social enterprise/Community Interest Company model.

Heritage funders and Sport England were also suggested as sources of finance and local charities like Edible York and St Nick's were put forward as potentially interested organisations.

30. *Links to healthcare* – because of the historic use of the Site for mental health provision and the proximity of York District Hospital people were generally supportive of the ideas in the Development Plan that linked to the provision of healthcare and recognised the needs of healthcare staff. Affordable Key Worker accommodation near the hospital was seen as one of the top three priorities for the Site. Staff parking and a childcare nursery also received support. In terms of healthcare provision, Extra Care, stepdown care and dementia beds were all seen as highly relevant to improve the provision in the community and reduce pressure on hospital beds. Other ideas were to expand the physiotherapy service on the Site and to retain the use of the chapel for psychological services.
31. *Access and Transport* – in the survey 95% of people supported the maintenance and improvement of access to, through and beyond the Site for cyclists and pedestrians. People want to see better signage, improved lighting, more direct routes, secure bike parking and segregation from motor traffic. There was support for the access off Bootham to be used as an emergency vehicle route but to remain closed to other vehicles. The idea that a new access into the site could enable better bus routes and a service right onto the District Hospital site was also popular. There were calls for cars to be restricted on the new development or for it to be completely car-free. The concern about cars leading to increased congestion and poorer air quality in the area was voiced frequently by local residents and connected to a widespread objection to the provision of more parking, especially multi-storey car parking. But there were differing views on parking, citing the need for parking for staff and visitors to the District Hospital and for residents and visitors to the city.
32. *Housing* – four types of housing were included in the survey question asking people to rank their priorities for what development is delivered on the Site. Key worker accommodation ranked second, affordable housing ranked sixth, housing for senior living ranked seventh and family housing ranked tenth. In people's comments there was a tension between a real recognition of housing need in the city especially for affordable housing and the understanding that this Site could not accommodate a lot of residential development. The concern was frequently expressed that any residential development could therefore be rather exclusive and price out local people, leading to demands that any developer should prevent selling for investment by excluding holiday lets/AirBnB use.

33. A fuller report on the findings from the autumn 2019 consultation is included at **Annex 2**.
34. The continued mental health use of the Site was raised in consultation but is not favoured because the buildings are unsafe for this use [see the report: *Transfer of Services between Leeds York Partnership FT and Tees, Esk and Wear Valleys NHS FT Reflections, Learning and Assurance Report*, 31st March 2016, NHS England, available on line] and the new hospital is currently being built on Haxby Road. However, the need to achieve a wider understanding of the city's mental health plans and provision is noted.
35. The District Hospital Trust confirms that their priority for the site remain:
 - a. continuing to be able to land the air ambulance on the Parkland;
 - b. the retention and improvement of the pedestrian and cycle route through the site;
 - c. confirming their rights of access over the Access Strip at Union Terrace on to their land at Bootham Court; and
 - d. enabling the Bootham Court site to be re-developed to benefit the District Hospital with new provision such as the purpose built Medical School, key worker accommodation, crèche and other staff welfare facilities and care facilities to ease discharge from hospital.
36. York Older People's Assembly was one of the local organisations who carried out a review of the Development Plan and submitted a response focusing on their relevance to the mental health, wider health and social care challenges facing the City from the perspective of the needs of older people. The aspects of the existing proposals that they would welcome are:
 - a. The holistic approach taken to development proposals by including Council owned and Hospital Trust land in the scope.
 - b. The retention of the existing listed buildings and adjacent parkland and the wider community benefits of making this open space publicly accessible for sports and leisure use.
 - c. Provision of key worker accommodation to help with recruitment of NHS staff.
 - d. The opportunity to replace the existing inadequate physiotherapy provision.
 - e. The conversion of the main building to provide Extra Care accommodation and/or a Care Home catering for people living with dementia and with some provision for step-down care.

37. They would also like to see:

- a. The future use of the Chapel as a focus for the history of mental health provision on the site.
- b. The development of a more integrated community on the site by including a better balance of homes for sale and rent including affordable homes to respond to the needs of York's growing elderly population.

38. Historic England have also been actively engaged in commenting on the proposals for the Site. Via meetings, review of proposals and correspondence, their views can be summarised as:

- a. They welcome the "joined up" approach to developing a coherent approach to the development of the Site and adjacent land.
- b. They welcome the opportunity that this provides to open up another access point into the Site. They do not wish to see the Bootham entrance or present roadway to be increased in width. Nor would they wish to see an access road or car parking in front of the Grade 1 listed buildings.
- c. They consider the parkland to have very limited capacity for change, expect it to remain as grass only and if used for sport, for any posts to be fully demountable. Subject to further detail, and justifiable if it allows the open space to be better used, a pavilion or other service building at the edge of the parkland may be acceptable.
- d. They would favour uses for the historic buildings such as health care, dementia care and extra care which continued and marked the buildings' historic significance in the development of mental health care and in this context they would consider limited replacement and renewal of buildings to the north west and rear of the key historic buildings, subject to it being subservient in form and height to Grade 1 structures, if this were necessary to support these desired uses.
- e. Any new build development adjacent of behind the Chapel would need to take into account the impact upon its setting and significance.
- f. They are concerned about the quantity of car parking proposed and question the justification for multi-storey provision in this area.
- g. They urge that a Development Brief for the Site is prepared and adopted by the Planning Authority which establishes the principles and parameters of new build development in each of the different areas of the Site.

39. York Civic Trust have also engaged and submitted a full report into the consultation process. In summary, they state a wish to see:
- a. Retention of the western range of the principal building, including the Grade II Pauper Wards and their connecting corridors.
 - b. Details to be provided of proposed uses of the listed former Recreational and Dining Hall and the American bowling.
 - c. The long range of cottages bordering the main drive from Bootham should not be demolished.
 - d. Felling of trees to require justification.
 - e. The height of any Union Street multi-storey car park should be limited to the double-height coach deck and two further car storeys above with a concealed ramp.
 - f. Landscape and buildings should be considered as inseparable, rather than as two distinct entities.
 - g. The NW-SE and SW-NE through routes for pedestrians and cyclists should be retained and enhanced. Any through bus route should not disrupt the through routes for cyclists and pedestrians, intrude visually or impose additional noise and air pollution to the Site.
 - h. A commitment to the conservation refurbishment of the Grade II main gates and railings on Bootham.
 - i. City of York Council or private benefactor(s) to give serious consideration to the purchase of the 1777 John Carr block to be used for the benefit of the public as a leading centre for learning of mental health provision in the United Kingdom over the last 250 years.
40. The conclusion is that the Council's priorities for shaping the future of the Site should be the:
- a. preservation and public, sports and active leisure use of the Parkland in front of the hospital buildings;
 - b. continuation and enhancement of pedestrian, cycle, [and ambulance] routes across the Site from Bootham to Clarence Street and onto the District Hospital Site at Bridge Lane;
 - c. achieving a sustainable and desirable use of the historic buildings, ideally one that gives life to its historic care and mental health uses by, for example, providing accommodation with care for older people including those living with dementia; and
 - d. delivering value to neighbouring Landowners City of York Council and Hospital Trust by way of purchase of land or rights to ease

access to the Bootham Site and to enable the development of care, medical facilities and key worker accommodation on the Bootham Court land [owned by the District Hospital Trust].

Options

41. We have examined the options available to the Council to influence and shape any redevelopment of the Site. Options include:
 - a. Buy the Bootham Hospital Site.
 - b. Utilise our legal and land holding rights as owner/landlord of part of roadway which provides access to the Site from the east side to shape the development.
 - c. Enhance our control via recognition that the submitted Local Plan requires a full appraisal of the significance of the historic buildings, landscape and archaeology on the Site and that any redevelopment proposals must arise out of this understanding and that the Local Planning Authority can develop Planning Guidance for the Bootham Park Hospital Site.

These options are examined below.

Buy the Site

42. The work undertaken in the winter of 2018/9 to prepare a Site Development Plan for the three pieces of land included in that study (the Site owned by NHS Property Services, the Bootham Court site owned by York Teaching Hospitals NHS Trust and the Union Terrace car park owned by the Council, see **Annex 1b**) included a cost and viability review undertaken by Colliers International and Turner and Townsend. This review reported that the highest value development mix produces a gross development value of circa £99.6million. This compares with the construction cost estimate of circa £58.5 million. Alternative options for some parts of the masterplan were evaluated and adopted where they added value to the overall scheme. Costed elements include:
43. The high-level viability exercise undertaken shows a development surplus of circa £9.4 million after allowance for utilities costs, developers' profits and contingency, finance and other costs of development, but without any allowance for land value or planning contributions. While the headline financial benefits of the combined schemes are positive, this result is based upon taking a strictly commercial approach to the overall development.
44. The headline financial benefits are also based on best assumptions of cost and developer profit, both of which can be subject to change

because of risks such as difficulty in obtaining best price for construction works, the cost of unforeseen construction risks/cost and fluctuations in the market value of properties produced. While these risks can be managed, and by taking a commercial approach such as strict phasing the market sale risk can be mitigated, the Council, as developer, could be hampered in taking such mitigations because of our wider policy and strategic ambitions.

45. Of significant risk for this Site is the costs associated with restoring and developing the Listed Buildings, costs which can be very volatile and therefore difficult to manage and mitigate. Extra costs incurred in this element of the work are likely to result in a reduction in the viability surplus and/or developer profit.
46. The viability surplus and estimated developer profit described above is based upon delivery of the scheme as set out in the Site Development Plan published in July 2019. A further risk to achieving these values is failure to obtain planning consent for some parts of the proposal and/or achieving consent for a small quantity of development, for example fewer residential dwellings on the Site. Each change would reduce both cost and income and could therefore have a negative impact on the viability surplus.
47. Finally, the key risk to the Council is the cost and affordability of the initial purchase of land. The calculation of this cost is, at this point, speculative but could involve investment of between £5m and £10m, at an annual cost of borrowing of c£500,000 and considerable commercial and policy risks which could wipe out any viability surplus.
48. Working capital to develop the Site prior to receipt of sale income would be considerable and the debt costs of this money are included in the viability assessments at 6%+1% of cost, totalling £4.5m in interest and other payments over the first four years.
49. As described above, the many risks and mitigations associated with the purchase and development of the Site by the Council (and partners) will need further examination and appraisal before they can be fully understood. However, even after this work has been completed the external risks associated with development cost and market sale values cannot be fully managed. It is judged that purchase of the Site by the Council is both costly and risky and is therefore not recommended.

Utilise our legal and land holding rights to shape the development

50. The Council owns a small strip of land that links Union Terrace near Clarence Street to the Site (“**the Access Strip**”). The location and extent of the Access Strip is shown coloured red on a Plan attached at

Annex 1c. The Council granted a lease of the Access Strip on 20th May 1992 (as varied by a deed of variation dated 13th October 1992 (“the Lease”) to the Secretary of State for Health (who then owned the combined/ amalgamated Site and the District Hospital site) for a Term of 125 years from 20th May 1992 (i.e. until 20th May 2117 so the Lease will expire in 97 years). The Lease permitted use as an access to the Site (and the District Hospital site).

51. On 30th August 2006 York Hospitals National Health Service Trust (who at point were the owner of both the District Hospital site and the Site) transferred ownership of the Site to Selby and York Primary Care Trust pursuant to a formal transfer deed (“the 2006 transfer”). In the 2006 transfer the transferee/owner of the Site and their successors in title to the Site was also permitted to use the Access Strip in accordance with the terms of the Lease (granted by the Council in 1992).
52. The seller/buyer is aware of the deficiencies in their control of access to the Site from the eastern side via Clarence Street and when combined with an assessment of the limitations of the western access point from Bootham [see Highways comments below] we see that the seller/buyer are likely to be very reliant on the eastern access and, therefore, will need to negotiate betterment from the City of York Council.
53. The Council’s legal and property advisers confirm that:
 - a. The tenant of the Lease (currently the District Hospital Trust) may have the right to renew the Lease (of the Access Strip) under the Landlord and Tenant Act 1954. However the tenant only has this right if they themselves are in actual occupation of the land (demised by the lease) for non-residential purposes when the lease is due to expire. Further the tenant can only: (i) seek to exercise such a right by serving a notice on the landlord in the time period 6 – 12 months before the expiry date (i.e. May 2116 to November 2116) (ii) demand a lease for a maximum of 15 years at a time (though the right of renewal is potentially perpetual). Any such right can only be exercised by the tenant. The owner of the Site is not the tenant of the Lease (the tenant has merely permitted them to use the rights granted to the tenant in the Lease. They will not become the tenant unless the tenant assigns/transfers the Lease to them.
 - b. Future purchasers of properties developed on the Site, such as Extra Care apartments or residential dwellings, will expect at least a 125 year lease, including access.
 - c. Commercial investors into the development would expect title covenant that would last for at least 250 years and, ideally, freehold

ownership of all land and property which comprises the development land.

- d. Subject to the rights of the tenant of the Access Strip under legislation to potentially seek (maximum of 15 year for each extension) renewal of the Lease in 2116/2117, the Council has full control over the Access Strip and has absolute control, notwithstanding the tenants legislative rights, as to whether they would wish to extend the current lease, for how long, for what uses and for what financial consideration.
- e. The Council also has the right to sell the Access Strip subject to the general provisions relating to land sales and the obtaining of best value but any sale would be subject to the provisions of the Lease.

54. It is proposed that the Council make it clear to all parties that they are willing to engage in negotiations to renew the Lease over the eastern access land subject to the following outline conditions [this is not an exhaustive list]:

- a. that the council wishes to secure public access to the Parkland for public, sports and active leisure use;
- b. that the council wishes to secure pedestrian and enhanced cycle and pedestrian access across the Site and is to allow pedestrian, cycle, [and ambulance vehicle] routes across the Site from Bootham to Clarence Street and onto the District Hospital Site at Bridge Lane;
- c. that the council wishes to secure the access to the Bootham Court land for the Hospital Trust so that this may be developed for care, medical, training and key worker uses;
- d. that sustainable and desirable use of the historic buildings, ideally one that gives life to its historic care and mental health uses by, for example, providing accommodation with care for older people including those living with dementia, are delivered and that the agreed use is secured in perpetuity; and
- e. that the Council's costs in securing the lease extension are paid and due payment is made for the enhanced rights of access by the owner of the Site/the beneficiary of the new lease.

55. It is proposed that negotiations are undertaken in conjunction with the Hospital Trust who also have land rights over the Site and which they will want to exercise.

Enhance our control via the Planning Approval process

56. The Site is a key feature of the built environment in York both because of its long-term historic links with mental health care in the city (it was one of the first, purpose built, mental health hospitals in the UK, having opened in 1777), and because of its proximity to the York District Hospital next door. Now that the hospital has closed, its prominence and its proximity give us a “once in a lifetime” opportunity to guide re-development for the benefit of health, care, housing and public services in York.
57. It is widely recognised that the planning status of the Site and its historic buildings is key to securing its future. The Council’s draft Local Plan identifies the Site as for health use and any change from this designation will require a full appraisal of the significance of the historic buildings, landscape and archaeology on the Site. Any redevelopment proposals must arise out of this understanding, in order to enhance or better reveal their significance into the long term. We have done this work and our proposals have the support of Historic England and the Council’s conservation team.
58. Our plans are shaped by extensive public and stakeholder engagement. Over 3500 engagement comments have been recorded. Discussions have also been held with a very wide range of stakeholders including health partners, conservation and archaeology colleagues, Historic England, York Civic Trust, York CVS, Bootham School, York Minster, Made in York, York BID, Gillygate Traders and the University of St John.
59. Because of the significance of the Site, the benefits that a good quality development could bring to the City and the wide public engagement that has taken place to help shape a vision for its future, it is proposed that the authority actively engage in order to guide future development.
60. The National Planning Policy Framework 2012 states, in paragraph 15, that the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area, a framework for addressing housing needs and other economic, social and environmental priorities, and a platform for local people to shape their surroundings. The Framework goes on to state, in paragraph 16, that Plans should:
 - a. be prepared with the objective of contributing to the achievement of sustainable development;
 - b. be prepared positively, in a way that is aspirational but deliverable;
 - c. be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations,

businesses, infrastructure providers and operators and statutory consultees;

- d. contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
- e. be accessible through the use of digital tools to assist public involvement and policy presentation; and
- f. serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

- 61. The tests laid down in paragraph 16 of the National Planning Policy Framework 2012 apply to the Site and, mindful of the draft Local Plan designation for the site, it would be appropriate for the Council to actively engage in the development of proposals of the site.
- 62. The Council therefore urge an early examination of the proposals for the site via a Pre-Planning Application. This would allow the Council to fulfil its obligation, as stated in the Draft Local Plan, to appraise the significance of the historic buildings, landscape and archaeology on site and so that any redevelopment proposals can arise out of this understanding, in order to enhance or better reveal their significance into the long term.
- 63. If engagement via a Pre-Planning Application is not pursued by the developer, the authority may wish to prepare and approve Planning Guidance for the Site. Much of this work has been done as part of the preparation of the Site Development Plan and associated public engagement. However, a formal process, led by the Planning team will be required to complete it and a comprehensive consultation process will also be required. This will take time which may mean that no guidance will be in place if a planning application is made within the next year to 18 months.
- 64. The traffic and transport implications of change at the Site are significant and, via public engagement, are seen as very important. The Site currently hosts a major cycle and pedestrian route and is adjacent to pedestrian and cycle routes that could be improved – such as that over Glass Bride and along Bridge Lane – and local vehicle routes that are under severe strain, such as Bootham and Gillygate.
- 65. Expected developments close by – at Bootham Crescent and Duncombe Barracks – and plans for the rejuvenation of the Groves, further prompt examination of options to achieve improved sustainable transport links across and around the Site.

66. As part of any planning application an updated Traffic and Transport plan for this area will be developed allowing the Local Planning Authority to assess transport impacts and assess the benefits which can be generated from improved pedestrian and cycle routes west to east across Bootham Park and north to south via Glass Bridge and Bridge Lane.

Conclusion

67. It is proposed that we focus effort on:
- a. negotiating with the current and future owner of the Site in order to secure beneficial public use of the parkland in front of the hospital, improved pedestrian and cycle routes through the site and conservation and redevelopment of the Site to deliver homes and services which are of benefit to the City, and using the powers that the Council hold as owner of land over which the eastern access to the Site must pass, leaseholder of the cycle route that passes through the site
 - b. seek the delivery of sustainable transport routes through Bootham Hospital and Bridge Lane via transport plans for this and adjacent developments; and
 - c. the Local Planning Authority progressing the full appraisal of the significance of the historic buildings, landscape and archaeology on the Site and that any redevelopment proposals must arise out of this understanding, via Pre-Planning Application engagement and, failing that, to develop Planning Guidance for the Bootham Park Hospital Site.

Proposed action, implications and timescales

68. NHS Property Services have announced their preferred purchaser and should Executive agree to proceed with the proposed next steps, we should engage immediately.
69. Work has already begun to look at improved pedestrian and cycle routes across and around the Site, including an initial evaluation of the options available to improve pedestrian, disabled persons and cycle use of Glass Bridge.

Issues for consideration [further consideration]

70. Should Members authorise the work needed to influence what happens next at the Site, the Council and partners will also want to develop a position on the following issues:

- a. The form and function for the management of the Parkland. A partnership with schools – state and private – should be considered in order to make best use of sports and active leisure space on the Site's parkland.
- b. Reviving and progressing A Public Right of Way application for the pedestrian and cycle route through the Site.
- c. The continued hosting of the Air Quality Monitoring Station [and its power supply] will need to be resolved. If it cannot be resolved then the station will need to be moved at an estimated cost of £25,000.
- d. The landing site for the Air Ambulance, and the route for patients to the District Hospital Trust site, must be secured. The Hospital Trust are working to resolve this and to secure the facilities relevant facilities. However, any landing site will need to be considered as part of wider public use of the parkland at the Site.

Council Plan

71. Our interest in the future of the Site is closely linked to the Council Plan, Making History, Building Communities. Best use of the Parkland on the Site, an improved pedestrian and cycle route and less vehicle traffic in the area will contribute to a **Greener and Cleaner City** and **Getting Around Sustainably**. Good accommodation for older people, particularly those living with dementia and structured sport and active leisure on the Site will help us achieve **Good Health and Wellbeing** and **Creating Homes and World-class Infrastructure**. Sports and open space use of the Parkland will help address the deficit of outdoor curriculum space in local schools, allowing for a **Better Start for Children and Young People**. The preservation of the historic building at Bootham and uses and access which allow people to understand their history and significance will help us achieve **Safe Communities and Culture for All**.
72. The plans and proposal put forward in this report have been drawn up following extensive public and stakeholder engagement and are shaped by the views expressed during this process, demonstration that we are **An Open and Effective Council**.

Implications

Financial

73. The preparation of the Bootham Park Site Development Plan, including project management, has been funded from the £155,000 One Public Estate Round 5 grant awarded in October 2016. To date, £140,000 of this grant has been spent.

One Planet Council

74. The development of the Site in line with the ambitions set out in this report will deliver sustainable transport, public open space, health, housing and care benefits to the city.
75. A 'Better Decision Making' Evaluation has been undertaken and is attached as **Annex 3**. The evaluation is positive and identifies that positive uses of the Site will bring Equity & Local Economy benefits to the Fifth Quarter trading area at Gillygate and Bootham and to medical training. Health & Happiness will benefit from sport and active leisure use of the Parkland and from the provision of dementia care services. Sustainable Transport benefits will result from the retention and improvements to pedestrian and cycle routes though and near the site. The preservation, re-use and interpretation of the significant historic buildings on the site will bring Culture & Community benefits and well as positive Zero Carbon and Zero-waste outcomes. Many Local & Sustainable Food and Land Use & Wildlife benefits can be achieved via a positive plan and uses for the Parkland. However, while the achievement of zero carbon relating to heating is difficult to achieve in historic buildings, because of the limitations placed upon improvements to thermal efficiency, the wider site and other benefits achieve considerably out-weights this.
76. Equality benefits are many and include care for those living with dementia, space for external curriculum activities for local schools and space which low income groups can use and enjoy.

Legal

77. NHS Property Services hold the 97 year residue of a lease (granted in 1992 for 125 years) of the Council-owned Access Strip which links the eastern side of the Hospital site to the public highway. NHS Property Services or their successor in title/anyone to whom they assign the Lease may have rights under the Landlord and Tenant Act 1954 to renew this lease but only in the circumstances, and on the terms, referred to in the main body of the report.

Property

78. Our advice and professional experience is that an investor or onward purchaser will not engage in a commercial land transaction where there is limited leasehold time left on a key element of the land under consideration and if they were to it is highly likely that this would have a significant impact on the value of the asset. Therefore, we expect that NHS Property Services will not be able to sell the Site and achieve best consideration without a significant extension of time on the lease over

the access road or its freehold possession. This provides the Council considerable opportunity to influence what happens on the Site, to secure the desired outcomes such as control over open space and sustainable access routes through the site and may even secure a financial payment to the authority.

Planning

79. NHS Property Services Limited own the majority of the 24 acre Site, including the historic hospital buildings, parkland and 19th Century Chapel. The District Hospital owns 3 acres containing the nurses' accommodation, while the Council owns land next to the site including the access routes and Union Terrace coach and car park.
80. Despite many historic attributes, the buildings are attached to more modern buildings with limited architectural merit. This engagement exercise needs to explore how to preserve the best of the past and sensitively reflect the history of the Site while opening up space and land for new construction to meet modern needs.
81. The Council's Draft Local Plan identifies the Site as "existing health care facilities" with the green space in front as "existing open space" and insists that "future consideration of the Site must follow a full appraisal of the significance of the historic buildings, landscape and archaeology on site". This consideration has not been concluded.

Highways

82. The Council's Principal Development Control Engineer (Planning), Transport - Traffic & Highways Development reports that existing access off Bootham onto the Site is on a very narrow access road which has limited opportunities for widening it. The width of the road is only suitable for very limited amounts of traffic as a two way access. This may only be suitable for around 25 dwellings as a two way access. It could cater for higher traffic flows if it were part of a one-way system but through traffic would then need to be controlled to avoid people cutting through the site to avoid the Bootham/Gillygate junction.
83. The visibility is poor due to the Grade II listed stone pillars so this would remain an issue if the existing access was to be used as an exit. If used the other way, as an entrance, we would have to carefully design it to avoid conflicts between turning vehicles and cyclists on Bootham.

Children's Services

84. Children's Services report shortfalls in external curriculum space at four local primary schools:

- Park Grove primary [42% shortfall]
- Haxby Road primary [70% shortfall]
- St Wilfrid's primary [87% shortfall]
- Clifton Green primary [10% shortfall]

85. Bootham School and Minster School also experience a shortfall in outdoor curriculum space and wish to explore the potential for the uses of the Bootham fields. Minster Schools has held a lease for the use of the Parkland and most recently exercised their rights to use it for Schools Sports in 2017. This fact will add weight to the argument that the Parkland should be used for structured sports and active leisure as previous school sports use is a material consideration by Sports England when responding to any planning application for the site.
86. As we consider proposals for the Site and develop plans for the use of the Parkland we will seek views from each school and/or others to see if they would make use of the playing fields at Bootham, and for what.

Risk Management

87. The proposed approach does offer risk to the Council. However, it is believed that these risks can be appropriately managed and mitigated. Risks include:
- a. Failure to negotiate desired outcomes on the Site via leverage of the Council's landownership rights. This risk is mitigated by engaging in good quality negotiation and drawing upon expert legal advice.
 - b. Challenge by the developer/s of the Site or by others of any planning decision made on the Site, particularly if those decisions were made in light of planning guidance which was ill-prepared. This risk is mitigated by the deployment of planning expertise and relevant legal advice and undertaking appropriate consultation.
88. The report rejects as not viable the most risky approach, which is for the Council to buy the Site as this would involve taking on ownership of the liabilities of a significant heritage asset, and the costs associated with the maintenance and preservation of that asset, without sufficient commercial certainty that this risk can be mitigated in a timely and cost effective way via development and/or onward sale.

Contact Details

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Neil Ferris
Corporate Director of Economy and Place

Report **Date** 9 January 2020
Approved

Specialist Implications Officer(s)

Financial:-

Name Patrick Looker
Title: Finance Manager
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Name Gerry Allen and Dan Moynihan
Title Senior Solicitors
Tel No. 01904 552004/554143

Wards Affected: Guildhall and Clifton

All yes

For further information please contact the author of the report

Background Papers:

Transfer of Services between Leeds York Partnership FT and Tees, Esk and Wear Valleys NHS FT Reflections, Learning and Assurance Report, 31st March 2016, NHS England.

Bootham Park Hospital, York, Site Development Report, prepared by IBI Group on behalf of City of York Council and York Teaching Hospital NHS Trust, April 2019.

Annexes

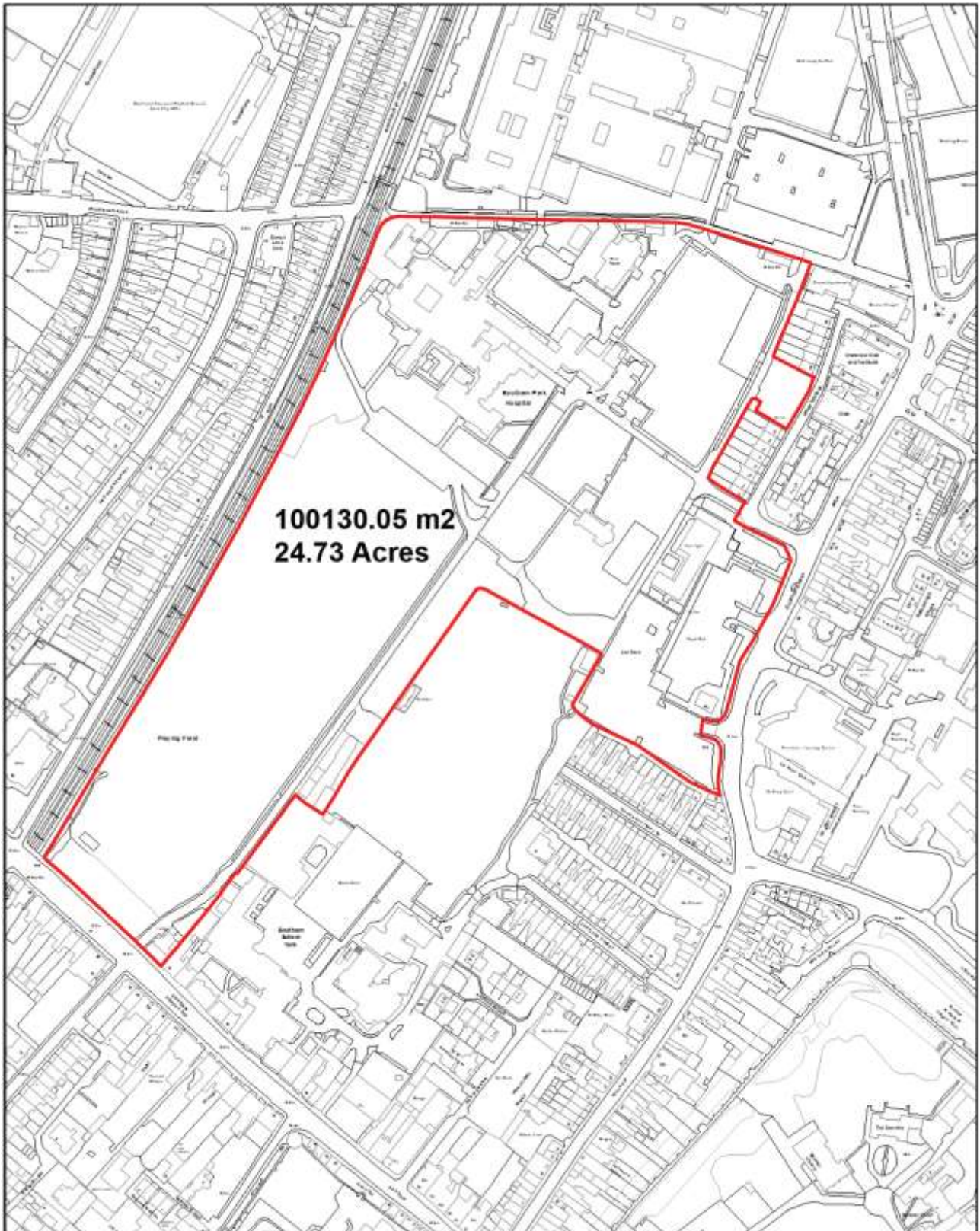
1. a) Plan of the Bootham Park Hospital Site and Adjoining Land.
b) Plan of the Bootham Park Hospital Site showing Ownership.
c) Plan showing the "Access Strip" of land owned by City of York Council.
2. Bootham Park Site Development Plan Consultation Report.
3. 'Better Decision Making' Evaluation.

List of Abbreviations Used in this Report

NHS = National Health Service.

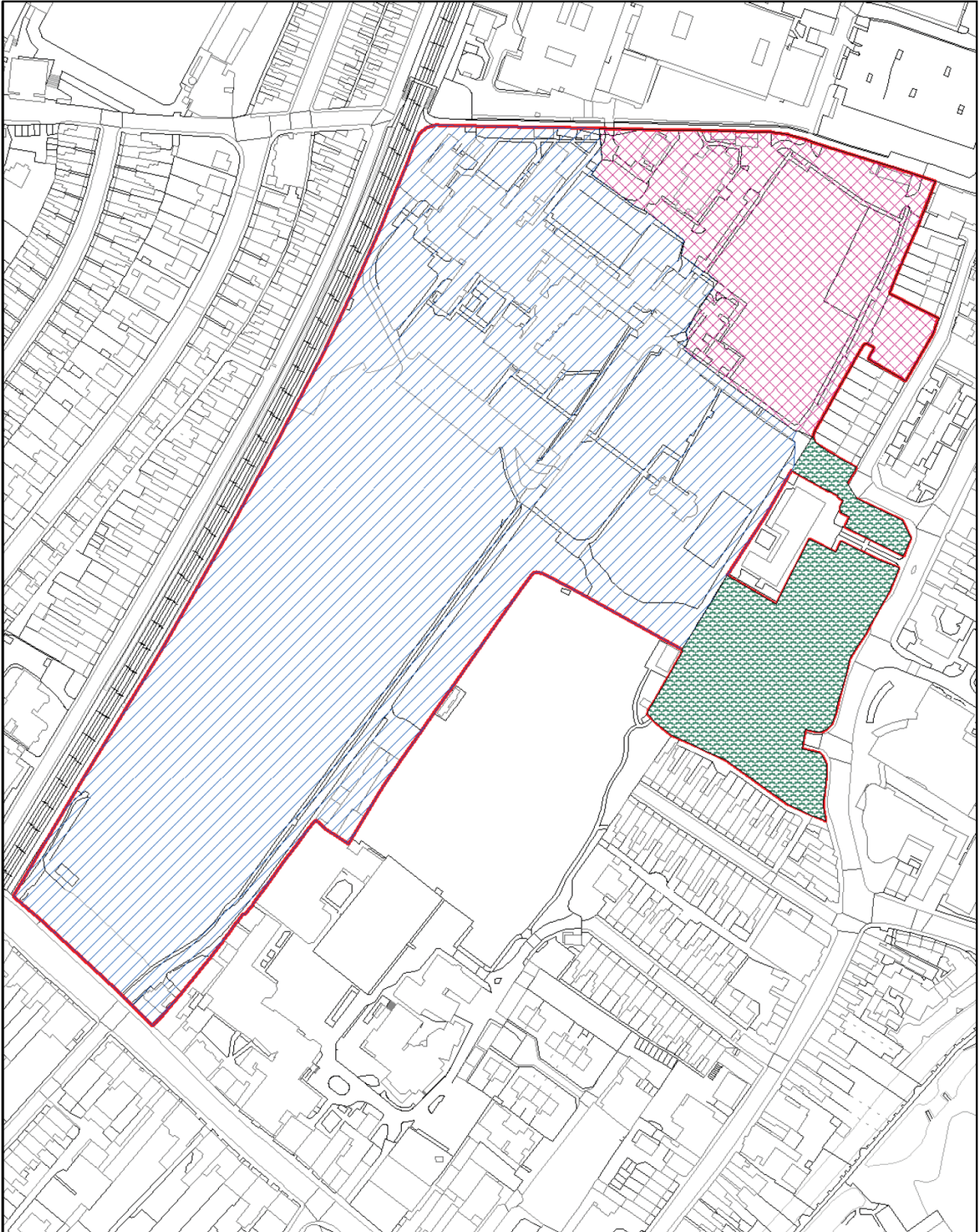
CCG = Vale of York Clinical Commissioning Group.




Annex 1a – Plan of the Bootham Park Hospital Site and Adjoining Land



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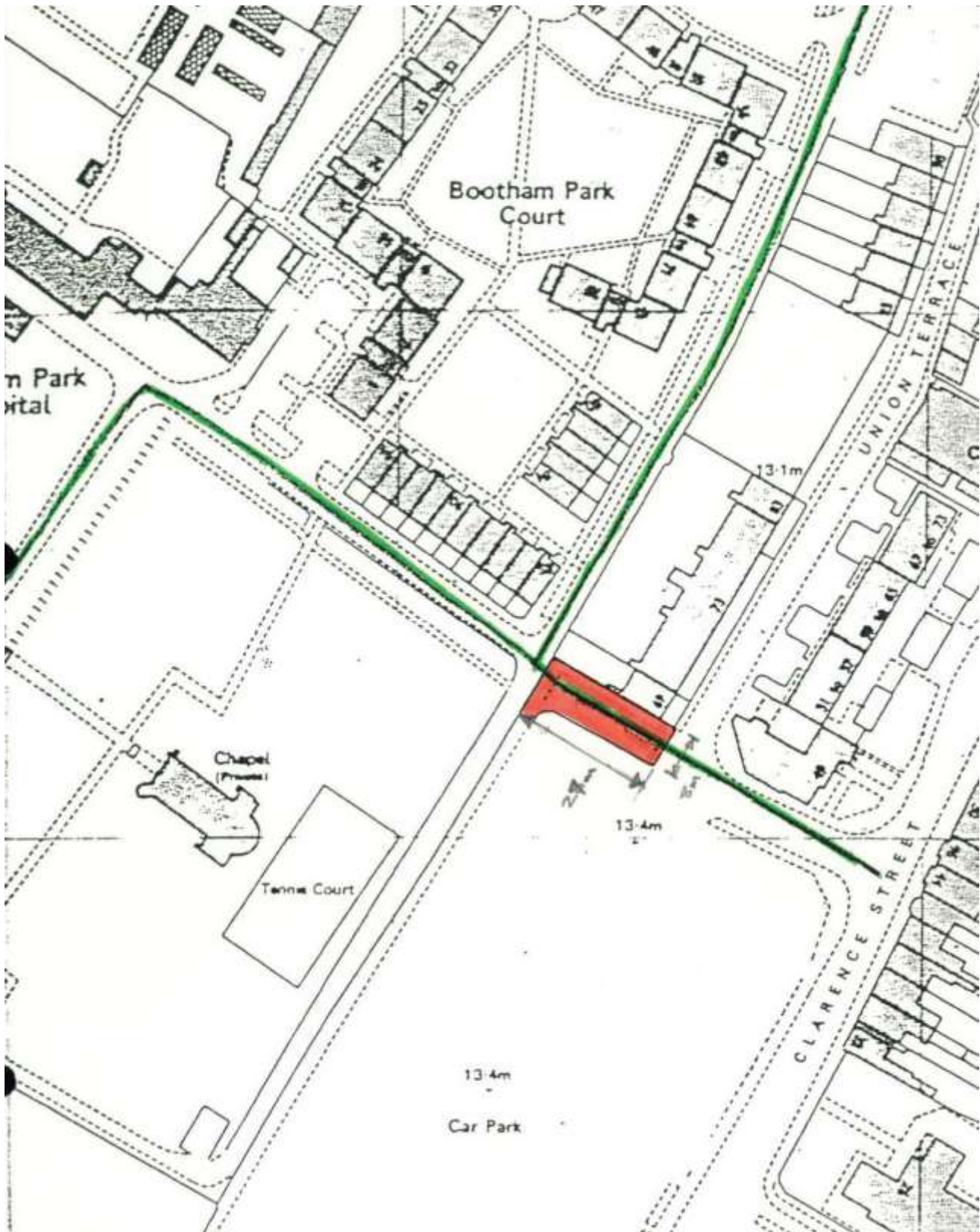
Annex 1b – Plan of the Bootham Park Hospital Site showing Ownership



- Key:
-  NHS Property Services Limited
 -  York Teaching Hospital NHS Foundation Trust
 -  City of York Council

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Annex 1c - Plan showing the "Access Strip" of land owned by City of York Council



Note: "Access Strip" shown red.
Cycle route marked green.

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Annex 2 – Bootham Park Site Development Plan Consultation Report

1. Consultation Objectives

The consultation on the Bootham Park Site Development Plan (BDSP) ran for a 4 week period from 17th September to 14th October 2019.

The objectives of the engagement were:

- to publicise the [Bootham Park Site Development Plan](#)
- to seek the views of local CYC residents and businesses in the area on the development ideas proposed in the BPSDP
- to understand people's priorities for what they wanted to see on the site
- to understand what level of commercial development people would find acceptable in order to see their priorities delivered

2. Executive Summary

- The autumn 2019 engagement on the BPH Site Development Plan reached 1323 people and achieved 1657 items of feedback.
- All aspects of the plan attracted at least 70% approval.
- People's highest priorities for development on the site are:
 - Maintaining and ensuring access to public green spaces
 - Providing Key worker accommodation
 - Preserving listed buildings
 - Creating better cycling and pedestrian links
- Above all people want to see real community benefit for the people of York and the mental health heritage of the site respected
- The main concerns are traffic congestion, air quality and suitable design of new buildings

3. Approach

The approach was designed to facilitate access to and feedback on the BPSDP material through multiple channels:

3.1 *Publicity*

The consultation was advertised by a 3,236 leaflet drop to all properties in the area immediately adjoining the Site. It was media-released ahead of the launch and in the final week. Social-media boosting was used during the campaign to promote interest ahead of drop-in events. Community stakeholder groups were emailed the consultation details and invited to respond.

3.2 *Web presence*

The BPSDP consultation material was hosted on the CYC website with an accompanying 15 question on-line survey.

3.3 *Exhibitions*

The BPDSP material was on display in the foyer of West Offices and in the York Hospital waiting area during the consultation period. People were asked to comment by adding post-it notes to the display boards and/or by completing online the survey or picking up a hard copy.

3.4 *Drop-Ins*

Five staff-facilitated drop-in sessions were held; in the hospital foyer, at York Explore and at the Citadel. These covered weekday times between 9am and 7pm and a Saturday afternoon. People were asked to comment by adding post-it notes to the display boards and/or by completing the online survey or picking up a hard copy survey. Leaflets and surveys were also available at York Explore for the final weekend of the consultation.

3.5 *Other conversations*

During the consultation period more than 100 leaflets were handed out and more than 50 people were engaged in conversation on the foot/cycleway routes through Bootham Park Hospital to encourage people to complete the online survey and promote the drop-ins.

3.6 *Social Media*

Alongside the social media boosting adverts highlighting the consultation on Facebook we curated a number of conversation threads, responding to people's questions and comments and directing them to the website material.

4 Information Materials

4.1 An A5 colour leaflet was produced to highlight the BPSDP consultation and distributed to all neighbouring properties and via the Guildhall and Clifton Ward Committee networks.

4.2 A structured online survey was designed to establish the level of satisfaction with the proposals, understand people's priorities for development and seek people's ideas on how the proposals could be improved.

4.3 A set of 8 A0 display boards covering the main features of the BPSDPs were used at the drop-in events and left on display throughout the consultation period at the two exhibition venues.

5 Costs

The total cost of the consultation (excluding staff time) was £1,590.

Item	Cost £
Leaflets (printing)	210
Leaflets (distribution)	390
Display Boards	600
Room Hire	300
Social media boosting	90
Total cost	1,590

6 Response

- 6.1 *Website* -There were 916 unique page views of the consultation material on the website with an average time spent of 4 minutes demonstrating that people were taking time to look at the information.
- 6.2 *Surveys* – 129 surveys were completed with a third of these being in hard copy. The 15 survey questions included 7 structured questions and 8 free text questions. Not every respondent answered every question. The number of responses by question is set out in the table below.

Question No	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	Total
Number responding	110	113	112	83	89	95	68	60	65	52	50	90	62	86	86	1221
Structured	X	X	X			X						X		X	X	692
Free text				X	X		X	X	X	X	X		X			529

The survey data was captured and analysed in Excel. In addition, page images of the free text responses were captured and tagged by theme and posted on the My Future York Flickr account.

6.3 *Drop-ins*

The drop-in sessions were well attended by a total number of 105 people. The majority of people wanted to spend a long time (average stay 20 minutes) discussing the plans and their questions or views. The drop-ins and exhibitions generated 263 comments recorded on post-it notes that were then photographed and the images were tagged by them and posted on the My Future York Flickr account.

Attendance by event was:

Venue	Date	Number
Hospital launch	17.9.19	25
Explore	17.9.19	23
Citadel 1	21.9.19	18

Citadel 2	25.9.19	21
Citadel 3	1.10.19	18
Total		105

6.4 *Social and other media*

A total of 159 comments were made on public on-line platforms. These include comments on articles in the York Press, York Mix, York Past & Present and those on Facebook, images of which have been tagged by theme on the My Future York Flickr account.

6.5 *Other written submissions* – there were 14 written submissions in total; 11 from individuals and 3 from local organisations: York Older People’s Assembly (YOPA), the York Civic Trust and English Heritage. The individual submissions were reviewed and comments added to the log of free text comments.

6.6 In total there were 1657 items of feedback (including responses to the individual survey questions) and 1323 people were engaged by the consultation.

Items of feedback	Number
Post-its	263
Social and other media	159
Individual submissions	11
Organisation submissions	3
Survey structured questions	692
Survey open questions	529
Total	1657

People engaged	Number
Website visits	916
Drop-ins	105
Social & other media	159
Surveys	129
Submissions	14
Total	1323

7 Who responded

We are able to provide a profile only of those people who responded to the survey and completed the monitoring questions.

An analysis of postcodes shows that the majority of respondents were from the streets immediately adjoining the Site who were leafleted about the consultation.

Characteristic	% of those responding
Residents	100
Businesses	0
White British	100
Male	44
Female	56
People with a disability	10
Aged 16-24	5
Aged 25-39	15
Aged 40-55	28
Aged 56-59	11
Aged 60-64	15
Aged 65+	26

8 Analysis of responses

There are two different approaches to the analysis of responses reflecting the different nature of the feedback:

- a statistical analysis is presented of the structured survey questions
- and a qualitative narrative account is presented of the open survey questions, the post-it comments, the individual submissions and the online feedback and conversations

9 Statistical analysis of structured survey questions

9.1 The question which received most support was Question 13 'Do you agree that the cycle and pedestrian routes are an important addition?' Of those expressing an opinion:

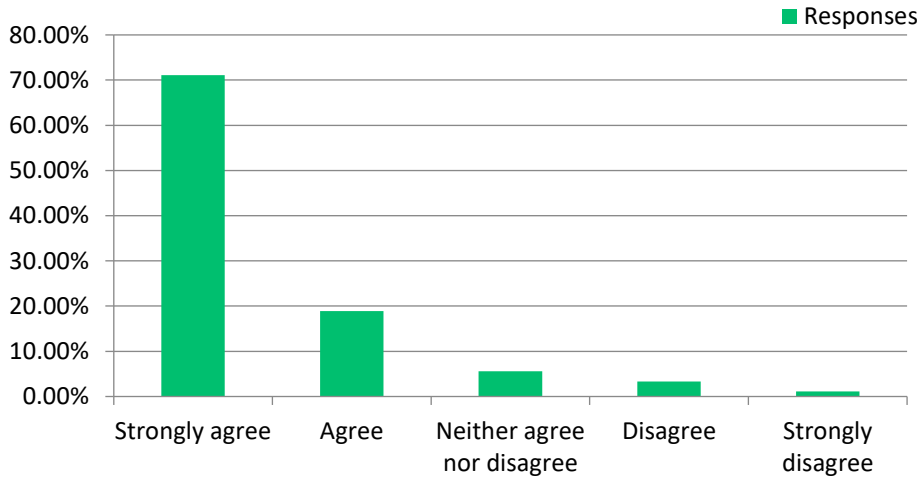
- 95% agree or strongly agree
- 5% disagree or strongly disagree

9.2 The answers were broken down as shown in the table below:

Answer Choices	Responses	
Strongly agree	71.11%	64
Agree	18.89%	17
Neither agree nor disagree	5.56%	5
Disagree	3.33%	3
Strongly disagree	1.11%	1
	Answered	90
	Skipped	38

9.3 The distribution of responses is illustrated by the bar chart below:

Do you agree that the cycle and pedestrian routes are an important addition?



10 The responses to Question 2 ‘To what extent do you agree that the proposed development is appropriate and sensitive to the site’s heritage and current uses?’ attracted the next highest level of support. Of those expressing an opinion:

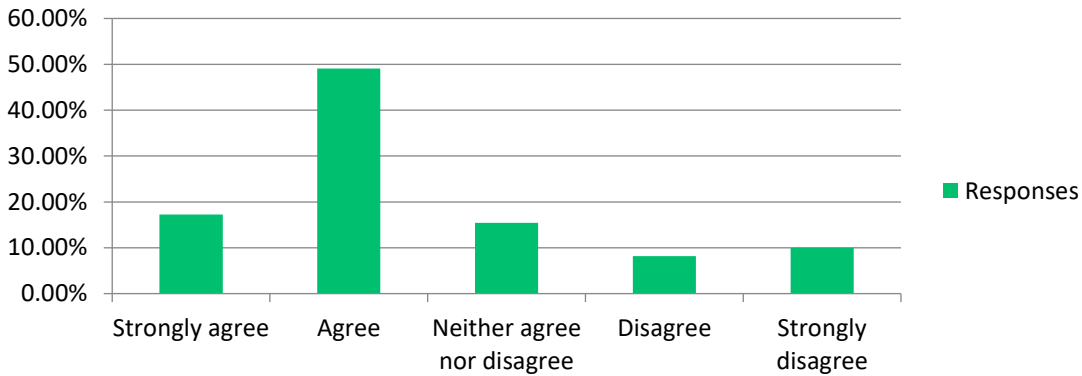
- 78% agree or strongly agree
- 22% disagree or strongly disagree

10.2 The answers were broken down as shown in the table below:

Answer Choices	Responses	
Strongly agree	17.27%	19
Agree	49.09%	54
Neither agree nor disagree	15.45%	17
Disagree	8.18%	9
Strongly disagree	10.00%	11
	Answered	110
	Skipped	18

10.3 The distribution of responses is illustrated by the bar chart below:

To what extent do you agree that the proposed development is appropriate and sensitive to the site’s heritage and current uses?



11 Responses to Question 3 also demonstrated a high level of support for the development proposals’ ability to deliver clear benefits to York. In answer to ‘To what extent do you agree that the benefits to York are clear?’ Of those expressing an opinion:

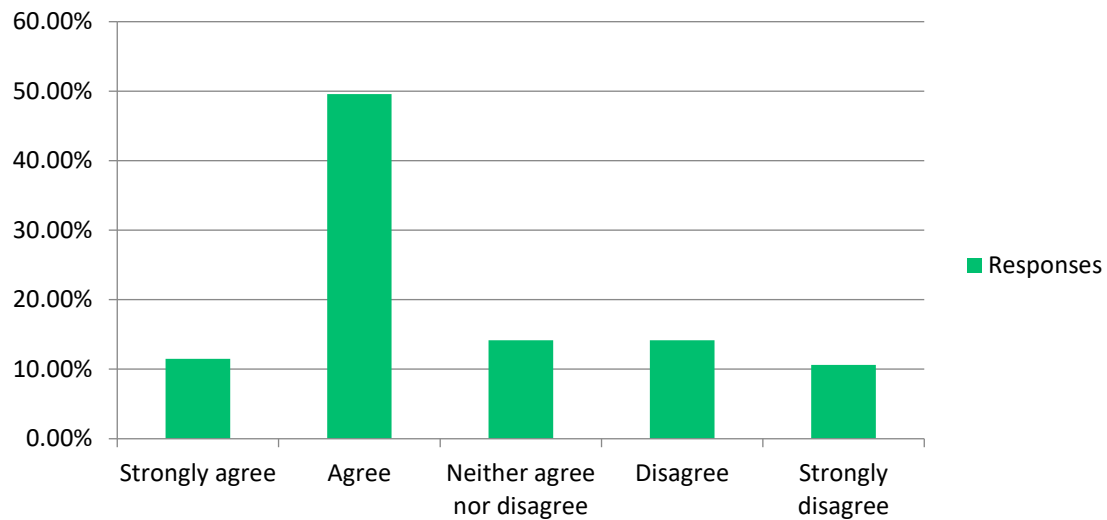
- 71% agree or strongly agree
- 29% disagree or strongly disagree

12 The answers were broken down as shown in the table below:

Answer Choices	Responses	
Strongly agree	11.50%	13
Agree	49.56%	56
Neither agree nor disagree	14.16%	16
Disagree	14.16%	16
Strongly disagree	10.62%	12
	Answered	113
	Skipped	15

13 The distribution of responses is illustrated in the bar chart below:

To what extent do you agree that the benefits to York are clear?



14 Question 4 seeks to understand the extent of support for the level of development that is proposed in order to realise benefits for York. 'To what extent do you agree that the level of development is acceptable if it realises those benefits?' Of those expressing an opinion:

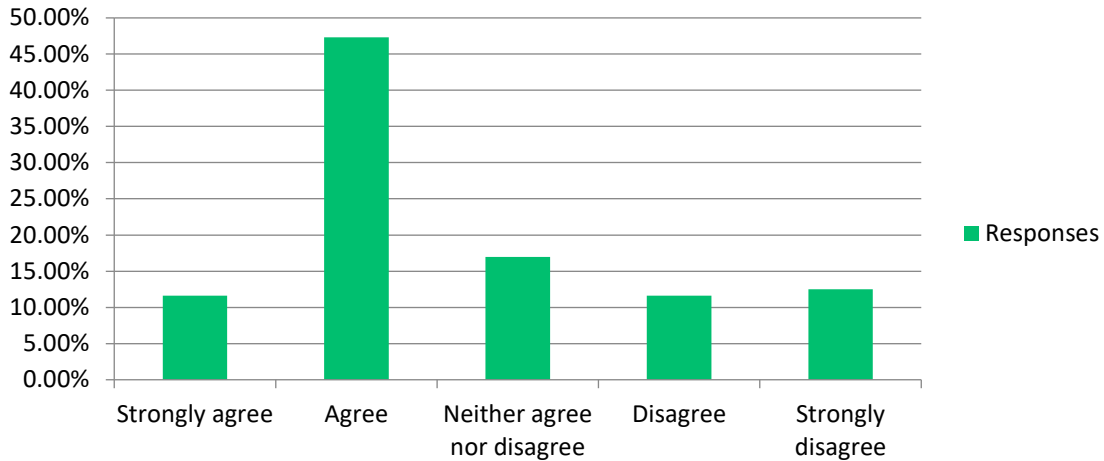
- 71% agree or strongly agree
- 29% disagree or strongly disagree

15 The breakdown of responses is shown in the table below:

Answer Choices	Responses	
Strongly agree	11.61%	13
Agree	47.32%	53
Neither agree nor disagree	16.96%	19
Disagree	11.61%	13
Strongly disagree	12.50%	14
	Answered	112
	Skipped	16

16 The distribution of responses is illustrated in the bar chart below:

To what extent do you agree that the level of development is acceptable if it realises those benefits?



17 The responses to Question 7 show a high level of support for the range of healthcare opportunities that is proposed. In response to ‘How much do you agree that the range of proposed healthcare opportunities is right for the site?’ Of those expressing an opinion:

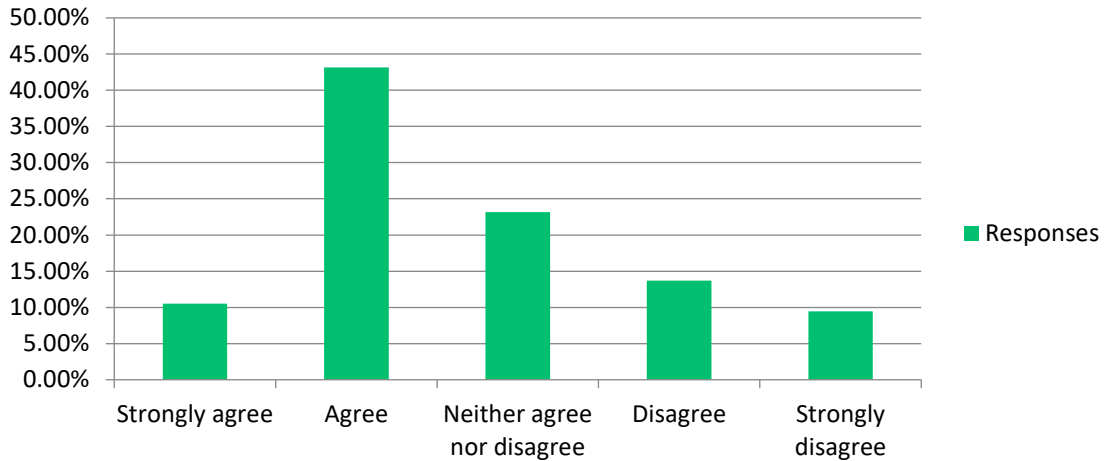
- 70% agree or strongly agree
- 30% disagree or strongly disagree

18 The table below shows how the responses are broken down:

Answer Choices	Responses	
Strongly agree	10.53%	10
Agree	43.16%	41
Neither agree nor disagree	23.16%	22
Disagree	13.68%	13
Strongly disagree	9.47%	9
	Answered	95
	Skipped	33

19 The bar chart below illustrates the distribution of responses:

How much do you agree that the range of proposed healthcare opportunities is right for this site?



20 Question 15 asks people to prioritise the type of development they would like to see on the site. The wording of the question is 'Please tell us how important each of these features of the site development plan are to you. Rank them in order from 1 to 12 where 1 is the highest priority and 12 is the lowest priority.' The list of features in the original order was:

Type of development/feature
Developments which can finance heritage preservation
Affordable housing
Family housing
Key worker accommodation
Housing for senior living
Care Home
Children's nursery
Improved transport links
Better foot / cycle lanes
Access to public spaces
Memorial gardens
Links to healthcare

Methodology
 Each rank awarded was given a weighted score.
 For example for a rank of 1 a weighted score of 12 is used, for a rank of 2 a weighted score of 11 is used and so on until, for a rank of 12 a weighted score of 1 is used.
 When the weighted scores for each feature are averaged the highest weighted score indicates the highest in priority.
 In the table below the weighted average score is used to show the relative priority given to each type of development.

Type of development	Priority Order	Score
Access to public spaces	1st	8.2
Key worker accommodation	2nd	7.8
Developments which can finance heritage preservation	3rd	7.6
Better foot / cycle lanes	4th	7.4
Links to healthcare	5th	7.3
Affordable housing	6th	7.2
Housing for senior living	7th	6.9
Care home	8th	6.2
Improved transport links	9th	6.0
Family housing	10th	5.4
Children's nursery	11th	5.2
Memorial gardens	12th	4.9

- 21 Whilst this does show an overall order of priorities the closeness of the scores also indicates that there were quite mixed views. The top 4 priorities emerge as: Access to public spaces, Key worker accommodation, preservation of Grade 1 and Grade 2 listed buildings and better cycling and pedestrian links. Whilst the bottom 4 priorities are: Improved transport links, Family housing, Children's nursery and Memorial gardens.
- 22 The final structured question in the survey focuses on which of the development elements which could improve the commercial viability of any scheme would be least or most acceptable to people.
- 23 The wording of question 16 is 'The site development features several elements which could improve the viability of any scheme whilst still working for York. Please indicate how satisfied you would be with each of these proposals (1 being most satisfied and 6 being least satisfied)
- Multi-storey car park to allow better access through Union Terrace
 - Multi-storey car park to remove parking from listed buildings and serve new uses
 - Some homes – including family homes – at market value
 - Removal of unlisted and less significant additions to the former hospital building
 - Listed buildings used for commercial purposes to secure maintenance of heritage

- Partnerships to maintain the public open spaces

24 The same methodology is used to analyse the results as for Question 15 with a score of 1 for most acceptable being given a weighted score of 6 and so on. The table below shows the proposals in order of acceptability with the commercial use of listed buildings being most acceptable in order to ensure the preservation of heritage; and the proposal for a multi-storey car park in Union Terrace in order to improve access to the Site being least acceptable.

Proposal	Score
Commercial use of Listed buildings	4.4
Partnerships to maintain public open spaces	4.0
Removal of some unlisted parts of BPH	3.8
Some homes at market value	3.4
MSCP to avoid parking near G1 & G2 buildings	3.1
MSCP in Union Terrace	2.8

Qualitative commentary on other feedback

25 The other consultation feedback received from post-it comments, social and other media online comments, individual submissions and the answers to the open survey questions cannot be analysed statistically. Instead all comments received have been reviewed to identify the important themes that people wanted to raise, some in response to questions posed directly in the consultation material but also those arising from their own interests, concerns and priorities.

26 As highlighted earlier in the description of the consultation approach and method, free-form comments have been listed in Excel spreadsheets and also captured as images so that the views expressed can be accessed in their original format via Flickr. By adding thematic tags it is possible to search for groups of comments on the same theme. The Facebook comments are in [the Bootham Park Social Media Album](#) and the post-its and open survey questions are in [Bootham Park Engagement Album](#). Throughout the commentary that follows key themes are highlighted as hyperlinks which lead to a selection of comments on Flickr. To access Flickr you need to use a supported browser such as Chrome or Mozilla Firefox.

- 27 The main themes which shape the commentary are: heritage, mental health, healthcare, housing, open space, transport & access and community uses.
- 28 *Mental Health* - The importance of the history and future of mental health provision on the Site is evidenced by the volume of responses on this subject. 10% of all responses were related to [mental health](#) provision. From some there remains a strong feeling that the Site should be retained and refurbished as a mental health facility that is fit for purpose; others propose that it could be used as a community mental health outpatient hub (alongside new inpatient services at Haxby Road); others welcome the modern provision to be delivered at the [Foss Park Hospital](#) whilst some fear that the new services will not meet the need for such things as “place of safety” requirements, a mother and baby unit and services for young people. The common thread running through these views is a desire to respect the history of the Site in the way that it is used in future.
- 29 The use of the main building to provide [extra care](#) including [dementia](#) needs and the use of the grounds as a [publically accessible](#) space designed to promote mental health and [wellbeing](#) were recognised as ways of honouring and continuing the Site’s historic links.
- 30 *Heritage and Development* - Preservation of the historic buildings emerged from the survey and other feedback as one of the highest priorities for people. Some voices were in favour of this being achieved through public sector or third sector funding for uses such as a [community centre](#), [hospice](#) or [museum](#); others thought that appropriate commercially viable single use development of the hospital building as a luxury [hotel](#), leisure centre or Extra Care housing could ensure its preservation and the possibility of some continued public access to enjoy the building’s listed interior features. Other limited development of housing for [senior living](#), a [care home](#) or [keyworker](#) accommodation in the grounds was also seen as acceptable if it could create a viable scheme that would guarantee the preservation of the historic buildings.
- 31 [Open space](#) - The highest priority that people want to see delivered by any redevelopment of the Site is the preservation of, guaranteed [public access](#) to and [community uses](#) of the open spaces on the Site. There is a history of the space being used in this way and a strong sense of community entitlement that it should continue. The [green space](#) is valued for its [peace](#) and its role in improving air quality. People would like to see existing [trees](#) preserved and more planted; more natural planting to promote biodiversity; space dedicated to informal [play](#) and recreation; more seating; creation of

a [green gym](#) and nature trails to promote health and wellbeing. There are differing views about the provision of formal [sports](#) pitches with some voices strongly in favour and others concerned about the impact of [floodlights](#) and goalposts on the setting. Also the use for organised sport is seen as potentially excluding more informal uses.

32 [Community uses](#) and facilities – in the survey we asked for people’s ideas of possible community uses on the Site and what community facilities they would like to see. There was no shortage of ideas. Many were connected with promoting health and wellbeing in different ways. These were some of the most popular

- Community orchard and [garden](#).
- Reading [cafe](#) on the Rowntree park model.
- Community kitchen for healthy eating activities.
- Community meeting/[training](#) space (e.g. for social prescribing).
- Performance space to promote [arts and cultural](#) events.
- Use of main building for workshops/studios/[business units](#).
- Drinking water stations and public toilets.
- Changing room block for sports.

33 *Management models* – we were also interested in ideas about how the Site could be best managed to benefit the community and which local organisations might be interested. There was a view from some that only a private developer could take on the management of the site because the costs and risks were so high. Others put forward the idea of a Community Land Trust or the social enterprise/Community Interest Company model. Heritage funders and Sport England were also suggested as sources of finance and local charities like Edible York and St Nick’s were put forward as potentially interested organisations.

34 *Links to [healthcare](#)* – because of the historic use of the Site for mental health provision and the proximity of York District Hospital people were generally supportive of the ideas in the Development Plan that linked to the provision of healthcare and recognised the needs of healthcare staff. Affordable Key Worker accommodation near the hospital was seen as one of the top three priorities for the Site. Staff parking and a childcare [nursery](#) also received support. In terms of healthcare provision, [extra care](#), [stepdown](#) care and [dementia](#) beds were all seen as highly relevant to improve the provision in the community and reduce pressure on hospital beds. Other ideas were to expand the physiotherapy service on the Site and to retain the use of the chapel for psychological services.

- 35 [Access and Transport](#) – in the survey 95% of people supported the maintenance and improvement of access to, through and beyond the Site for [cyclists](#) and [pedestrians](#). People want to see better signage, improved lighting, more direct routes, secure bike parking and segregation from motor traffic. There was support for the access off Bootham to be used as an [emergency](#) vehicle route but to remain closed to other vehicles. The idea that a new access into the site could enable better [bus routes](#) and a service right onto the District Hospital site was also popular. There were calls for cars to be restricted on the new development or for it to be completely [car-free](#). The concern about cars leading to increased [congestion](#) and poorer [air quality](#) in the area was voiced frequently by local residents and connected to a widespread objection to the provision of more [parking](#) especially multi-storey car parking. But there were differing views on parking citing the need for parking for staff and visitors to the District Hospital and for residents and visitors to the city.
- 36 [Housing](#)– four types of housing were included in the survey question asking people to rank their priorities for what development is delivered on the Site. [Keyworker](#) accommodation ranked second, [affordable](#) housing ranked sixth, housing for [senior living](#) ranked seventh and family housing ranked tenth. In people’s comments there was a tension between a real recognition of housing need in the city especially for affordable housing and the understanding that this Site could not accommodate a lot of residential development. The concern was frequently expressed that any residential development could therefore be rather [exclusive](#) and price out local people, leading to demands that any developer should prevent selling for investment by excluding holiday lets/AirBnB use.

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Annex 3 - 'Better Decision Making' Evaluation



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

The 'Better Decision Making' tool has been designed to help you consider the impact of your proposal on the health and wellbeing of communities, the environment, and local economy. It draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services by considering the equalities and human rights implications of the decisions we make. The purpose of this tool is to avoid decisions being made in isolation, and to encourage evidence-based decision making that carefully balances social, economic and environmental factors, helping us to become a more responsive and resilient organisation.

The Better Decision Making tool should be used when proposing new projects, services, policies or strategies, or significant amendments to them. The tool should be completed at the earliest opportunity, ideally when you are just beginning to develop a proposal. However, it can be completed at any stage of the decision-making process. If the tool is completed just prior to the Executive, it can still help to guide future courses of action as the proposal is implemented.

Introduction

Service submitting the proposal:

Bootham Park Hospital Project

Name of person completing the assessment:

Tracey Carter

Job title:

Assistant Director of Regeneration and Asset Management

Directorate:

Economy and Place

Date Completed:

6th January 2020

Date Approved:

9th January 2020

Section 1: What is the proposal?

	Name of the service, project, programme, policy or strategy being assessed?
1.1	Shaping the Future of Bootham Park Hospital.

	What are the main aims of the proposal?
1.2	Leverage of the options available to the Council to help it shape the future of the Bootham Park Hospital site ("the Site"), guided by extensive public and stakeholder engagement.

	What are the key outcomes?
1.3	<p>a. preservation and public, sports and active leisure use of the Parkland in front of the hospital buildings;</p> <p>b. continuation and enhancement of pedestrian and cycle routes across the Site from Bootham to Clarence Street and onto the District Hospital Site at Bridge Lane;</p> <p>c. achieving a sustainable and desirable use of the historic buildings, ideally one that gives life to its historic care and mental health uses by, for example, providing accommodation with care for older people including those living with dementia; and</p> <p>d. delivering value to neighbouring landowners City of York Council and Hospital Trust by way of purchase of land or rights to ease access to the Bootham Site and to enable the development of care, medical facilities and key worker accommodation on the Bootham Court land [owned by the District Hospital Trust].</p>

Section 2: Evidence

	What data / evidence is available to support the proposal and understand its likely impact? (e.g. hate crime figures, obesity levels, recycling statistics)
2.1	<p>Local schools experience a shortage of outdoor curriculum space. Better recreation and healthy lifestyle use of the Parkland on the Site is a "once in a generation" opportunity. Cycle and pedestrian routes across the Site are at risk should development seek to close them, limiting sustainable transport options for citizens.</p> <p>Poor air quality in the area could be made worse by poor development decisions.</p> <p>Grade 1 and Grade 2 listed buildings are located on the Site and their historical and other significance is at risk by mis-focused development.</p> <p>A full Health Impact Assessment has been undertaken for this Site by the Clinical Commissioning Group (one of the first for York) and this is available on line at www.york.gov.uk/info/20048/major_developments/2247/bootham_park_site.</p>

2.2	What public / stakeholder consultation has been undertaken and what were the findings?
	<p>In the winter of 2018/9 the Council worked with the York Teaching Hospitals NHS Foundation Trust (owner of the adjoining District Hospital site) to draw up a Site Development Plan for the Site and adjacent publically owned land (“the Development Plan”). This plan was devised following extensive public and stakeholder engagement. In the autumn of 2019 a further engagement exercise on the Development Plan was undertaken. During this engagement we sought views on the published plan and asked people to prioritise their preferences for the Site. The engagement exercise reached 1328 people and generated 1570 items of feedback. All aspects of the plan attracted at least 70% approval.</p> <p>People’s highest priorities for development on the Site are:</p> <ul style="list-style-type: none"> • maintaining and ensuring access to public green spaces; • providing Key worker accommodation; • preserving listed buildings; and • creating better cycling and pedestrian links.

2.3	Are there any other initiatives that may produce a combined impact with this proposal? (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)
	<p>The same communities will be affected by:</p> <ul style="list-style-type: none"> • proposed developments at Bootham Crescent and on the Duncombe Barracks site; • the on-going modernisation and re-development of the York Teaching Hospital site; and • regeneration plans and proposals in the Groves area.

Section 3: Impact on One Planet principles

Equity and Local Economy

	Does your proposal?	Impact	What are the impacts and how do you know?
3.1	Impact positively on the business community in York?	Positive	Gillygate Traders and York BID have been engaged in commenting on proposals for the Site and they support plans to improve public access to and use of the Bootham Parkland as they see this a adding to the "offer" that the Fifth Quarter can make to the economy of York.
3.2	Provide additional employment or training opportunities in the city?	Positive	Employment and training outcomes will be enhanced by delivering a mixed use of this site, particularly the provision of care services for older people and accommodation for medical training and other services which would benefit the York District Hospital next door.

3.3	Help improve the lives of individuals from disadvantaged backgrounds or underrepresented groups?	Positive	Should our ambition to see Extra Care accommodation for older people be delivered on this site, it will provide good care and housing for older and vulnerable people including those living with dementia.
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Health & Happiness

	Does your proposal?	Impact	What are the impacts and how do you know?
3.4	Improve the physical health or emotional wellbeing of residents or staff?	Positive	By making positive and active use of the Parkland on the Site, for both structured sport and active leisure, we have the potential to improve the physical health and emotional wellbeing of local school children and residents. Should Extra Care accommodation for older people be delivered on the site, we help to improve the emotional wellbeing of older citizens including those living with dementia.
3.5	Help reduce health inequalities?	Positive	Delivery of dementia care services of the site will help to address a shortfall of provision. Should medical training facilities be achieved on site it will help to increase the number of qualified doctors and nurses that can be training in York.
3.6	Encourage residents to be more responsible for their own health?	Positive	The provision for structured sport and active leisure opportunities will give residents the opportunity to take more responsibility for their own health.
3.7	Reduce crime or fear of crime?	Positive	The Parkland can currently be mis-used and this gives rise to fear of crime. By making the space more active and used, misuse and the resultant fear of crime will reduce. The cycle and pedestrian route through the site should benefit from improved lighting and use, thereby mitigating fear of crime by people using a poorly lit route at night.
3.8	Help to give children and young people a good start in life?	Positive	The ambition to utilise the Parkland to help meet the shortfall in outdoor curriculum space at local schools will ensure that children and young people can benefit from sport, active leisure and access to green spaces, helping to give them a good start in life.

Culture & Community

	Does your proposal?	Impact	What are the impacts and how do you know?
3.9	Help bring communities together?	Positive	The multiple uses proposed for the Site will help to increase the diversity of people of use and access the Site and, thereby, will help to bring communities together.
3.10	Improve access to services for residents, especially those most in need?	Positive	Physical access to and through the site, via level and better pedestrian and cycle routes and even an improvement to Glass Bridge, will help improve access for residents, especial those most in need. The provision of services for people living with dementia will help those most vulnerable older people.
3.11	Improve the cultural offerings of York?	Positive	A sensitive preservation and re-use of the historic buildings, ideally with opportunities for public access to their most significant features, will add significantly to York's already impressive cultural offer. Places in a public parkland which can be animated by sport and active leisure, the Firth Quarter has the potential to become a destination for visitor and residents alike.
3.12	Encourage residents to be more socially responsible?	Mixed	By promoting a mixed use for the Site and one with extensive public access, the various users (such as private property owners, care home residents and medical students) will be encouraged to mix and engage with the wider uses. However, the challenge, will be to achieve acceptance by new residents and existing neighbours that mixed use and different uses are beneficial and should be encouraged.

Zero Carbon and Sustainable Water

	Does your proposal?	Impact	What are the impacts and how do you know?
3.13	Minimise the amount of energy we use and / or reduce the amount of energy we pay for?	Mixed	New development on the Site can be built to good levels of thermal efficiency, thereby minimising energy use. However, the many Listed and historic building on the Site will limit the capacity for significant thermal improvements to these structures. The generation of power on the site will be limited by historic building conservation and preservation factors but may be possible via photo voltaic generation on the roofs of new build structures.
3.14	Minimise the amount of water we use and/or reduce the amount of water we pay for?	Positive	The refurbishment of historic buildings and the construction of new will allow for the installation of low water consumption plumbing fittings, helping to minimise water use.

Zero Waste

	Does your proposal?	Impact	What are the impacts and how do you know?
3.15	Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?	Positive	The refurbishment of historic buildings and the construction of new will allow for the design of and installation of waste minimisation and waste recycling facilities.

Sustainable Transport

	Does your proposal?	Impact	What are the impacts and how do you know?
3.16	Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?	Positive	A key priority for this project is to secure improved walking and cycling routes through the Bootham Hospital Site, both south to north and west to east. In addition, improvements may be achieved to bus links to the District Hospital,
3.17	Help improve the quality of the air we breathe?	Positive	The area around the Site includes experiences low air quality and, therefore, sustainable transport and changes to vehicle movements are sought. A priority would be to close the Bootham entrance to the site to vehicle traffic, taking cars off of the already very busy Bootham.

Sustainable Materials

	Does your proposal?	Impact	What are the impacts and how do you know?
3.18	Minimise the environmental impact of the goods and services used?	Mixed	Imaginative use of the Parkland and good management of the site overall will help to promote the use of sustainable material and services; such initiatives should be sought as part of the developer's Impact Assessment. However, the Site's and its many development constraints means that the use of sustainable materials during the works may be constrained on cost and viability grounds.

Local and Sustainable Food

	Does your proposal?	Impact	What are the impacts and how do you know?
3.19	Maximise opportunities to support local and sustainable food initiatives?	Positive	There is extensive open space on the site and a history of fruit and vegetable growing and, therefore, the replication of provision as part of the new development should be encouraged.

Land Use and Wildlife

	Does your proposal?	Impact	What are the impacts and how do you know?
3.20	Maximise opportunities to conserve or enhance the natural environment?	Positive	A key priority of the ambitions for the Site is to see the Parkland preserved and put to good use, both for sport and active leisure but also as a significant haven for flora and fauna in the city centre.
3.21	Improve the quality of the built environment?	Positive	The Site already host to prime buildings and a very high quality built environment. The our plans seek to preserve this and, at the same time, see the adjacent areas (such as Bootham Court and the Union Terrace car park) improved in terms of quality of use, buildings and environment.

3.22	Preserve the character and setting of the historic city of York?	Positive	The Bootham Hospital Site is a prominent feature in to historic landscape of York, not only because of the quality of the buildings and the long history of mental health use, but also because of the city-centre Parkland setting. It is the preservation and use of this Parkland setting which is a priority of the Council's ambitions.
3.23	Enable residents to enjoy public spaces?	Positive	Our priory is to see positive and active use made of the Parkland on the Site, for both structured sport and active leisure.

Section 4: Impact on Equalities and Human Rights

Equalities

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

		Impact	What are the impacts and how do you know?
4.1	Age	Positive	Should we achieve the provision of Extra Care accommodation for older people on the Site which will deliver good quality accommodation with care, including for those living with dementia, leading to improved health and social outcomes.
4.2	Disability	Positive	Should we achieve the desired outcomes on the site, we will see an improvements in care services for disabled older people, physiotherapy services for all age groups and accessibility for those with mobility problems who need to use Glass Bridge.
4.3	Gender	Positive	Improved care provision for older people will disproportionately benefit women because they form a larger proportion of the elderly population, helping them to overcome disadvantage in care opportunities and social interaction.
4.4	Gender Reassignment	Positive	By encouraging the creation of inclusive spaces and services - including care services - we work to overcome disadvantage experienced by people who have undergone gender reassignment.
4.5	Marriage and civil partnership	Positive	The location of the Bootham Parkland directly opposite the York Registry Office, means that the open space can be used by

			those celebrating their marriage or civil partnership.
4.6	Pregnancy and maternity	Positive	Should the ambition to see improved medical services, including medical training, be achieved on this Site then the wider services delivered at the District Hospital will benefit, including the range of services delivered to support pregnancy and maternity.
4.7	Race	Positive	By encouraging the creation of inclusive spaces and services - including care services - we work to overcome disadvantage and discrimination experienced by people of the BAEM communities.
4.8	Religion or belief	Positive	Proposed uses of the Parkland including proposals for "contemplation spaces", both to honour the site's long term association with mental health but also to allow spiritual engagement by all faiths, and those with none.
4.9	Sexual orientation	Positive	By encouraging the creation of inclusive spaces and services - including care services - we work to overcome disadvantage experienced by people because of their sexual orientation.
4.10	Carer	Positive	Should we achieve the provision of Extra Care accommodation for older people on the Site, including care for those living with dementia, we know that this provision will also benefit carers.
4.11	Lowest income groups	Positive	The provision of open spaces in the city centre which can be enjoyed by all, and the opportunity to deliver affordable housing on the site (subject to development viability of the historic buildings), will be of benefit to the lowest income groups. Should other public land, such as Union Terrace car park, be brought into use for multiple uses such as parking and housing, greater provision of affordable housing could be achieved.
4.12	Veterans, Armed forces community	Positive	The range of initiatives and services proposed for the site will benefit veterans and the armed forces community as they will also benefit the wider community.

Human Rights

Consider how a human rights approach is evident in the proposal

		Impact	What are the impacts and how do you know?
4.13	Right to education	Positive	Our ambition to see the Parkland on the Site used for structured sport and active leisure use will help address a shortfall of outdoor curriculum space in local schools. Improvements to medical training facilities will help with both quality and access to these education opportunities.
4.14	Right not to be subjected to torture, degrading treatment or punishment	Positive	The Site has a long and at times controversial history both for the pioneering of innovation in the care of those with mental health needs but also for mistreatment and degrading treatment. We would urge that space on the site is set aside to help all understand the past history of the site, to help people remember and to contemplate and also to act as a reminder that degrading treatment in health care is not acceptable in a civilised society.
4.15	Right to a fair and public hearing	Positive	Any development proposal for the site will be the subject to a full planning process including public consultation and the right for comment to be submitted and heard as part of the planning deliberation.
4.16	Right to respect for private and family life, home and correspondence	Positive	A priority for the Site will be to see the development of independent living opportunities for older people where privacy and a home environment is preserved while quality care is delivered on site.
4.17	Freedom of expression	Positive	The development of the proposals for the Site has already been the subject of extensive public engagement where people have been free to express their view. More consultation will be prompted by formal planning proposals which will follow. By encouraging the creation of inclusive spaces and services - including care services - we would expect all users to enjoy freedom of expression while also respecting other rights and responsibilities.
4.18	Right not to be subject to discrimination	Positive	By encouraging the creation of inclusive spaces and services - including care services - we would expect all users to be free from discrimination in their use of spaces and services.

4.19	Other Rights	Positive	By encouraging the creation of inclusive spaces and services - including care services - we would expect other rights to be honoured.
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Section 5: Planning for Improvement

5.1	<p>What have you changed in order to improve the impact of the proposal on the One Planet principles? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)</p>
	<p>Via feedback from public engagement we have amended the Council's ambitions for the site to include:</p> <ul style="list-style-type: none"> - understanding the vision for the Parkland at the Site as part of the wider vision for the Fifth Quarter with benefits to Gillygate and Bootham trade; - consideration of the submission of a Public Right of Way application and/or a Town or Village Green application for the Site; and - raising the ambition for a Land Trust or Community Asset Management organisation who would work to expand inclusion in the use of the Site and its socially responsible uses.
5.2	<p>What have you changed in order to improve the impact of the proposal on equalities and human rights? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)</p>
	<p>Via feedback from public engagement we have amended the Council's ambitions for the site to include:</p> <ul style="list-style-type: none"> - the provision of "contemplation space" in the open areas of the site in order to allow visitors to contemplate the previous uses of the Site for mental health care; and - an examination of a re-design and re-provision of Glass Bridge in order to improve uses for those with mobility difficulties and cyclists.
5.3	<p>Going forward, what further evidence or consultation is needed to ensure the proposal delivers its intended benefits? e.g. consultation with specific vulnerable groups, additional data)</p>
	<p>Further consultation will drive the ambition for the Community Asset Management organisation or Land Trust to shape and manage the use of the Parkland of the site. As a minimum, local schools should be invited to take a key governance role in this. The formal planning applications which will be needed to drive forward the development of the site will include extensive consultation, as determined by legislation.</p>
5.4	<p>Please record any outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal? (Expand / insert more rows if needed)</p>

Action	Person(s)	Due date
Engagement with the potential purchaser/s of the site to promote the ambition for the Site and help shape their plans.	Property and Regeneration team	2020
Engagement with potential partners in a Community Asset Management organisation or Land Trust for the site in order to help shape the future uses of the Parkland.	Regeneration team, local schools, Fifth Quarter representatives and others.	2020/2021
Consideration of the Bootham Site traffic and Transport ambitions as part of the new Traffic and Transport Plan which is planned.	Traffic and Transport team	2020
Consideration of planning, heritage, housing and transport issues in the context of the NPPF and the Local Plan designation of the site.	Planning, transport and development teams	2020/21



Executive**21 January 2019**

Report of the Deputy Chief Executive / Director of Customer and Corporate Services
Portfolio of the Executive Member for Housing & Safer Neighbourhoods and the Executive Member for Finance and Performance

Interim Report on Financial Inclusion and Welfare Benefits Activities 2019/20**Summary**

1. This Interim Report updates the Executive on the following over the six months to 31 September 2019:
 - any ongoing impact of recent and imminent welfare benefits changes in York, including Universal Credit, and importantly the support available for residents in dealing with these challenges;
 - an update on benefits statistics and performance as administered by the council including the York Financial Assistance Scheme;
 - other financial inclusion (FI) activity during 2019/20 including delivery of FI grant schemes and proposals for further digital inclusion work;
 - an update on the agreed recommendations from the Financial Inclusion Scrutiny Review as approved by Executive on 18 March 2019.

Recommendations

2. The Executive is asked to
 - a. note the report;
 - b. note progress against Financial Inclusion Scrutiny recommendations;
 - c. approve the use of £1300 Financial Inclusion budget to fund an event to bring together partners and resources in the city to work strategically in tackling digital exclusion in York.

Reason: to ensure councillors, residents and groups are aware of financial inclusion activity and use of associated funding, to be

updated on welfare benefits changes and impacts. Also to ensure approved scrutiny actions are implemented.

Welfare Benefits Update

- The council provides a broad range of support to residents in need of support through the York Financial Assistance Scheme (YFAS), Council Tax Support (CTS) and Discretionary Housing Payments (DHP). The digital support and personal budgetary advice in respect of Universal Credit (UC) claimants has been the responsibility of Citizens Advice Bureau nationally since April 2019. This report looks at the current effects of the rollout of UC, support provided by YFAS and the work of FISG which was set up in January 2013 with the aim of addressing the root cause of financial inequality.¹

Latest annual UC Statistics

Table 1 – Number of customers on UC by month

York UC Claimants 2019-20

Month	Not in employment	In employment	Total
Apr-19	3073	2043	5118
May-19	3,052	2,119	5,174
Jun-19	3,320	2,064	5,390
Jul-19	3,181	2,251	5,434
Aug-19	3,342	2,271	5,619
Sep-19	3,505	2,283	5,788

This information is collated from the DWP official published data at <https://stat-explore.dwp.gov.uk>.

- Table 1 above shows the number of residents claiming UC since April 2018 (data from the Department of Work & Pensions - DWP). The numbers increased by an average of 130 people per month. This has increased from 126 per month for 2018/19.
- The Citizens Advice 'Help to Claim' service supports clients through the early stages of a Universal Credit claim, checking UC eligibility, offering assistance completing the application, and support with that application through to the first correct full payment. This is a free, independent, confidential and impartial service provided by trained advisers from

¹ Membership includes council directorate representatives, Citizens Advice York (CAY), Advice York (AY) and South Yorkshire Credit Union (SYCU) as well as the relevant Executive Member

Citizens Advice. Clients can access the service through face to face appointments, a national freephone helpline, or webchat through the Citizens Advice website.

6. In the most recent quarter July - September 2019, the 'Help to Claim' service continued to operate from 21 locations across North East Yorkshire and the Humber, serviced by staff and volunteers from seven local Citizens Advice services; Citizens Advice Craven and Harrogate, Citizens Advice Mid North Yorkshire, Citizens Advice York, Citizens Advice Scarborough and District, Citizens Advice Hull and East Riding, Citizens Advice North Lincolnshire, Citizens Advice North East Lincolnshire. Over 700 clients received support with Universal Credit through the Help to Claim service in the district. Of these, 68% received face to face assistance in the district, 23% received advice through the Help to Claim advice line, and 6% through the Help to Claim webchat facility. Help to claim figures and general UC support York CAB for 2019/20:

Table 2 Help to Claim

Qtr 1			Qtr 2			
April	May	June	July	August	Sept	Total
18	19	25	24	21	26	133

Table 3 General UC Support

In person	Telephone	Adviceline Phone	Email	Letter	Total
179	16	36	1	1	233

Housing Update

7. From April to end of September 2019 council tenant rent arrears increased overall by 18.5%
8. At 14.11.2019 there were 1364 council households on UC with a total arrears balance of £510,446.99, which saw an increase of 352 cases and an increase in arrears of £99,744.60 since 1.4.19. This is an approximate £283.37p increase in arrears per household. This is due mainly to UC paying one month in arrears and 3rd Party deductions taken from overall UC income such as advanced payments and other priority debt such as DWP overpayments.
9. Officers have supported tenants through some very difficult times encouraging tenants to downsize where appropriate, claim Discretionary Housing Payment while trying to find alternative accommodation to help with their financial distress and encouraging payment by Direct Debit (DD). Although the uptake of DDs have been increasing the rise has

been small partly due to the limited dates in the month for DD's. Currently CYC offer four payment dates which are 1st, 8th, 15th and 22nd. As such it is proving difficult for some tenants to budget especially those on UC so as an alternative they make payments by other means e.g. by phone, web, bank standing order or via Pay Point in their local stores. This way of making payment allows tenants to make payments on the day that they are paid unlike Direct Debit.

10. The introduction of the 2 week 'run on' for those customers transitioning from HB to UC along with increased access to advanced payments has had some positive impacts on reducing financial pressures faced by new UC claimants. Whilst advance payments have provided some initial help they can also contribute to further rental debt as the DWP claw this money back across the following 12 months.

Full Transition to UC

11. The DWP has paused plans for the full scale national roll out of the 'managed migration' of millions of claims from legacy benefits to UC. It is now being piloted in specific areas to around 10,000 claimants. The forecast impact for York would see around 5000 people migrate to Universal Credit.
12. The pilot in Harrogate continues after going live on 24 July 2019. CYC has been informed that it is too early in the pilot for any progress update to be published although take up numbers are very low. CYC officers and partners continue to watch and learn from Harrogate's experiences.

Council Tax

13. CYC is continuing to review work across customer services and revenues and benefits teams to ensure best practice around Council Tax Support (CTS) and Council Tax recovery. This has included visiting Gateshead Borough Council to look at their approach to Council Tax recovery which they have been developing over the last 5 years and is a different approach to CYC's. As part of the ongoing financial and digital inclusion work the council has also been talking to Barclays about their Digital Eagles scheme, Citizens Online around their match funded community work to help the council get residents online and Leeds City council's digital engagement work.
14. In addition tools and training have been provided to Customer Service staff to improve signposting to Council Tax discounts, Council Tax Support and the discretionary Council Tax Reduction Scheme plus other support services for those who are in financial difficulties.

Discretionary Housing Payments (DHP)

15. The council received £210k in government funding for DHPs for 2019/20 in order to help with housing costs and plus an additional amount of £27k of its own. The figures at the end of September 2019 were:

Table 4 DHP spent including CYC budget contribution

	£	%
Total DHP Fund available	£ 237,097	100%
Amount spent	£ 138,140	58%
Amount remaining	£ 98,957	42%

Table 5 DHP Spend against Government grant only

	£	%
Total DHP Fund available	£ 210,097	100%
Amount spent	£ 138,140	66%
Amount remaining	£ 71,957	34%

York Financial Assistance Scheme (YFAS)

16. The YFAS scheme was established in April 2013, following the transfer of responsibility (and initially funding) from central government. The former national scheme, delivered by the DWP, was part of the Social Fund. YFAS is now fully funded and locally administered by the council and can assist residents to stay or move into the community or with emergencies.
17. In first half of 2019/20 598 YFAS applications were received, of which 48% were awarded assistance. The trend for YFAS awards can fluctuate by month or even week to week with the extrapolated forecast spend fluctuating between the low 90% to over 110% of total budget. Table 4 below shows the spend at week 28 of this financial year.

Table 6 – YFAS Spend

Week28 - 2019/20

Overall Spend Totals

Category	Current Spend £	Budget £	%	Full year Estimate £	%
Emergency	7,491	14,000	54%	13,912	99%
Community	90,039	135,590	66%	167,216	123%
Council Tax Support	7,439	60,000	12%	13,815	23%
Total Spend	104,970	209,590	50%	198,692	95%

18. The Community Awards for items such as white goods, furniture and carpets are currently provided through a contract with the York Community Furniture Store until end March 2020. A tender process is currently being undertaken to comply with both transparency and competition rules for provision of the service from April 2020.

Other activities funded by Financial Inclusion budgets

19. This section of the report covers other activities funded by the council that have supported financial inclusion during 2019/20.
20. The Financial Inclusion Steering Group (FISG) is responsible for overseeing the delivery of financial inclusion work and also has strategic oversight of the council's DHP, YFAS and CTS schemes. Membership has recently expanded and now includes an increased number of CYC directorate representatives, plus the Welfare Benefits Unit and the Joseph Rowntree Foundation to supplement partner input by Citizens Advice York and Community First Credit Union. Until May 2019 the Executive Member for Adult Social Care & Health attended and thereafter the Executive Members for Housing & Safer Neighbourhoods and for Finance & Performance are members of the group.
21. The group's purpose is:
- 'To ensure that local people have the knowledge of and access to appropriate services, allowing them to make more informed choices to achieve and maintain financial stability'.*
22. The group monitors on an ongoing basis grants awarded to local organisations to deliver projects that meet the group's objectives. Approved base budget of 100k per year is available for Financial Inclusion schemes.

Current outcomes of projects funded in 2019/20

23. The last bidding round in 2018/19 generated the highest level of interest to date with fifteen bids coming forward. Nine projects were successfully awarded funds.
24. A decision was taken on 14/8/19² to provide extra funding to allow the extension of the ten active projects to 31/3/20. The total additional funding amounted to £75,714 after all ten projects had their proposals accepted and a suitable SLA agreed. This was to safeguard successful schemes in the short term and to allow a longer term and more sustainable strategy to be developed.
25. The table below provides a summary of the ten projects currently supported by the council until 31/3/20.

Table 7: Financial Inclusion projects funded to 31/3/20

Organisation / Project Title/Duration/Funding	Aim/Key Outcomes to date
<p><i>Citizens Advice York</i></p> <p><i>'Specialist Debt Support Service'</i></p> <p><i>2 yrs: 1/7/17 to 30/6/19, extended to 31/3/20</i></p> <p><i>Grant: £48,875 + £6,234 to extend to 30/9/19 + £12,469 to extend to 31/3/20</i></p>	<p>Aim - Provide a specialist debt caseworker to support residents to manage debts / budgets / build confidence in money management for future. Appointments at CAY, community venues and via phone.</p> <p>Outcomes (to 30/6/19):</p> <ul style="list-style-type: none"> ○ 127 clients accessed 269 appointments ○ 736 debts valued at £873k being managed ○ 11 clients had total of £15k (annual) benefit income increased ○ Continues to be high demand for services particularly linked to UC.
<p><i>Older Citizens Advocacy York (OCAY)</i></p> <p><i>'Benefits advocacy'</i></p> <p><i>1 year: 1/10/18 to 30/9/19, extended to 31/3/20</i></p> <p><i>Grant: £4,901 + £2,046 to 31/3/20</i></p>	<p>Aim - Deliver comprehensive advocacy (emotional/ practical) support to residents who are at risk of not receiving full entitlement to benefits and falling into poverty. Will help to manage the difficulties experienced by making claims, which can aggravate existing health difficulties e.g. assist with form filling and supporting at appointments.</p> <p>Outcomes (to 30/9/19):</p> <ul style="list-style-type: none"> ○ Provided support to 104 resident s across a range of benefit issues

² <https://democracy.york.gov.uk/ieListDocuments.aspx?MId=11415&x=1>

<p><i>Experience Counts</i></p> <p><i>'50 Plus project'</i></p> <p>15 months: 1/10/18 to 31/12/19 extended to 31/3/20</p> <p>Grant: £28,892 + £4,815 to 31/3/20</p>	<p>Aim - Skills and training programme for over 50s - unemployed /at risk of redundancy/ returning to work, to help with employment prospects e.g. work on self-esteem, CVs, mock interviews. Will provide 6 X 6 week programmes (a 2.5 hour workshop per week with wraparound support). Each programme can take up to 10 participants</p> <p>Outcomes (to 4/6/19):</p> <ul style="list-style-type: none"> ○ Delivered 4 programmes to date as planned. ○ 47 registered, 34 participated (others found work, unable to attend ill-health etc) ○ 19 found work, 8 volunteering. Destination of attendees continues to be monitored.
<p><i>Changing Lives</i></p> <p><i>'Financial Inclusion and Pre-Employment'</i></p> <p>12 months: 1/11/18 to 30/10/19, extended to 31/03/20)</p> <p>Grant: £24,500 + £6,125 to 31/3/20</p>	<p>Aim: Work with clients across the Changing Lives service to improve ability to deal with and understand their financial situation and their access to financial products and services. Delivered through 1:1 appointments and weekly drop ins for clients. Support them to develop skills to avoid future crisis. Both 1:1 appointments and drop ins.</p> <p>Outcomes (to 12/7/19):</p> <ul style="list-style-type: none"> ○ 55 clients supported. ○ 4 supported into training ○ 3 pre-employment workshops held <p>Note - Project on hold for two months from 20/3/19 to recruit new postholder</p>
<p><i>York Advocacy</i></p> <p><i>'Advocacy Support-benefits and debt advice'</i></p> <p>12 mths: 1/12/18 – 31/11/19, extended to 31/3/20</p> <p>Grant: £15,587 + £5,196</p>	<p>Aim: Work 1-2-1 with people to access benefits /debt information / advice to help them make informed decisions, maximise their income and manage existing debts. Will help increase confidence and skills to reduce the risk of being in poverty in the future.</p> <p>Outcomes (to 31/8/19):</p> <ul style="list-style-type: none"> ○ 80 referrals (half one-off in nature, half on-going support) ○ 54% of clients have MH issues
<p><i>Peasholme Charity and York Foodbank</i></p> <p><i>'Community Advice Service'</i></p> <p>12 mths: 1/10/18 – 30/9/19, extended to 31/3/19</p> <p>Grant: £9,484 + £3,161 to 31/3/20</p>	<p>Aim: Provide an Advice Worker at the food bank on weekdays to deliver a community-based advice / guidance drop-in service. Build on the learning from previous partnership projects, both in York and nationally; aiming to reduce reliance on food bank provision. Includes referring repeat clients to mainstream support services, and signposting clients to appropriate service providers.</p> <p>Outcomes (to 31/8/19):</p> <ul style="list-style-type: none"> ○ 82 sessions provided ○ 102 people accessed support ○ 26 needed on-going support <p>Note: Project on hold for two months from March 2019 to recruit new postholder.</p>

<p><i>Citizens Advice York</i> <i>'GP Surgeries Advice Service'</i></p> <p>12 months: 1/7/18 to 30/6/19, extended to 31/3/20</p> <p>Grant: £24,054 + £6,013 to extend to 30/9/19 + £12,027 to 31/3/20</p>	<p>Aim: The project delivers advice to clients and continues to develop co-ordinated advice services delivered within GP surgeries in York. Clients will be referred by GPs in the practises or via the CVS-run 'Ways to Wellbeing' project.</p> <p>Outcomes (to 30/6/20):</p> <ul style="list-style-type: none"> ○ Appointments at a five locations through Priory Medical Group and York Medical Group with ▪ 208 clients seen with 1,182 benefit issues ▪ Increased income £369k (annualised)
<p><i>Citizens Advice York</i> <i>'Advice York Network'</i></p> <p>12 months 1/6/18 – 30/5/19, extended to 31/3/20</p> <p>Grant: £10,390 + £3,463 to extend to 30/9/19 + £5,195 to 31/3/20</p>	<p>Aim: Provide a part time coordinator for the Advice York Network to deliver key priorities and objectives of the JRF funded review of the ongoing coordination and running of AY. Promote closer working of advice agencies in the city through meetings, directory, and service development fund raising.</p> <p>Outcomes (to 31/5/19):</p> <ul style="list-style-type: none"> ○ New regular e-bulletin for the sector produced ○ Refocused work plan and prioritised aims ○ Continues to make connections and links providing a platform for closer working.
<p><i>Citizens Advice York</i> <i>'Information & Budgeting Cafes'</i></p> <p>12 Months: 1/7/18 to 30/6/19, extended to 31/3/20</p> <p>Grant: £38,452 + £9,613 to extend to 30/9/19 + £19,226 to 31/3/20</p>	<p>Aim: Building on the well-received 17/18 project and to continue presence (at Sanderson Court in Chapelfields, and Bell Farm) and to extend to two other venues (St. Luke's in Clifton and Travellers' Trust in Falsgrave Crescent). Will increase resident's financial capability through support with IT, signposting, finding useful information. Works very closely with CYC's community hubs initiative.</p> <p>Outcomes (to 31/3/19):</p> <ul style="list-style-type: none"> ○ Detailed advice given to 209 clients (others signposted) ○ £185k income gains for 111 residents ○ £40k debts for 54 residents handled
<p><i>Welfare Benefits Unit</i> <i>'Universal Credit Focus'</i></p> <p>12 months: 1/6/18 – 30/5/19, extended to 31/3/20</p> <p>Grant: £10,908 + £ 3,636 to extend to 30/9/19 + £5,454 to 31/3/20</p>	<p>Aim: build on and continue to offer general and case-specific second-tier support to advisers dealing with issues from their clients about UC. It will offer in-depth advice to advisers as well as providing support with complex issues and challenging decisions. The project will use evidence of problems facing residents to bring issues to the attention of the DWP and other stakeholders.</p> <p>Outcomes (to 31/8/19)</p> <ul style="list-style-type: none"> ○ 187 UC queries on advice line ○ 7 briefing sessions for advisers delivered ○ email briefings ○ 11 detailed case support provided

26. Key outcomes from the projects include almost 1,100 residents directly helped with 817 debts valued at £913k managed and £569k of increased income (annualised) gained. The nature and focus of involvement with individual residents varies from project to project (some require high

intensity prolonged one to one support) and is reflected in the outcomes noted. Straight comparisons between them therefore is not appropriate.

27. Two projects have had some disruption caused by staffing changes which led to them being paused or reduced for a period whilst replacement staff were recruited. Organisations say that the short term nature of the funding is a factor that contributed to staff turnover. To mitigate the overall impact the end dates of the projects have been extended appropriately within the existing funding.
28. A 'Project Exchange' session (for the project leads) was held in April 2019 which was very positive in raising mutual awareness of the wide range of support provided, making useful connections and links across providers promoting a more collaborative approach.

Other activities

Work of Welfare Benefits Officers

29. The Income Services Team in Exchequer Services through its welfare benefit advisors and Adult Social Care financial assessment officers have generated £1.376m of additional welfare benefits for customers in York across the first 6 months of this financial year. The support provided by the welfare benefit advisors through Cancer Care Services at York District Hospital accounted for £446k of this total. This was mainly Attendance Allowance (AA) and Personal Independence Payments (PIP). The remainder is from the other benefit claims submitted by the team for social care or general referrals.

Area-Based Financial Inclusion - A targeted programme to support Inclusive Growth

30. Outside of the FISG funding stream, this was a £250k, two and a half year multi-agency project that supports people in Westfield and parts of Clifton, Guildhall, Heworth and Hull Road. Establishing key connectivity and links to partners has helped facilitate the local delivery of services, along with informal networking leading to enhanced community resilience and independence. There are strong links to Local Area Teams and Local Area Co-ordinators underpinned by a strong spirit of collaboration.
31. The lead officer sits on FISG to ensure that work across the various strands is complementary and co-ordinated.
32. The project has had a strong focus on developing community hubs in partnership with local community organisations. Each model is different, but with key core principles, evolving through the involvement and commitment of local people responding to local circumstances and need. The core model is one of a weekly community led local session, with a food offer and a range of support services available on a drop in no appointment needed basis. Services involved in the hubs include, CYC Benefits and Adult Social Care Advice, Housing Management, York

Learning, Citizens Advice York, Police, Health Watch, Health Champions, Wellbeing, South Yorkshire Credit Union. Local additions include activities such as arts and craft sessions and gardening.

33. There are opportunities for future development of the hubs and funding has been set aside from the Inclusive Growth Initiatives programme that Members agreed in July to facilitate this work. Monitoring and reporting of progress will be brought forward to the Executive Member for Economy and Strategic Planning

Implementation of Scrutiny Review of Financial Inclusion Recommendations

34. The recommendations of a scrutiny review into financial inclusion were accepted in full by the then Executive on March 18th 2019. Attached at Annex A is an updated Action Plan which is monitored by both the FISG and Customer & Corporate Services Scrutiny Management Committee.
35. The main areas of progress include the commencement of the Food Poverty Scrutiny Review, the expansion of the membership of FISG and the preliminary planning work for the revision of the Financial Inclusion Policy. Work will start soon on developing the themes of the Policy with partners and looking at the financial strategy for Financial Inclusion projects going forward.

Proposed work to address Digital Exclusion in the City

36. City of York Council recognises that not all residents have digital skills and/or access to equipment or internet. With more public services moving online it is important for the council to ensure digital inclusion sits at the heart of digital transformation work and that residents are not disadvantaged in this digital age. Many council services have already moved online such as registrar services and revenues & benefits; and there are more services planned for channel shift.
37. The council's Financial Inclusion Strategy is in the process of being renewed and will include the impact of the digital by default benefit 'Universal Credit'. Digital Inclusion will form a key strand of the strategy and work is needed to improve understanding across the city, about the likely impacts and opportunities.
38. FISG members are initiating internal and external conversations with departments and organisations interested in digital inclusion. They are seeking the views and engagement of the local public, private and third sectors to find out more about existing digital inclusion work and learn from what has worked elsewhere.

39. FISG and a cross council digital inclusion task group have listened to presentations from Citizens Online which is a charity with 20 years' experience in digital inclusion and skills development, they help organisations ensure the switch to digital service does not exclude people. They offer different levels of service and can access National Lottery Community match funding for many initiatives.
40. Having undertaken early discussions with partners in the city and other councils, council officers across all service areas are keen to hold an initial discussion with other partners in all sectors in the city to release further funding without relying further on public finances, and with the sole ambition to secure digital access and digital benefits for residents. Should this be successful then a combined procurement for any further support and digital initiatives could be undertaken.
41. For £1300 Citizens Online would organise and facilitate a digital inclusion workshop for CYC and relevant public, private and third sector partners. The workshop would be engaging and interactive using digital technology. The aims would be:
- *Share existing digital exclusion data insights with stakeholders;*
 - *Gain insights into the current digital inclusion landscape and ecosystem in York;*
 - *Gauge the level of interest in working together to tackle digital exclusion*
 - *Explore which organisations are willing to commit funding*
 - *Identify next steps for a digital inclusion action plan or partnership approach*
42. Executive members are asked to approve this funding from Financial Inclusion 2019/20 residual funds to assist in securing partner funding and ongoing city wide action in the future.

Consultation

43. In relation to welfare benefits changes and support, dialogue is ongoing between all the council's third sector partners including CAY, WBU & AY. There is also consultation with the DWP regional contact in terms of any changes to UC process, claimant numbers, assisted digital support and future migration. Council service managers involved in Financial Inclusion Steering Group in addition to Council Management Team (CMT) have been involved in the development of this report

Analysis

44. There is no further analysis other than the existing information provided in the report.

Council Plan

45. Outcomes achieved through the council and its third sector partners welfare benefit support has contributed to the previous Council Plan commitment to achieve 'a prosperous city for all' including promoting financial inclusion by supporting the Living Wage, supporting voluntary organisations and developing financial inclusion work with measurable outcomes.

Implications

46. (a) **Financial** – The direct financial implications relate to the funding of both FISG bids and the YFAS scheme which are funded within approved budget allocations/reserves. Indirectly the ability and support required to ensure customers pay their council tax affects the overall council budget. There is £17k remaining of 2019/20 Financial Inclusion scheme funding, which will be carried forward into 2020/21. If approval is given to fund the Citizens Online workshop this would be funded from the £17k balance.

(b) **Human Resources (HR)** - There are no implications

(c) **Equalities** – There are no direct implications

(d) **Legal** – There are no implications

(e) **Crime and Disorder** - There are no implications

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

(g) **Property** - There are no implications

Risk Management

47. The key risks are in relation to YFAS & DHP and include:

- Managing the costs of the service (both service delivery and administration) within a fixed budget for 2019/20.
- Managing the budget to ensure that customers get the same service irrespective of when they apply in the financial year.
- Minimising opportunities for abuse, whilst ensuring that customers who need help can access scheme easily and quickly.
- Any failure to provide an appropriate service will have a negative impact on the wellbeing of vulnerable people and the reputation of the council.
- There is evidence from third sector organisations and the growing HRA debt that indicates there will be a growing challenge around managing the impacts of UC.

48. These risks are managed through constant monitoring and review. The actual figures for YFAS & DHP are reported to each FISG meeting to allow early intervention.

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Ian Floyd - Deputy Chief Executive & Director
of Customer & Corporate Services

Report Approved

Date 17 December 2019

Specialist Implications Officer(s) *None*

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

All

Annexes:

Annex A - Implementation of Recommendations from Financial Inclusion
Scrutiny Review

Background Papers:

Welfare Benefits Update and Financial Inclusion Outturn Report 2018/19

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=11107&Ver=4>

Financial Inclusion Scrutiny Review – March 2019:

- Customer & Corporate Services Scrutiny Management Committee
<http://modgov.york.gov.uk/ieListDocuments.aspx?CId=144&MId=10489&Ver=4>
- Executive:
<http://modgov.york.gov.uk/ieListDocuments.aspx?CId=733&MId=11469&Ver=4>

Recorded decisions on Awards under the ‘Improving Finances, Improving Lives’ grant scheme:

- 2018/19 Awards:
<http://modgov.york.gov.uk/ieDecisionDetails.aspx?ID=5217>
- Extension of 2018/19 Awards:
<http://modgov.york.gov.uk/ieDecisionDetails.aspx?ID=5434>
- Further Extension of Awards:
<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=875&MId=11415&Ver=4>
and
<https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=5634>

List of Abbreviations

ADS	Assisted Digital Support
AY	Advice York
CAY	York Citizen’s Advice York
CMT	Council Management Team
CTS	Council Tax Support
CVS	Council for Voluntary Services
CYC	City of York Council
DHP	Discretionary Housing Payment
DWP	Department for Work and Pensions
FISG	Financial Inclusion Steering Group
HB	Housing Benefit
IT	Information Technology
k	Thousand
LHA	Local Housing Allowance
MH	Mental Health
PBS	Personal Budgeting Advices
UC	Universal Credit
YFAS	York Financial Assistance Scheme
DD	Direct Debit

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Annex A - Implementation of Recommendations from Financial Inclusion Scrutiny Review

Recommendation	Implementation as of September 2019
<p>i. Recommend to the new administration that a deeper scrutiny review into the causes of and responses to food poverty is considered, taking into account key elements of the York Food Poverty Alliance report.</p>	<p>This issue has been taken forward by the new Customer and Corporate Scrutiny Management Committee. The Committee agreed a remit and invited the Health and Adult Social Care Policy and Scrutiny Committee and the Children, Education and Communities Policy and Scrutiny Committee to nominate a Member to join an Ad-Hoc Scrutiny Committee to undertake this scrutiny review</p>
<p>And requests Council to:</p> <p>ii. Agree that a review and refresh of the 2012 Financial Inclusion Policy and associated Action Plan should be undertaken. This review should include, but not be limited to, consideration of the work of Advice York and the Financial Inclusion Steering Group, the impact of the roll-out of Universal Credit, measures to address food poverty and support for digital inclusion;</p>	<p>The Financial Inclusion Steering Group approved a delivery plan in September for the review and refresh of the Strategy which will become a Financial Inclusion Policy. The foundation steps have been taken in terms of reviewing the York context, and next steps will include development of key themes.</p>

<p>iii. Consider broadening the membership of the Financial Inclusion Steering Group to include organisations such as the Welfare Benefits Unit;</p>	<p>The Financial Inclusion Steering Group now includes the Welfare Benefits Unit and Joseph Rowntree Foundation to future meetings. Consideration is to be given to hold an annual meeting with wider involvement, perhaps tied in to the annual Executive report on Financial Inclusion/Welfare Benefits.</p>
<p>iv. Investigate options for securing long-term funding support for successful time-limited FISG grant funded schemes, such as the Citizens Advice York GP Surgeries Advice Scheme;</p>	<p>This was formally committed to in an Executive Member Report considered by the joint Executive Portfolio Holders on 12th August 2019. The following work was agreed:</p> <ol style="list-style-type: none"> 1) As part of the next budget consultation and planning process, that strategies around securing longer term solutions to those schemes that have had a successful track record in delivering real outcomes for residents, are developed and secured in 3 year (or more) Service Level Agreements. The budget approvals would be sought during the coming budget setting process for 2020/21 and the Service Level Agreements approved individually at joint portfolio holder decision sessions. 2) Sustainability of financial inclusion projects should also be considered as part of the development of the refreshed Financial Inclusion Policy later this financial year

<p>v. Continue to monitor the impact of Universal Credit in York and agree that future six-monthly reports on Financial Inclusion are considered by the Executive rather than the Executive Member;</p>	<p>Action completed and the first Annual report was presented to Executive Report 18th July 2019. Interim reports will be presented in December each year.</p>
<p>vi. Commission the FISG to examine the current provision of digital and IT services available for benefit claimants at West Offices and other publicly-accessible buildings to ensure these facilities are accessible for all who need them;</p>	<p>This will be incorporated into Digital Inclusion work as part of the new Financial Inclusion Strategy and Work Plan but also as a separate policy area in itself.</p> <p>This is monitored at every meeting of Financial Inclusion Steering Group (FISG) going forward as part of the Digital Inclusion agenda item also the Head of Service Benefits update report.</p>
<p>vii. Ensure the language and terminology on CYC forms used for requesting financial assistance is easily understood and adequately conveys the necessary information to people who may have difficulties filling in these forms;</p>	<p>This work is ongoing and in some cases has been completed. Officers are measuring the effect of any change in wording in terms of application numbers.</p> <p>This will be monitored at every meeting of Financial Inclusion Steering Group (FISG) going forward as part of the Head of Service Benefits update report.</p>

<p>viii. Seek out and learn from best practice elsewhere on how best to engage with ‘hard to reach’ groups who may not necessarily be comfortable reaching out to statutory bodies when they need advice or support;</p>	<p>Work already done includes working with Leeds City Region and looking at other councils approaches eg Gateshead and Leeds</p> <p>Also looking at option of engaging with third sector body to assist with Digital Inclusion review. Will include learning from the experience of other bodies.</p> <p>Contacts have been made with local partners regarding a ‘Digital Eagles’ model that has been successful elsewhere.</p>
<p>ix. Raise awareness within Council directorates of the impact that their policies and actions can have on more vulnerable members of the community, and encourage more cross-council and cross-partner engagement;</p>	<p>Financial Inclusion Steering Group have reviewed its internal membership to ensure Directorate Management Team level representation from all key service areas to supplement the recent addition of Public Health To consider holding regular events at which operational staff can be engaged through awareness sessions on key issues. This worked well in a similar session on the York Financial Assistance Scheme.</p>

<p>x. Ensure that after May 2019 all new and existing Members have comprehensive training around Financial Inclusion so they have a full understanding of the role of the council and its partners.</p>	<p>The training is to be included in the member development programme this civic year, draft dates are being finalised.</p>
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Executive**21 January 2020**

Report of the Deputy Chief Executive / Director of Customer and Corporate Services
Portfolio of the Executive Member for Finance and Performance

Discretionary Rate Relief Awards 2020 - 2022**Summary**

1. The purpose of this paper is to provide Executive with details of new applications in respect of Discretionary Rate Relief (DRR) for the period 1 April 2020 to 31 March 2022. Further to this Executive are asked to consider approving changes to the way the scheme is administered to create a more efficient process and more certainty for organisations receiving an award.

Recommendations

2. Executive are asked to consider and approve any or all of the new applications for discretionary rate relief set out at Annex B.

Reason: To provide a transparent process for awarding discretionary rate relief.

3. Executive are also asked to consider granting the awards in perpetuity and changing the administration of the scheme as set out at Paragraph 16 - 19.

Reason: To provide a more appropriate process in line with other business rates reliefs, with reactive timescales and avoid unnecessary administrative costs.

Background

4. Executive are requested annually to approve awards of discretionary 'top up' rate relief for a period of two years. Each application has been considered on its own merits before recommendation for approval.
5. The council has wide powers to award discretionary rate relief to any business rates payer. This report deals specifically with applications from those bodies who are already eligible for mandatory rate relief i.e.
 - Charities
 - Community Amateur Sports Clubs (CASCs)
 - Those eligible for Rural discretionary relief
 - Those eligible for Rural top up.

It also considers applications from other non-profit making bodies which may not be eligible for mandatory relief.

6. The council's aim is to ensure that services are designed around the needs of the people and place first. Some of these services may not be delivered directly by the council in future but by a combination of the council with partner organisations, other authorities, volunteers and community groups or directly by social enterprises or the commercial sector. The 'top up' discretionary rate relief provides additional financial support to those charities, community sports clubs and non-for profit organisations that form a key part of supporting this aim. This is an annual process and the council is fully committed to promoting this support out in the community to those groups and organisations who meet the qualifying criteria.
7. All applications for DRR are currently written submissions through a formal application process managed by the relevant council department. The applications are considered on an individual basis against council priorities and on their merits. The application is for a top up to the 80% mandatory award in respect of charities, CASCs and non-for profit organisations. This paper provides details of all applications for the 1st April 2020 – 31st March 2022 awards against the council's DRR budget.

Discretionary Rate Relief costs

8. In December 2018 Executive approved awards for the two year cycle 1st April 2019 – 31st March 2021 and these are set out at Annex A. Annex B of this paper sets out details of the organisations recommended for awards for the period 1 April 2020 – 31 March 2022 (after consideration of the individual applications). Table 1 below shows the cost to the council of existing awards (Annex A) including rural relief from 1st April 2019.

Table 1. Existing Awards

Category	Total Cost of DRR	CYC Share
Not-for Profit	15,283	£7,642
Charities	£58,157	£29,079
CASC's	£7,966	£3,983
Rural Discretionary	£0	£0
Total Cost	£81,406	£40,704

9. Table 2 below shows the estimated cost of the proposed new awards (Annex B) for the period 1st April 2020 to 31st March 2022.

Table 2. Proposed new awards

Category	Total Cost of DRR	CYC Share
Not-for Profit	£0	£0
Charities	£3,046	£1,523
CASCs	£899	£449
Rural Discretionary	£24,101	£12,051
Total Cost	£28,046	£14,023

10. The council budget for DRR in 2020/21 is £83K. The cost of existing awards set out at Table 1 is £40,704. The new awards set out at Table 2 above and Annex B will increase the total value of awards to £54,727 in 2020/21. This leaves a residual budget of £28,273 for any new future year awards.

New Applications

11. There are 15 proposed new applications recommended for discretionary top up relief for the April 2020 – March 2022 period. The lower volume and cost in comparison to last year arises as all existing long term recipients (Pre April 2014) fall due for renewal in the April 21 – March 22 cycle.
12. There is one new proposal that has not been recommended for approval due to not delivering services in any areas covered by the criteria. This is detailed in Annex C.
13. The applicant organisations have been through a thorough application process with each organisation looked at on an individual basis against the set qualifying criteria:
 - 1) And/or the organisation is non-for profit;
 - 2) The organisation is a charity or CASC;
 - 3) Whether the organisation has membership fees;
 - 4) Membership is open to everyone;
 - 5) The percentage of users and or members who are York residents;
 - 6) Equalities e.g. that the organisation have a formally adopted equality and diversity policy;
 - 7) Whether discounts are provided for York residents;
 - 8) Whether the organisation is affiliated to any local or national organisation;
 - 9) How the organisation contributes to the community;
 - 10) The organisation's financial position.
14. In terms of equalities the organisations applying need to provide their Community Impact Assessments (CIAs) and equality and diversity policies. The information provided is reviewed by the council's Head of Communities and Equalities to ensure their aims are aligned to the council's own policies before they can qualify for top up rate relief as part of the overall application process.
15. Organisations are supported through the application process by the service areas and advice provided to those who have been declined in advance of the report deadline.

Proposed New Process

16. The council has since 2013 had a scheme that on an annual basis involves many time consuming administrative processes that includes resource from Business Support, Democracy, Finance, Business Rates and Communities & Equalities. The total budget available is £83K, a majority of the qualifying organisations are the same each year and they are also required to complete applications on a cyclical basis often with very limited resource. In order to provide a more efficient process for the council and the voluntary organisations we are looking to support the following proposed changes to the existing scheme.
17. This would see all existing and new approved awards granted in perpetuity from April 2020, removing the need for organisations to apply each year and the requirement for repeated Executive approval and associated administration costs.
18. New applications could be submitted by a relevant organisation at any point in the year and assessed against the current criteria as appropriate. Approval of these awards would be delegated to the relevant portfolio holder (Executive Member for Finance and Performance).
19. Reviews of the existing recipients would be taken every two years to ensure the qualifying criteria was still being met but without the burden of an unnecessary full application and assessment regime across the entire caseload.
20. Although the award would be granted in perpetuity, the council would retain the ability under section 47 to cancel or adjust the level of awards as necessary from the next 12 month period (notification would be sent) as with the current regime.

Options

21. There are four options associated with this report:
Option 1 – Approve any or all of the new applications for discretionary rate relief set out at Annex B.
Option 2 – Decline any or all of the new applications for discretionary rate relief set out at Annex B.

Option 3 – Approve any or all of the new application set out at Annex B and the existing awards at Annex A in perpetuity accepting the new scheme of administration.

Option 4 – Decline the new scheme of administration.

Analysis

22. There is an ongoing demand on the DRR budget from current recipients of rural rate relief. Whilst the business rates multiplier was reduced two years ago as part of the last revaluation exercise by the Valuation Office Agency (VOA) it still continues to rise by the Retail Price Index (RPI). The multiplier is the percentage or pence in the pound of the Rateable Value that the customer must pay in business rates. As a result of this link there will continue to be inflationary pressure on the DRR budget. Annex A shows that this year's awards' total liability has fallen by £12K as a result of some businesses no longer qualifying for the relief.
23. There is sufficient budget to meet the current demand for the April 19 to March 21 (Annex A) recipients along with the new applications for the April 20 – March 22 period. The residual budget has increased to £28K compared with last year. To ensure all qualifying organisations receive discretionary top up support, and residual budget is retained for future awards and to meet inflationary pressures, the level awarded is less than the 20% maximum allowance as set out at both Annex A & B.

Council Plan 2019-23

24. The support provided through financial inclusion activities of the council and partners will assist in achieving the following priorities:
 - a. Well paid jobs and an inclusive economy
 - b. Good health and wellbeing
 - c. A better start for children and young people
 - d. Safe communities and culture for all
 - e. An open and effective council.

Implications

25. (a) **Financial** – The changes in the Local Government Finance Act 2012 ensures that any new discretionary awards are met on a 50/50 basis with Central Government.

- (b) **Human Resources (HR)** - There are no implications
- (c) **Equalities** – There are no direct implications
- (d) **Legal** – The council’s power to award Discretionary Rate Relief is set out at Section 47 of the 1988 Local Government Finance Act. The qualifying conditions are set out in Para 3 of section 47 which allows for the award to be made for Rural, Sports, and Charitable organisations meeting the qualifying criteria.
- (e) **Crime and Disorder** - There are no implications
- (f) **Information Technology (IT)** - There are no implications
- (g) **Property** - There are no implications

Risk Management

26. The key risk associated with discretionary reliefs is a financial one. The risk is Low and is in the control of the authority through the implementation of proper policies and procedures.

Contact details:

Author:	Chief Officer responsible for the report:		
David Wright Revenues, Benefits & Subsidy Manager Telephone: 01904 552234	Pauline Stuchfield Assistant Director Customers & Employees Telephone: 01904 551100		
	Report Approved	√	Date 08/1/20
Specialist Implications Officer(s) David Wright Telephone:01904 552234			
Wards Affected: All			√
For further information please contact the authors of the report			

Background Papers

Discretionary Rate Relief Awards 2019 – 2021

<http://modgov.york.gov.uk/documents/g10476/Public%20reports%20pack%2017th-Jan-2019%2017.30%20Executive.pdf?T=10>

Annexes

Annex A – Existing discretionary rate reliefs 2019 – 2021

Annex B – New discretionary Rate Reliefs for approval 2020 – 2022

Annex C – New discretionary Rate Reliefs refused 2020 – 2022

Glossary

DRR	Discretionary Rate Relief
CASC	Community Amateur Sports Club
CIA	Community Impact Assessment
RPI	Retail Price Index (A measure of inflation)
VOA	Valuation Office Agency

Annex A - Existing discretionary Rate Reliefs 2019 - 2021

2019-21 DRR Decision Costings

Community Sports Clubs (CASC)

Primary Liable party name	Account Ref	Full Property Address	2020-21 % Award	2017 RV	2020-21 DRR Award Value	2020-21 CYC Contribution
Acomb Sports Club	400007666	Acomb Sports Club, The Green, Acomb, York, YO26 5LL	13.50%	8800	£598.75	£299.38
Bishopthorpe Bowling Club	400015710	Bowling Green, Acaster Lane, Bishopthorpe, York, YO23 2SA	13.50%	590	£40.14	£20.07
Dringhouses Bowling & Rec. Club	400003321	Bowling Club, Off Tadcaster Road, Knavesmire, York, YO23 1EJ	13.50%	1100	£74.84	£37.42
Trustees Hamilton Panthers Association Football Club	401055594	Little Knavesmire Sports Pavilion, Knavesmire Road, York, YO23 1FA	13.50%	10000	£680.40	£340.20
Heworth Tennis Club	400001857	Heworth Tennis Club, East Parade, York, YO31 7TA	13.50%	2200	£149.69	£74.84
Hopgrove Playing Fields Association	400027079	Malton Road, York, YO32 9TG	13.50%	15000	£1,020.60	£510.30
New Earswick & District Bowls Club	400023855	New Earswick & Dist Bowls Club, Huntington Road, Huntington, York, YO32 9PX	13.50%	36000	£2,449.44	£1,224.72
Osbalwick Sports Club	400015179	Osbalwick Playing Field, The Leyes, Osbalwick, York, YO10 3PR	13.50%	13000	£884.52	£442.26
York Squash Rackets Club	400014779	Squash Courts, Shipton Road, Clifton, York, YO30 5RE	13.50%	7800	£530.71	£265.36
Dringhouses Sports & Soc. Club	400019995	Dringhouses Sports & Soc. Club, St Helens Road, York, YO24 1HP	13.50%	12750	£867.51	£433.76
Strensall Bowls Club	400015155	Bowling Green, Northfields, Strensall, York, YO32 5XN	13.40%	2600	£175.59	£87.80
York City Rowing Club	400012724	York City Rowing Club, West Esplanade, York, YO1 6FZ	13.50%	12000	£494.06	£247.03
					£ 7,966.27	£ 3,983.13

Charity Top Ups

Primary Liable party name	Account Ref	Full Property Address	2020-21 % Award	2017 RV	2020-21 DRR Award Value	2020-21 CYC Contribution
1st Heworth Scout Group	400007059	Scout Headquarters, Bad Bargain Lane, York, YO31 0LW	13.50%	2500	£170.10	£85.05
1st Huntington Scout Group	400023839	Huntington Scout Grp, R/O St Andrews, Huntington Road, Huntington, York, YO31 9BP	13.50%	8300	£564.73	£282.37
2nd Haxby & Wigg Scout Group	400014939	Ethel Ward Playing Field, York Road, Haxby, York, YO32 3HG	13.50%	5100	£347.00	£173.50
2nd St Thomas Scout Group HQ	400000207	Scout Hut, Haxby Road, York, YO31 8JN	13.50%	2325	£154.85	£77.42
Age Concern	400018947	19, Bishopthorpe Road, York, YO23 1NA	8.50%	16250	£733.18	£366.59
Age Concern	400018335	215, Burton Stone Lane, York, YO30 6EB	8.50%	11750	£503.37	£251.69
Age Concern	400018765	70, Walmgate, York, YO1 9TL	8.50%	19000	£764.02	£382.01
Age Concern	400029868	77, Fourth Avenue, York, YO31 0UA	8.50%	10750	£460.53	£230.27
Bell Farm Social Hall Management Co	401050118	Social Hall, Roche Avenue, York, YO31 9BB	13.50%	3850	£261.95	£130.98
Wheldrake Recreation Association	400016007	Broad Highway, Wheldrake, YO19 6BG	13.50%	10500	£714.42	£357.21
Community Furniture Store (York) Ltd	401034247	Unit 29, The Raylor Centre, James Street, York, YO10 3DW	8.50%	26500	£1,135.26	£567.63
Copmanthorpe & Dist. Recr'Tn Centre	400015856	Copmanthorpe Recreation Centre, Barons Crescent, Copmanthorpe, York, YO23 3YR	13.50%	20750	£1,411.83	£705.92
Dunnington & Grimston Play F'ld Ass	400021382	Dunnington Sports & Soc Centre, Common Lane, Dunnington, York, YO19 5ND	13.50%	45000	£3,061.80	£1,530.90
Elvington Scout Group	400015834	Wheldrake Lane, Elvington, York YO41 4DW	13.50%	3300	£156.77	£78.38
Foxwood Community Centre	400016610	Foxwood Community Centre, Cranfield Place, York, YO24 3HY	13.50%	7000	£476.28	£238.14
Lord Mayors Own Scouts	400006949	Scout Hall R/O, Bootham Terrace, York, YO30 7DH	13.50%	2800	£127.47	£63.74
North Yorkshire South Girl Guides	400015633	79, Main Street, Wheldrake, York, YO19 6AA	13.50%	4200	£285.77	£142.88
Poppleton Road Community Centre Memorial Hall	400003772	Community Centre, Oak Street, York, YO26 4SG	13.50%	6900	£444.80	£222.40
Strensall & Towthorpe Sport Assoc	401053178	Sports Ground & Premises, Durlston Drive, Strensall, York, YO32 5AT	13.50%	9400	£639.58	£319.79
Strensall & Towthorpe Village Hall	400015212	Village Hall, Northfields, Strensall, York, YO32 5UP	13.50%	8800	£598.75	£299.38
Tang Hall Community Centre Mgt Cttee	400032613	Tang Hall Community Centre, Fifth Avenue, York, YO31 0UG	13.50%	12500	£765.09	£382.54
The City Of York Hockey Club	400014765	York Hockey Club & Heworth, Elmpark Way, Heworth Without, York, YO31 1DX	13.50%	16750	£1,139.67	£569.84
The Wilf Ward Family Trust	400024286	69, Green Lane, York, YO24 3DJ	8.50%	6900	£295.60	£147.80

United Response	400013472	3/5, Tanner Row, York, YO1 6JB	8.50%	9400	£402.70	£201.35
United Response	401034395	35-41, North Street, York, YO1 6JD	8.50%	17750	£760.41	£380.21
Upstage Centre	401042279	Upstage Centre Youth Theatre, 41, Monkgate, York, YO31 7PB	13.50%	41250	£2,806.65	£1,403.33
Wigginton Bowling Club	400015429	Bowling Club, Mill Lane, Wigginton, York, YO32 2PY	13.50%	1200	£81.65	£40.82
Wigginton Recreation Hall Committee	400015295	Village Hall, The Village, Wigginton, York, YO32 2PU	13.50%	5900	£401.44	£200.72
York & Dist. Citizens Advice Bureau	401045215	Citizens Advice Bureau, West Offices , Station Rise, York, YO1 6GA	20.00%	20500	£2,066.40	£1,033.20
York Blind & Partially Sighted Society	401052723	Gnd Flr , Rougier House, Rougier Street, York, YO1 6HZ	8.50%	28750	£1,231.65	£615.83
York Blind & Partially Sighted Society	401052721	1st Floor (Rear) Rougier House, Rougier Street, York, YO1 6HZ	8.50%	6800	£291.31	£145.66
York Early Music Foundation	400027485	Music Foundation, St Margaret'S Church, Walmgate, York, YO1 9TL	13.50%	49750	£3,384.99	£1,692.50
York Sea Cadet Corps	400007807	Cadet Headquarters, 21/22, Skeldergate, York, YO1 6DH	13.50%	8400	£571.54	£285.77
York Railway Institute	400003342	York Railway Inst. Gymnasium, Queen Street, York, YO24 1AD	13.50%	49000	£3,333.96	£1,666.98
York Railway Institute	400003781	Railway Institute Sports Club, Hamilton Drive, York, YO24 4NX	13.50%	28500	£1,939.14	£969.57
York Railway Institute	400003796	York Railway Institute Bowling Club, Ashton Lane, York, YO24 4HX	13.50%	7400	£503.50	£251.75
York Railway Inst. Club	400009858	York Railway Institute Club, 22, Queen Street, York, YO24 1AD	13.50%	17750	£1,207.71	£603.86
York Railway Institute	400015749	Pikehills Golf Club, Tadcaster Road, Copmanthorpe, York, YO23 3UW	13.50%	42500	£2,891.70	£1,445.85
York Council For Voluntary Service	401033473	15/17 Priory Street, York, YO1 6ET	20.00%	154000	£15,523.20	£7,761.60
1st Copmanthorpe Scout Group	400021377	Scout Hq Recreation Centre, Barons Crescent, Copmanthorpe, York, YO23 3TZ	13.40%	4750	£320.80	£160.40
The York Bridge Club	401041817	York Bridge Club, 152/154 Holgate Road, York, YO24 4DQ	13.50%	10250	£697.41	£348.71
Strensall Bowling Green	400015155	Bowling Green, Northfields, Strensall, York, YO32 5XN	13.50%	2600	£176.90	£88.45
Wigginton Sports and Playing Field Association	401044327	Athletics Club, Mill Lane, Wigginton, York, YO32 2PY	13.50%	1125	£76.55	£38.27
Rufforth Playing Fields	400015464	Sports Field, Rufforth Airfield, Rufforth, York, YO23 3QA	13.50%	9400	£671.86	£335.93
St Leonards Hospice	401050979	St Leonards Hospice, Tadcaster Road, York, YO24 1GL	4.60%	129000	£2,990.74	£1,495.37
York Muslim Association	400022776	Muslim School, 76, Fourth Avenue, York, YO31 0UB	13.50%	9000	£612.36	£306.18
					£58,157.36	£29,078.68

Not for Profit

Primary Liable party name	Account Ref	Full Property Address	2020-21 % Award	2017 RV	2020-21 DRR Award Value	2020-21 CYC Contribution
My Community Social Enterprise Ltd	401038447	The Melbourne Centre, Tx020/13100, Escrick Street, York, YO10 4AW	67.20%	9200	£3,115.93	£1,557.96
Chapelfields Community Association	401054919	Sanderson Court Community House, Nd528/13100, Bramham Road, York, North Yorks	67.20%	11250	£3,107.49	£1,553.75
Get Cycling CIC	401048556	22 Hospital Fields Road, York, YO10 4DZ	67.20%	26750	£9,059.90	£4,529.95
					£15,283.32	£7,641.66

Total	2020-21 DRR Award Value	2020-21 CYC Contribution
	£81,406.95	£40,703.47

Annex B - Proposed Awards for approval 2020 – 2022

Community Sports Clubs (CASC)

Primary Liabile party name	Account no	Full Property Address	2020-21 % Award	2017 RV	Liability	2020-21 DRR Award Value	2020-21 CYC Contribution
Heslington Village Hall Committee	400023838	Village Hall, Main Street, Heslington, York, YO10 5EB	13.5%	1400	706	£ 95.26	£ 47.63
Rawcliffe Recreation Association	400014977	St Marks Grove, Shipton Road, York, YO30 5TS	13.5%	12500	5951	£ 803.34	£ 401.67
						£ 898.59	£ 449.30

Charity

Primary Liabile party name	Account no	Full Property Address	2020-21 % Award	2017 RV	Liability	2020-21 DRR Award Value	2020-21 CYC Contribution
Haxby Christian Cafe Ltd	401034302	30 The Village, Haxby, York, YO32 3HT	13.5%	16750	8442	£ 1,139.67	£ 569.84
Fulford Scout Group	400015848	Scout Hq, School lane, Fulford, York, YO10 4LS	13.5%	2450	1235	£ 166.70	£ 83.35
Dunnington Scout Group	400026584	Scout and Guide Hut, Garden Flats lane, Dunnington, YO19 5NB	13.5%	1325	668	£ 90.15	£ 45.08
Yorkshire Film Archive / North East Film Archive	401056429	York St John University, Lord Mayors Walk, York, YO31 7EX	13.5%	38500	12217	£ 1,649.24	£ 824.62
						£ 3,045.76	£1,522.88

Rural Rate Relief

Primary Liabile party name	Account no	Full Property Address	2019-20 % Award	2017 RV	Liability	2020-21 DRR Award Value	2020-21 CYC Contribution
Mr Pritesh Joshi & Mrs Geeta Sarin	401053038	52 Fairfields Drive, Skelton, York, YO30 1YP	100%	13500		£ 3,229.38	£ 1,614.69
N Carling & C Carling	400014418	16, Allerton Drive, Nether Poppleton, York, YO26 6HN	100%	7200		£ 3,548.84	£ 1,774.42
Michael Hepworth (Chemists) Ltd	400022350	101, Main Street, Fulford, York, YO10 4PN	100%	7800		£ 4,194.09	£ 2,097.04
Fulford Parish Council	400016090	Fulford Sportsfield & Pavillio, School Lane, Fulford, York, YO10 4LS	100%	3100		£ 1,613.11	£ 806.56
Fulford Parish Council	400015838	Social Hall, School Lane, Fulford, York, YO10 4LS	100%	4850		£ 2,032.52	£ 1,016.26
Naburn Parish Council	400016012	Reading Room, Main Street, Naburn, York, YO19 4RR	100%	500		£ 216.16	£ 108.08
City Of York Council (Education)	400026678	Naburn Ce School, Sa103/13100, Main Street, Naburn, York, YO19 4PP	100%	8500		£ 4,586.74	£ 2,293.37
Elvington Under Fives Playgroup The Chairman	400025364	Elvington Under 5'S, Elvington Primary School, York Road, Elvington, York, YO41 4HP	20%	7900		£ 707.05	£ 353.53
St Marys C E Primary School	401031852	Day Nursery , The School House, School Lane, Askham Richard, York, YO23 3PD	100%	8100		£ 3,973.54	£ 1,986.77
						£ 24,101.43	£ 12,050.71

	2020-21 DRR Award Value	2020-21 CYC Contribution
Total	£ 28,045.79	£ 14,022.89

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Annex C - Proposed Awards for refusal 2020 – 2022

Charity

Primary Liable party name	Account no	Full Property Address	2020-21 % Award	2017 RV	Liability	2020-21 DRR Award Value	2020-21 CYC Contribution
Two Ridings	401055809	Pavillion 2000, Any Johnson Way, York, YO30 4XT	13.5%	7500	3780	£ 510.30	£ 255.15
						£ 510.30	£255.15
						Total	
						£ 510.30	£255.15

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Executive**21 January 2020**

Report of the Deputy Chief Executive / Director of Customer & Corporate Services
Portfolio of the Executive Member for Finance and Performance

2019/20 Finance and Performance Monitor 2**Purpose of the Report**

- 1 To present details of the overall finance and performance position for the period covering 1 July 2019 to 30 September 2019, together with an overview of any emerging issues. This is the second report of the financial year and assesses performance against budgets, including progress in delivering the Council's savings programme.

Recommendations

- 2 Executive is asked to
 - note the finance and performance information

Reason: to ensure expenditure is kept within the approved budget

Financial Summary

- 3 The financial pressures facing the council are projected at £1,353k. This is broadly in line with previous years forecasts at this early stage in the financial year. However, the council has regularly delivered a balanced position by the year end, demonstrating a successful track record of managing expenditure within budget over a number of years.
- 4 The report highlights that there continue to be pressures within Adult Social Care in particular. This reflects the national situation where councils across the country are managing largely unavoidable demographic and cost pressures. Managing these pressures will continue to be a challenge as both the numbers of people and complexity of individual situations create demands across the sector. Health partners are similarly challenged facing unprecedented demand and financial pressures. Some of this pressure impacts on social care as the desire to discharge patients in a more timely fashion increases the social care costs needed to facilitate discharge.

- 5 In recent years the council has made significant investment in adult social care and the July 2019 budget amendment invested additional funds in adult social care support to ensure quality services for the most vulnerable adults, including new approaches to using technology, increase community led support and embed strength based approaches.
- 6 These pressures need to continue to be managed carefully throughout the remainder of this financial year and the mitigation strategies in place will be regularly monitored.
- 7 It is expected that, as a result of this ongoing monitoring and the identification of further mitigation, overall the Council will again outturn within the approved budget. There is contingency provision available to cover some of the projected pressures, and it is also anticipated there will be improvement in the position during the year.
- 8 York is maintaining both sound financial management, and delivering priority services to high standards, during a period of continued challenge for local government. In particular, key statutory services continue to perform well, having seen investment in recent years. Whilst there remain challenges in future years, the overall financial and performance position is one that provides a sound platform to continue to be able to deal with the future challenges.

Financial Analysis

- 9 The Council's net budget is £123.3m. Following on from previous years, the challenge of delivering savings continues with £4.3m to be achieved in order to reach a balanced budget. Early forecasts indicate the Council is facing financial pressures of £1,353k and an overview of this forecast, on a directorate by directorate basis, is outlined in Table 1 below. The position will continue to be monitored carefully to ensure that overall expenditure will be contained within the approved budget. Annex 1 provides more details of the main variations and any mitigating actions that are proposed.

2018/19 outturn		2019/20 Forecast Variation Monitor 1	2019/20 Forecast Variation Monitor 2
£'000		£'000	£'000
+896	Children, Education & Communities	+594	+518
-282	Economy & Place	-137	-137

-428	Customer & Corporate Services	-200	-300
+946	Health, Housing & Adult Social Care	+2,127	+2,372
-1,285	Central budgets	-500	-600
153	Total	+1,884	+1,853
-648	Contingency	-500	-500
-801	Total including contingency	+1,384	+1,353

Table 1: Finance overview

Contingency

- 10 As in previous years a contingency budget of £500k is in place. Members are asked to note that this may be required to deal with some of pressures outlined in this report. Any decisions regarding the allocation of this sum will be brought to a future meeting.

Loans

- 11 Further to a scrutiny review, it was agreed that these quarterly monitoring reports would include a review of any outstanding loans over £100k. There are 2 loans in this category. Both loans are for £1m and made to Yorwaste, a company part owned by the Council. The first was made in June 2012 with a further loan made in June 2017 as agreed by Executive in November 2016. Interest is charged on both loans at 4% plus base rate meaning currently interest of 4.75% is being charged. All repayments are up to date.

Performance – Service Delivery

- 12 The Executive for the Council Plan (2019-23) agreed a core set of indicators to help monitor the council priorities and these provide the structure for performance updates in the following sections. The indicators have been grouped around the eight outcome areas included in the Council Plan which are:
- Well-paid jobs and an inclusive economy
 - Getting around sustainably
 - Good Health and Wellbeing
 - A Better Start for Children and Young People
 - A Greener and Cleaner City
 - Creating homes and World-Class infrastructure
 - Safe Communities and culture for all
 - An open and effective Council

- 13 Some indicators are not measured on a quarterly basis. The DoT (Direction of Travel) is calculated on the latest three results whether they are annual or quarterly. Updates on additional activity and initiatives undertaken by the council to monitor progress against the Council Plan outcomes will be included in the Q3 Monitor.
- 14 A summary of the core indicators that have a good or poor direction of travel based on the latest available data is shown below and further details around all of the core indicator set can be seen in Annex 2 at the end of the report.
- 15 Indicators that have a good direction of travel based on the latest available data are:
- **GVA per head (£)** – an increase from £24,006 in 2016-17 to £25,130 in 2017-18 which is the second highest figure regionally.
 - **Net Housing Consents** - figures for 2018-19 show that, positively, there were 1,628 net housing consents granted which represents a continued high level of approvals. These approvals represent significant future planned housing developments for the city.
 - **Number of homeless households with dependent children in temporary accommodation** – The number of homeless households with dependent children in temporary accommodation has decreased from 33 in 2016-17 to 24 in 2018-19 (snapshot figures).
 - **Number of new affordable homes delivered in York** – There were 24 new affordable homes delivered in the first quarter of 2019-20 compared to an annual total of 60 in 2018-19.
 - **Visits – All libraries** – There were 298,937 visits to all libraries in Q2 2019-20 compared to 242,024 in Q3 2018-19.
 - **Customer Service Waiting Times** – Footfall – 83.87% of residents who visited West Offices in Q2 2019-20 were seen within the target waiting time of 10 minutes compared to 81.87% in 2018-19.
- 16 Indicators that have a poor direction of travel based on the latest available data are:
- **Secondary school persistent absence rate** - Secondary school persistent absence is a worsening trend and York is performing in the lower quartile for this measure. There is a correlation with disadvantage and special educational needs with the highest levels of persistent absence being seen in pupils who are eligible for pupil premium and/or have special educational needs. Work taking place to develop curriculum pathways is designed to address this issue.
 - **Net additional homes provided** – Although the number of additional homes built has decreased from previous years, figures for 2018-19 show that, positively, there were 1,628 net housing consents granted which represents a continued high level of approvals. These

approvals represent significant future planned housing developments for the city.

- **Average number of days to re-let empty properties** (excluding temporary accommodation) – The increase in re-let times has been attributed to the absence, until the beginning of September, of a Tenants’ Choice contractor. As a result, the work that the Tenants’ Choice team would normally carry out whilst the tenant is in place has been done by the voids team, therefore increasing the re-let time. The re-let time has started to decrease at the end of Q2 showing a more positive direction of travel.
- **All Crime per 1000 population** – The yearly total for all crime has slowly increased over the last three years but the quarterly figures have stabilised over the past year. Q1 figures indicate that the total for 2019-20 will be similar to that in 2018-19.
- **Slope index of inequality in life expectancy at birth** – The gap in male life expectancy between those living in the most and least deprived deciles in York is increasing. The broad causes of death which account for the greatest disparity in deaths are circulatory diseases, cancer, external causes and respiratory. CYC delivers the NHS Health Check programme which screens 40-74 year olds in York for cardiovascular risk factors. Uptake of these health checks by males in deprived areas is being monitored. CYC also delivers a Smoking Cessation service and again, uptake of the service by males in deprived areas is being monitored.

Annexes

- 17 Annex 1 shows the quarterly financial summaries for each of the Council directorates.
- 18 Annex 2 shows performance updates covering the core set of strategic indicators which are used to monitor the progress against the Council Plan.
- 19 All performance data (and approximately 1,000 further datasets) within this document is made available in machine-readable format through the Council’s open data platform at www.yorkopendata.org under the “performance scorecards” section.

Consultation

- 20 Not applicable.

Options

- 21 Not applicable.

Council Plan

- 22 The information and issues included in this report demonstrate progress on achieving the priorities set out in the Council Plan.

Implications

- 23 The implications are:
- **Financial** are contained throughout the main body of the report.
 - **Human Resources (HR)** There are no HR implications.
 - **One Planet Council / Equalities** There are no One Planet Council or equalities implications.
 - **Legal** There are no legal implications.
 - **Crime and Disorder** There are no crime and disorder implications.
 - **Information Technology (IT)** There are no IT implications.
 - **Property** There are no property implications.
 - **Other** There are no other implications.

Risk Management

- 24 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.

Contact Details

Authors:	Chief Officer Responsible for the report:		
Debbie Mitchell Corporate Finance & Commercial Procurement Manager Ext 4161	Ian Floyd Director of Customer & Corporate Services (Deputy Chief Executive)		
Ian Cunningham Group Manager – Shared Intelligence Bureau Ext 5749	Report Approved	✓	Date
Wards Affected: All			✓
For further information please contact the authors of the report			

Background Papers:

None

Glossary of Abbreviations used in the report:

ARZ	Alcohol Restriction Zone	GVA	Gross Value Added
ASB	Anti-social behaviour	HLE	Healthy Life Expectancy
CYC	City of York Council	MYP	Member of Youth Parliament
EHCP	Education and Health Care Plan	NEET	Not in Employment, Education or Training
EIR	Environmental Information Regulations	NHS	National Health Service
FOI	Freedom of Information	SAP	Standard Assessment Procedure
FSM	Free school meals	SEN	Special Educational Needs
FTE	Full time equivalent	SLA	Service Level Agreement
GCSE	General Certificate of Secondary Education	YMT	York Museums Trust
GLD	Good level of development		

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Annex 1 – Directorate Financial Summaries

Children, Education & Communities

- 1 A net overspend of £518k is forecast primarily due to children's social care.
- 2 Based on the current numbers of Looked After Children (LAC) being maintained throughout the rest of the year there is a net projected overspend on placement and associated costs of £630k, including £169k on adoption allowances and £308k on Out of City Placements. There is also a net projected overspend of £330k within The Glen and disability short breaks budgets due to delays in implementing the new model of provision for children with the most complex needs.
- 3 Home to School Transport budgets are currently projected to overspend by a net £247k. The savings targets for the SEN element of home to school transport have not been achieved because of a growth in the number of pupils/students requiring transport and the specialist requirements of that transport.
- 4 Within the Direct Schools Grant (DSG) there is an estimated overspend on high needs costs of £1,500k, particularly in relation to Danesgate alternative provision and post 16/19 placements. This results in a projected deficit carry forward of DSG into 2020/21 of £2,263k which represents an increase of £1,436k.
- 5 A number of other more minor variations make up the overall directorate position.
- 6 The directorate management team are committed to doing all they can to try and contain expenditure with the approved budget and reduce the projected overspend as far as possible by the year end. Dealing with the budget pressures is a standing item at meetings with all options available to further mitigate the current projection being explored. This includes consideration of existing efficiency savings to identify if these can be stretched further or implemented early and continued restrictions on discretionary spending.

Economy & Place

- 7 A small net underspend of £137k is forecast primarily due higher than budgeted income from car parking offset by cost pressures within waste services.
- 8 Car Park income continues to perform strongly with income levels 2.4% higher than the corresponding period in 2018/19 and 6% higher than budget. Assuming a continuation of this trend this will result in a positive budget variance of £400k. There is also a forecast surplus on Season Tickets and Resident Parking totalling £100k. Whilst the additional income across parking is positive in mitigating overspends it is necessary to consider that this will be required over the medium term as the council has ambitions to rebuild a Multi Storey Car Park at St George's Field and to close Castle Car Park. During construction this will reduce parking capacity and will impact upon revenue with a level of uncertainty about usage in the longer term.
- 9 There is a forecast overspend (£345k) in waste collection. This is mainly due to the deployment of staff above budgeted levels in order to deliver the service. Work is ongoing to review how the service is delivered. There is also a forecast shortfall in income on commercial waste £50k.

Customer & Corporate Services

- 10 Overall the directorate is expected to underspend by £300k. There are a number of minor variations being managed and work will continue to try and identify additional savings to help the overall position.

Health, Housing & Adult Social Care

- 11 A net over spend of £2,372k is forecast for the directorate, mainly due to pressures within Adult Social Care. The majority of the overspend relates to the continuation of existing 2018/19 pressures that have been previously reported. Although significant growth was allocated to ASC in the 2019/20 budget, the majority of this was given to deal with new pressures such as 2019/20 contract price inflation and young adults transitioning from children's services.
- 12 There is a £2.3m pressure forecast all customer groups for residential care. This is due to an increase in the number of short

stays and a review is currently looking at whether full use is being made of all available facilities, including the use of Haxby Hall, which may be able to provide short term support for customers.

- 13 A forecast overspend of £491k on permanent residential care is due to a number of private care homes in York no longer accepting the councils standard rates. The Older Person's Accommodation programme has been successful in re-providing care for residents in eight out of our nine homes but the transition to independent living hasn't been as successful as anticipated and the new capacity hasn't come on line in synchronisation with council homes closing; this has put significant pressure on the residential care market and the council's budget.
- 14 Older People's Nursing care is forecast to overspend by £1,111k due to an increase in both the number of placements and the weekly cost of these placements.
- 15 Learning disability residential budgets are forecast to overspend by £851k. This is due in the main to use of temporary placements over and above the block contract we have in place.
- 16 Supported Living for both Learning Disability customers and Physical & Sensory Impaired customers continues to be a pressure, with a forecast overspend of £776k as the average cost per customer is higher than budgeted.
- 17 The use of home care to support older people has increased since Qtr1 by approx. 300 hours per week and is approximately £8k more per week now than was the case at the end of May. If this level continues, the budget is forecast to overspend by £400k. There is also a £104k overspend forecast on Mental Health customers due to the number of customers in supported living being greater than budgeted for.
- 18 In order to help mitigate some of the pressures set out above the directorate is developing an action plan. To date potential mitigations totalling £1.1m have been identified including reviewing direct payment contingency levels, investing in improved training and enhanced reviews around securing CHC income and releasing uncommitted resources from the older persons accommodation programme. Work is continuing to identify additional mitigations in order to increase the level of savings before the year end. The

mitigations already identified include the expected impact of initiatives funded from the additional resource allocated to ASC within the supplementary budget proposals agreed by Council on 17 July. In recent years, the Government has allocated additional one off funding during the year to meet the financial challenges within ASC. Should this happen again this year, it may significantly reduce the forecast position.

Housing Revenue Account

- 19 The Housing Revenue Account budget for 2019/20 is a net cost of £489k. Overall, the account continues to be financially strong and is forecasting a small overspend of £55k. This is predominantly due to an increase in demand for reactive repairs over the last quarter and unanticipated water hygiene remedial work. This is offset by a forecast reduction in the bad debt provision of £250k and savings in capital charges of £269k.
- 20 The working balance as at 31 March 2019 was £24.5m. It was agreed in the outturn report that a total of £1,472k of the 2018/19 underspend would be carried forward to 2019/20 to fund capital financing, ICT project and stock condition survey work. Further, the July budget amendment agreed that £2m capital growth for investment in current local authority homes would be funded from the working balance. The forecast outturn takes both these issues into account and means that the working balance will reduce to £24m at 31 March 2020. This compares to the balance forecast within the latest business plan of £25.6m.
- 21 The working balance is increasing in order to start repaying the £121.5m debt that the HRA incurred as part of self-financing in 2012. The current business plan assumes that reserves are set aside to enable the debt to be repaid over the period 2023/24 to 2042/43.

Corporate Budgets

- 22 These budgets include Treasury Management and other corporately held funds. It is anticipated that overall a £600k underspend will be achieved, predominantly as a result of reviewing some assumptions on the cash flow position following a review of the profile of planned capital expenditure which will mean less interest being paid than previously anticipated.

Annex 2 – Performance – Council Plan Outcomes

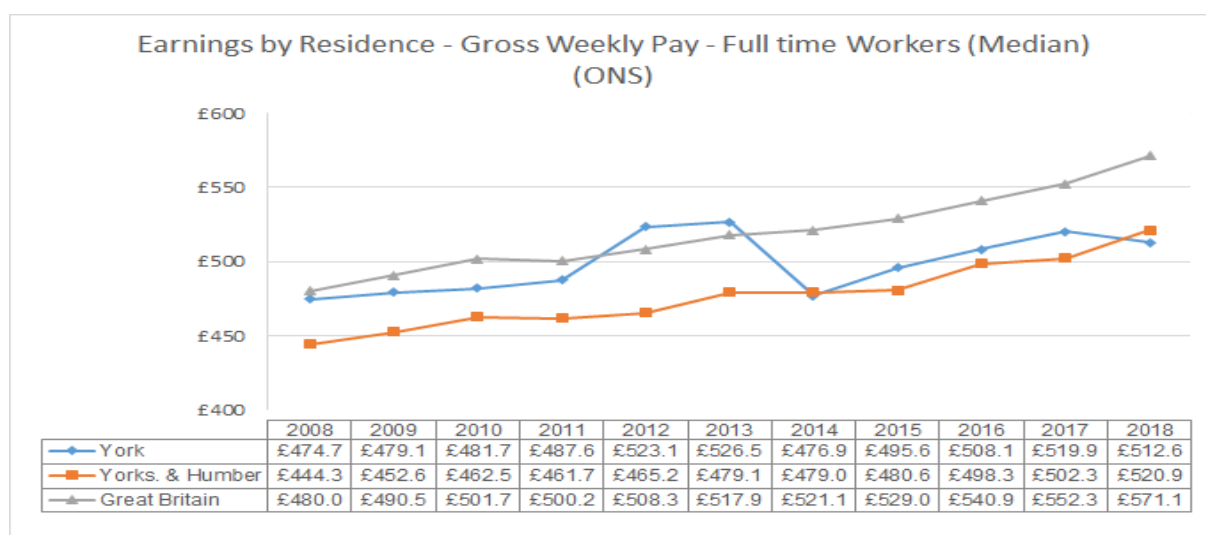
Well paid jobs and an inclusive economy

Well paid jobs and an inclusive economy						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Business Rates - Rateable Value	£255,623,506 (Q1 2019/20)	£255,273,836 (Q2 2019/20)	➡	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
Median earnings of residents - Gross Weekly Pay (£)	£519.90 (2017/18)	£512.60 (2018/19)	➡	Annual	National Data 2018/19: £571.1 Regional Data 2018/19: £520.9	2019/20 data available in November 2019
% of working age population qualified - to at least L2 and above	85.00% (2017/18)	83.20% (2018/19)	➡	Annual	National Data 2018/19: 74.90%	2019/20 data available in April 2020
% of working age population qualified - to at least L4 and above	48.90% (2017/18)	47.90% (2018/19)	➡	Annual	National Data 2018/19: 39.30% Regional Data 2018/19: 33.30%	2019/20 data available in April 2020
GVA per head (£)	24,006 (2016/17)	25,130 (2017/18)	⬆️ Good	Annual	Regional Rank 2017/18: 2	2018/19 data available in December 2019
New Jobs Created (to be created in late 19/20)	N/A	In development		TBC	Not available	Indicator to be created in late 2019/20
% of vacant city centre shops (compared to other cities)	8.13% (Q1 2019/20)	6.70% (Q2 2019/20)	⬇️ Good	Monthly	National Data 2019/20 Q1 11.7%	Q3 2019/20 data available in Jan 2020
% of working age population in employment (16-64)	79.30% (Q3 2018/19)	78.40% (Q4 2018/19)	➡	Quarterly	National Data 2018/19 75.40%	Q1 2019/20 data available in November 2019

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

Median earnings of residents – Gross weekly pay

- 1 In April 2018, the median gross weekly earnings for full-time resident employees in York were £512.60, a decrease of 1.4% (excluding inflation) from £519.30 in 2017. Since the economic downturn of 2008 to 2009, growth (excluding inflation), has been fairly steady, averaging approximately 1.1% per year up to 2017. Nationally the increase was 1.5% and regionally, 1.3% over the same period.



% of working age population qualified – to at least L2 and above

- 2 In 2018-19, 83.2% of the working age population were qualified to at least L2 and above (GCSE grades 9-4), which is higher than the national and regional figures (74.9% and 71.8% respectively) and above the target rate of 83%. This result ranks the city of York first regionally. The 2018-19

figure is a slight decrease from 2017-18 (85%) but higher than in the years prior to that.

% of working age population qualified – to at least L4 and above

- 3 In 2018-19, 47.9% of the working age population were qualified to at least L4 and above (certificate of higher education or equivalent), which is higher than the national and regional figures (39.3% and 33.3% respectively). This result also ranks the city of York first regionally. The 2018-19 figure is a slight decrease from 2017-18 (48.9%) but higher than in the years prior to that.

GVA (Gross Value Added) per head (£)

- 4 In 2017-8 (the latest available data), the GVA per head in York was £25,130 which was the second highest figure regionally. Apart from a slight dip in 2015-16, the GVA per head has been increasing annually since 2009-10 where it was £22,066 per head.

% of vacant city centre shops compared to other cities

- 5 At the end of Q2 2019-20, there were 43 vacant shops in the city centre which is a reduction from 53 at the end of Q2 2017-18. The number of vacant shops equates to 6.7% of all city centre shops which is lower than the national benchmark in Q1 2019-20 of 11.7%. The York figure hasn't fluctuated a great deal in the past 10 years, with a high of 9.16% in 2016-17 and the national benchmark figure has remained fairly stable too, with a high of 12.3% in 2013-14. The challenges faced by York city centre are the same as those faced nationally due to changing consumer behaviour. Provisional figures show that Parliament Street footfall up to September 2019-20 has decreased by 3.25% since 2018-19. This reflects the national picture as Springboard BRC has reported the average decline of 2% in the last six months and a 10% decline in the last 7 years.

% of working age population in employment (16-64)

- 6 In 2018-19, 78.4% of the working age population were in employment, which is higher than the national and regional figures (75.4% and 73.7% respectively). The York score gives the city a ranking of 2 regionally and represents a continued yearly upward trend.

Getting around sustainably

Getting around sustainably						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
P&R Passenger Journeys - (YTD)	4.24m (2018/19)	1.03m (Prov) (Q1 2019/20)	➡	Quarterly	Not available	Q2 2019/20 data available in November 2019
Local bus passenger journeys originating in the authority area (excluding P&R) - (YTD)	12m (2018/19)	2.91m (Prov) (Q1 2019/20)	➡	Quarterly	Not available	Q2 2019/20 data available in November 2019
% of road and pathway network that are grade 4 (poor) or grade 5 (very poor) - roadways	24.00% (2017/18)	23.00% (2018/19)	⬇ Good	Annual	Not available	2019/20 data available in October 2020
% of road and pathway network that are grade 4 (poor) or grade 5 (very poor) - pathways	5.00% (2017/18)	3.00% (2018/19)	➡	Annual	Not available	2019/20 data available in October 2020
Area Wide Traffic Levels (07:00 -19:00) (Excluding A64) from 2009/10 baseline (2.07m)	2.17m (2017/18)	2.15m (Prov) (2018/19)	➡	Annual	Not available	2019/20 data available in October 2020
Index of cycling activity (12 hour) from 2009 Baseline (31,587)	110.00% (2017)	120.00% (2018)	➡	Annual	Not available	2019 data available in July 2020
Index of pedestrians walking to and from the City Centre (12 hour in and out combined) from 2009/10 Baseline (37,278)	110.00% (2017/18)	126.00% (2018/19)	➡	Annual	Not available	2019/20 data available in July 2020
% of customers arriving at York Station by sustainable modes of transport (cycling, walking, taxi or bus - excluding cars, Lift, Motorcycle, Train)	71.00% (2017)	73.00% (Prov) (2018)	➡	Annual	Not available	2019 data available in October 2020

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

P&R Passenger Journeys

- 7 In 2018-19 there were a total of 4.24 million Park and Ride passenger journeys into and out of the city. This is lower than in 2017-18 (4.25m) and the lowest in the previous 6 years (with a high of 4.61m in 2015-16). The 2019-20 Q1 figure of 1.03m (provisional) is higher than the Q1 figure in 2018-19 (0.99m) but lower than the Q1 figures in the previous 6 years.

Local bus passenger journeys

- 8 In 2018-19 there were 12 million local bus passenger journeys that originated in the local authority area. This is the same number of journeys as in 2017-18 and there has been a steady increase over the previous 5 years (from 9.7m in 2012/13). The 2019-20 Q1 figure of 2.91m journeys is slightly less than the Q1 figure in 2018-19 (2.92m), but higher than the previous few years.

% of ROAD and pathway network that are grade 4 (poor condition) or grade 5 (very poor condition) - Roadways / Pathways

- 9 In 2019-20, 20% of the road network was classed as in poor or very poor condition. This is a slight decrease from 2018-19 and 2017-18 (23% and 24% respectively) but still remains higher than in previous years (with a low of 13% in 2010/11). In 2019-20, 3% of the pathway network was classed as in poor or very poor condition. This remains relatively low compared with previous years with a high of 6% in 2015-16.

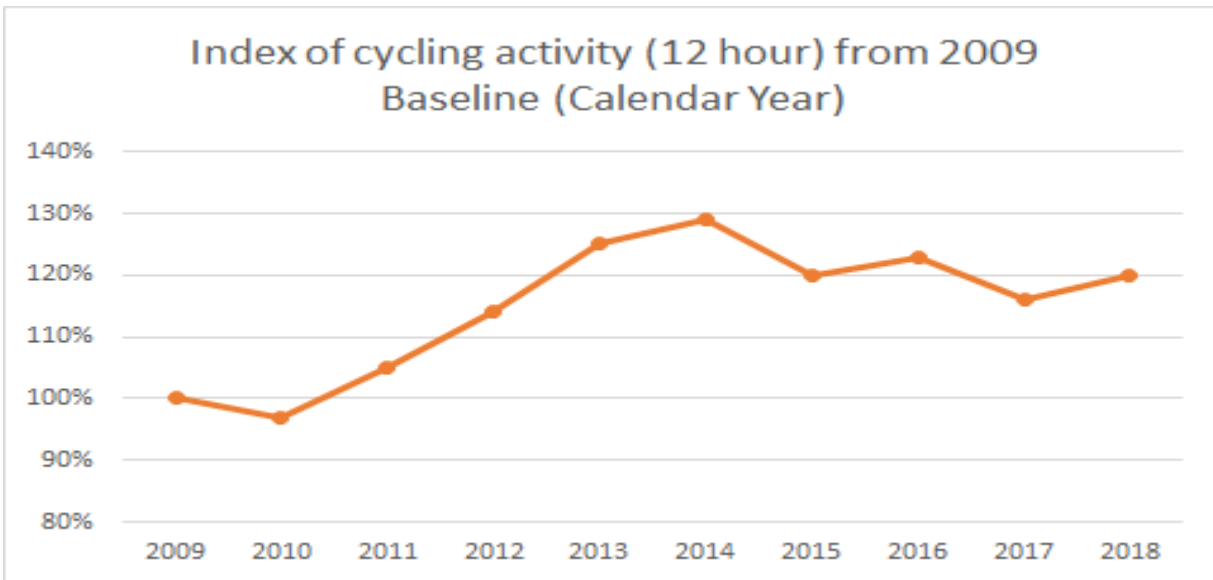
Area Wide Traffic Levels (07:00 -19:00) (Excluding A64)

- 10 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. Since then the numbers have slowly decreased to a provisional figure of 2.15 million in 2018-19.

This slight decrease in numbers is set against a backdrop of a city with an increasing population.

Index of cycling activity (12 hour) / % of residents actively cycling and national comparisons

- 11 From a baseline in 2009 (31,587), there has been a 20% increase in cycling activity in 2018. The highest level seen since the baseline was established was in 2014 where there was a 29% increase above the baseline.



- 12 Statistics around walking and cycling in England in 2018 were published during August 2019. The data is based on two main sources, The National Travel Survey and the Active Lives Survey. The picture for York residents is a positive one with a higher than average proportion engaging in both walking and cycling (the % of adults in York who walk five times per week (39.7%) is higher than regional and national averages (29.9% and 32%)).

Index of pedestrians walking to and from the City Centre (12 hour in and out combined)

- 13 From a baseline in 2009-10 (37,278), there has been a 26% increase in the number of pedestrians walking to and from the city centre. This is 16% higher than in 2017. This is the highest increase seen since the baseline was established.

% of customers arriving at York Station by sustainable modes of transport (cycling, walking, taxi or bus – excluding cars, lift, motorcycle or train)

- 14 In 2018, 73% (provisional) of customers arrived at York station by sustainable modes of transport which is an increase from 71% in 2017 but lower than 75% in 2016.

- 15 A programme of works is underway to update occupancy counters in three city centre car parks and procure a new system for managing payments and record occupancy in a further two car parks. Once the programme is complete and data is available, this will be published to York Open Data.

Good Health and Wellbeing

Good Health and Wellbeing						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Proportion of adults in contact with secondary mental health services living independently, with or without support	84.00% (2018/19)	80.00% (Q1 2019/20)	➡	Quarterly	National Data 2017/18 57.00%	Q2 2019/20 data available in December 2019
Delayed transfers of care from hospital which are attributable to adult social care, per 100,000 population (YTD Average)	5.9 (Q1 2019/20)	5.6 (August 2019)	➡	Quarterly	National Data 2017/18 4.3	Q2 2019/20 data available in November 2019
Overall satisfaction of people who use services with their care and support	62.40% (2016/17)	62.90% (2017/18)	➡	Annual	National Data 2017/18 65.0%	2018/19 data available in November 2019
% of reception year children recorded as being obese (single year)	8.52% (2016/17)	9.28% (2017/18)	➡	Annual	National Data 2017/18 9.53%	2018/19 data available in November 2019
Slope index of inequality in life expectancy at birth - Female - (Three year period)	4.2 (2016/17)	5.2 (2017/18)	➡	Annual	Regional Rank 2017/18: 3	2018/19 data available in April 2020
Slope index of inequality in life expectancy at birth - Male - (Three year period)	7.7 (2016/17)	8.9 (2017/18)	⬆ Bad	Annual	Regional Rank 2017/18: 2	2018/19 data available in April 2020
% of adults (aged 16+) that are physically active (150+ moderate intensity equivalent minutes per week, excl. gardening)	71.01% (2016/17)	70.20% (2017/18)	➡	Annual	National Data 2017/18 62.10%	2018/19 data available in November 2019

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All historic data is available via the Open Data Platform

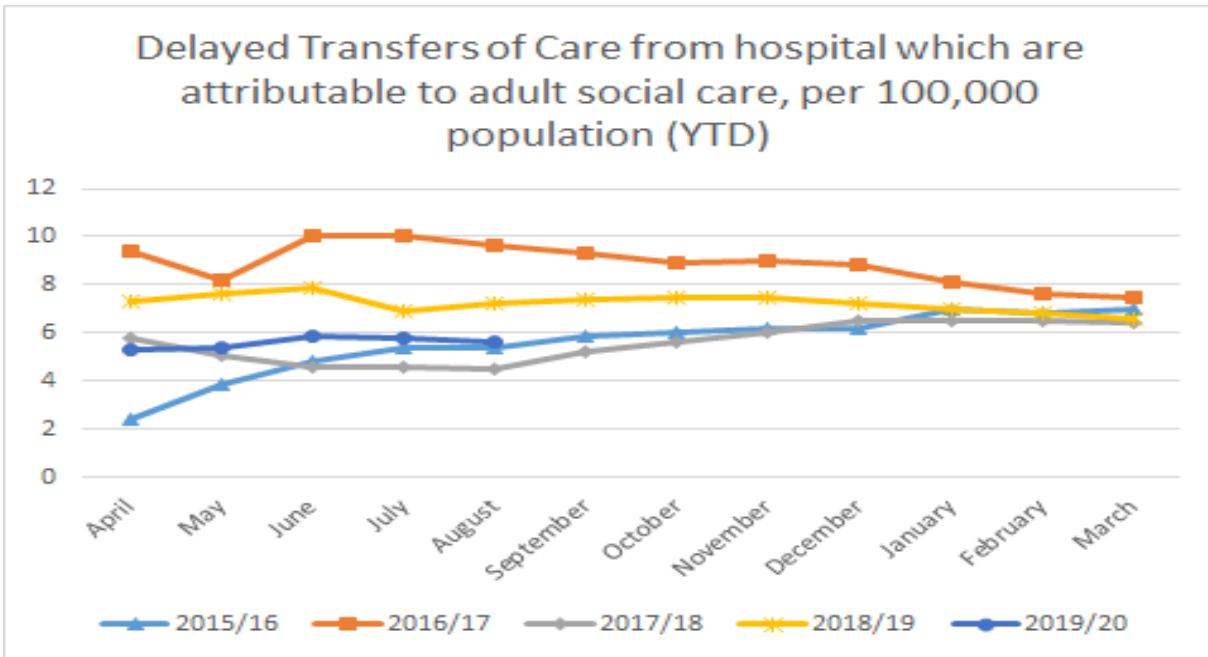
- Proportion of adults in contact with secondary mental health services living independently**
- 16 The percentage of all adults in contact with secondary mental health services living independently, with or without support, was 80% at the end of Q1 2019-20, which represents a slightly lower level compared with Q1 2018-19 (84%). At the end of Q1 2019-20, the latest data available to CYC, 23% of all clients in contact with secondary mental health services were in employment, which represents a much higher level compared with Q1 2018-19 (20%).

Delayed Transfers of Care from hospital which are attributable to adult social care, per 100,000 population

- 17 A delayed transfer of care (DToc) occurs when a hospital patient is deemed medically fit to be discharged, but cannot be released from hospital because they are waiting for community support to be arranged by the NHS and/or a local authority, or because the patient cannot agree where he/she should reside following discharge. The number of days that hospital patients are delayed in these circumstances are aggregated and measured to show how well NHS and local authority adult social care services are working together.
- 18 There has been a downward trend in the number of days that patients are delayed leaving hospital that are “attributable to adult social care”. In the 12 months to the end of August 2019, which is the latest period for which information has been published by NHS England, there were on average 10 beds per day occupied by people subject to delayed transfers of care attributable to CYC’s adult social care. This is lower than in the previous 12 month period (13 beds occupied per day on average). Combined with the fact that patients are staying in hospital, on average, for shorter periods of time, this means that adult social care is getting better at

supporting people to get where they want to be quickly, against a backdrop of increasing numbers of unplanned or emergency admissions.

- 19 The graph below shows the rates per 100,000 population, which enables comparisons to be made regionally and nationally. In August 2019 there were a total of 261 bed days (a bed day being a bed occupied all day by a patient subject to DToC) that were attributable to adult social care, which equates to a YTD average of 5.6 beds per day, per 100,000 population.



Overall satisfaction of people who use services with their care and support

- 20 The latest (2018-19) Adult Social Care User Survey showed that, provisionally, 64% of those who responded stated that they were “extremely” or “very” satisfied with the care and support they received. This is a slight improvement from 2017-18, where 63% gave one of these answers.

% of reception year children recorded as being obese (single year)

- 21 In 2017-18, 9.3% of reception aged children in York were recorded as being obese. This is lower than the national (9.5%) and regional (9.9%) averages but higher than the average for our statistical neighbours (8.8%).

Healthy Life expectancy at birth – Female/Male (slope index of inequality)

- 22 Average Life Expectancy and Healthy Life Expectancy for males in York (80.2 years and 65.3 years) is above the England average (79.6 years and 63.4 years). Average Life Expectancy and Healthy Life Expectancy for females in York (83.5 years and 64.7 years) is also above than the England average (83.1 years and 63.8 years).

- 23 The “slope index” measures the inequality in life expectancy across a geographical area: a higher figure represents a greater disparity in life

expectancy between more and less deprived areas. In York, the slope index of inequality in life expectancy at birth is 8.9 years for males and 5.2 years for females. These are lower (better) than the England values (9.4 years and 7.4 years) although the value is increasing for males in York.

% of adults (aged 16+) that are physically active (150+ moderate intensity equivalent minutes per week, excluding gardening)

- 24 The latest data from the Adult Active Lives Survey for the period November 2017 to November 2018 was published in April 2019. 492 people in York aged 16 and over took part in the survey and reported higher levels of physical activity, and lower levels of physical inactivity, compared with the national average. Positively:
- 73.1% of people in York did more than 150 minutes of physical activity per week compared with 62.6% nationally and 64.9% regionally.
 - 14.4% of people in York did fewer than 30 minutes per week compared with 25.1% nationally and 22.5% regionally. Positively, this figure is considerably lower than the 19.4% reported for the period of May 2017 to May 2018.
- 25 The same Active Lives survey showed that 84% of adults aged over 16 in York took part in sport and physical activity at least twice in the previous 28 days. This is above the national (77.5%) and regional (75.8%) averages.

A Better Start for Children and Young People

A Better Start for Children and Young People						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Secondary school persistent absence rate (10% absence) (recorded over 6 terms) (relates to prev academic year to financial year shown)	12.90% (2016/17)	15.90% (2017/18)	↑ Bad	Annual	Not available	2018/19 data available in November 2019
Voice of the Child - Service Usage (to be created in late 19/20)	Narrative	Narrative		TBC	Not available	Indicator to be created in late 2019/20
Voice of the Child - Life Opportunities (to be created in late 19/20)	Narrative	Narrative		TBC	Not available	Indicator to be created in late 2019/20
% of children who have achieved a Good Level of Development (GLD) at Foundation Stage - (Snapshot)	74.30% (2016/17)	74.80% (2017/18)	→	Annual	National Data 2017/18 71.50%	2018/19 data available in November 2019
Average Progress 8 score from KS2 to KS4	0.11 (2016/17)	0.11 (2017/18)	→	Annual	National Data 2017/18 -0.03	2018/19 data available in November 2019
% of pupils achieving 9-4 or above in English & Maths at KS4 (C or above before 2016/17)	68.50% (2016/17)	69.60% (2017/18)	→	Annual	National Data 2017/18 64.20%	2018/19 data available in November 2019
%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	30.30% (2016/17)	33.20% (2017/18)	→	Annual	National Data 2017/18 27.00%	2018/19 data available in Jan 2020
% of Year 12-13 (academic age 16-17) NEET who possess less than a L2 qualification - (Snapshot)	87.20% (Q1 2019/20)	90.90% (August 2019)	→	Quarterly	Not available	Q2 2019/20 data available in November 2019

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Secondary school persistent absence rate

- 26 Secondary school persistent absence is a worsening trend and York is performing in the lower quartile for this measure. There is a correlation with disadvantage and special educational needs with the highest levels of persistent absence being seen in pupils who are eligible for pupil

premium and/or have special educational needs. Work taking place to develop curriculum pathways is designed to address this issue. 2018/19 data will be released in early November 2019.

Voice of the Child

- 27 Children's Rights and Advocacy Service: Participation opportunities for young people in care and care leavers continue to be delivered via the Children in Care Council (CiCC) and Care Leavers Forum. This includes monthly 'Show Me That I Matter' panel meetings (13-17 yrs), monthly meetings of the Care Leavers Forum, 'I Still Matter', (17-21 yrs) and fortnightly 'Speak Up' youth club sessions (10-16yrs). Activity over this quarter has included working with the Fostering service to create child friendly profiles for foster carers and also for children and young people in care, creating a resource to highlight young people's views in relation to some of the terminology used by professionals (Mind Your Language), working with other youth groups in York to host a Mental Health Participation Festival and taking part in the North Yorkshire Young Minds Combined Mental Health Summit.
- 28 York Youth Council: The youth council were part of the Mental Health Participation festival which took place in July 2019. This was a joint collaboration with the York Mind Steering group and 'Show Me That I Matter' – York's Children in Care Council. Youth council have also began working alongside North Yorkshire Youth to form a working group which they have named 'North Yorkshire Young Minds Combined'. This group aims to tackle issues around mental health that have been spotted within both authorities and also the difference in services available to those individuals who may live in one authority but go to school in the other.

% of children who have received a Good level of Development (GLD) at Foundation Stage

- 29 Early indications show a continuing trend of improvement in York's already good performance in this area. This is in part due to the improving outcomes for disadvantaged and SEN support pupils, which both show increases since 2017. Provisional results show that the disadvantaged gap has narrowed in 2019, but is likely to remain wider than the National gap.

Education Progression (Average Progress 8 score from KS2 to KS4) and GCSE Results (% of pupils achieving 9-4 in English and Maths at KS4)

- 30 Progress 8 is a measure of the progress made by pupils between Key Stage 2 and Key Stage 4. A positive score represents progress above the average for all pupils and a negative score progress below the average for all pupils. In 2018, the average Progress 8 score for Year 11 pupils was +0.11, which was significantly above the national average. The Progress 8 score of +0.11 was the same as in 2017 and again put York in the top quartile for all Local Authorities. 2019 data has not yet been published

however, the un-validated data suggests that we can expect to see an improvement.

- 31 Provisional data shows that 74% of York's 16 year olds leaving Secondary school in summer 2019 achieved a standard grade (9-4) in both English and Maths. The 2018 York figure was 70% compared to a National average of 64%.

% point 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 and Maths at KS4

- 32 Reducing the attainment gap between disadvantaged pupils and their peers is a key priority in all phases of education across 0-19 years. We have had early indications from some secondary schools about improved attainment and progress measures in the 2019 exams and await the imminent publication of provisional national data, which will allow a full analysis.

% of 16-17 year olds who are NEET who do not have a L2 qualification

- 33 The proportion of 16-17 year olds in York who are NEET remains at a similar level to historical trends and there is a correlation with disadvantage, with the majority of young people being from the wards with the highest levels of deprivation. At the end of August 2019, 91% of young people who were NEET did not have a Level 2 qualification. Historically the figure can increase in August in line with the end of the academic year.
- 34 Of the 16-17 year olds who are NEET, over 50% also have some form of special educational need. They are most likely to have required SEN Support at school, rather than have an Education & Health Care Plan (EHCP). Whilst young people with SEND are over-represented in the NEET cohort, it is known (both in York and nationally) that young people who are NEET often have multiple risk factors. Characteristics such as SEND, exclusions from school and deprivation are usually present in NEET cohorts and rarely in isolation. York also has a small cohort of young parents who do not have L2 qualification level.
- 35 The young people who are both NEET and have SEND are less likely to have high levels of need (e.g. EHCP). This is supported by the destination data of Applefields Special School, who frequently see 100% of their Year 11s staying at the school for another two years.

A Greener and Cleaner City

A Greener and Cleaner City						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Percentage of household waste sent for reuse, recycling or composting	43.58% (2018/19)	56.30% (Q1 2019/20)	➔	Quarterly	National Data 2017/18 43.20%	Q2 2019/20 data available in Jan 2020
Residual household waste per household (kg/household)	551kg (2018/19)	107kg (Q1 2019/20)	➔	Quarterly	National Data 2017/18 543.6kg	Q2 2019/20 data available in Jan 2020
Incidents - Flytipping /Cleansing(includes dog fouling,litter)/Graffiti - On Public/Private Land	1,995 (2018/19) Flytipping	593 (Q1 2019/20) Flytipping	➔	Quarterly	Not available	Q2 2019/20 data available in November 2019
	1,941 (2018/19) Flytipping	541 (Q1 2019/20) Cleansing	➔	Quarterly	Not available	Q2 2019/20 data available in November 2019
	183 (2018/19) Graffiti	71 (Q1 2019/20) Graffiti	➔	Quarterly	Not available	Q2 2019/20 data available in November 2019
Citywide KPI on air quality (to be created in late 19/20)	N/A	In development		TBC	Not available	Indicator to be created in late 2019/20
Carbon emissions across the city (to be created in late 19/20)	N/A	In development		TBC	Not available	Indicator to be created in late 2019/20
Level of CO2 emissions from council buildings and operations (Net emissions) (to be created in late 19/20)	N/A	In development		TBC	Not available	Indicator to be created in late 2019/20
Flood Risk properties assessed at lower level than 2019 baseline (to be created in late 19/20)	N/A	In development		TBC	Not available	Indicator to be created in late 2019/20
Trees Planted (to be created in late 19/20)	N/A	In development		TBC	Not available	Indicator to be created in late 2019/20
% of Talkabout panel who think that the council are doing well at improving green spaces	38.03% (Q3 2018/19)	37.92% (Q1 2019/20)	➔	Quarterly	Not available	Q3 2019/20 data available in Jan 2020

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Percentage of household waste sent for reuse, recycling or composting

36 The latest provisional data of 56% in Q1 2019/20 shows that the amount of household waste sent for reuse, recycling or composting has increased from 45% in the same period in 2018-19. It is worth noting that recycling rates are usually higher in the first half of the year and therefore could fall by the end of the year.

37 The amount of waste sent to Allerton Waste Recovery Park (in order to divert from landfill) and used for energy recovery in Q1 2019-20, has remained stable at 9,766 tonnes (9,825 tonnes during the same period last year).

Residual household waste per household (kg/household)

38 Provisional Residual waste (i.e. non-recyclable) per household data suggests that there has been a large decrease to 107 kg/household in Q1 2019/20 (from 158 kg/household last year) which supports the increased recycling rate above, although there has been a decrease in the collected household waste per person to 105 tonnes (from 123 last year).

Incidents - Fly tipping / Rubbish / Cleansing (includes dog fouling, litter and all other cleansing cases) / Graffiti – On Public/Private Land

39 The number of service calls received due to fly tipping, cleansing (including dog fouling and litter) and graffiti during Q1 2019-20 have all increased since the same period in 2018-19 (fly tipping from 496 to 593, cleansing from 402 to 541 and graffiti from 37 to 71).

Air Quality

- 40 In June 2019, the Council launched an anti-idling awareness and enforcement campaign for Clean Air Day. The aim of the campaign was to encourage people to think about the importance of clean air and the impact the campaign has on them, their health and those around them by prompting people to switch off their engines and reduce idling. The campaign included an extensive media campaign and anti-idling patrols and awareness events at schools.
- 41 To test the effectiveness of the 'Kick the Habit' campaign, an external agency surveyed a demographic of 1500 respondents in York and the North East of England to gauge their responses. 87% of respondents understood that the advert was about anti-idling behaviour and 76% strongly agreed that the advert would encourage people to consider switching off their engine when waiting. The survey was also sent to the Talkabout citizens' panel where 232 members participated.
- 42 Since the City of York Council launched the anti-idling policy in June 2019, they have undertaken 23 anti-idling patrols and spoken to around 60 drivers. As a result of these patrols, over 5 hours of anti-idling have been prevented. The annual Air Quality status report is due to be presented to the Executive Member for Environment and Climate Change during November.

Trees Planted

- 43 A new initiative, Treemendous York, has grown out of a recommendation in the 'York City Beautiful: Toward an Economic Vision' report, to promote a city which is healthier, greener, more environmentally friendly, beautiful and successful. The initiative has a target of planting 50,000 trees in the Greater York area and needs support from local residents and businesses by offering land, donating trees, giving time to plant trees and watering newly planted trees.
- 44 Friends of the Earth have sourced data by local authority area on a range of issues relevant to climate change. The data is either from official government or other credible sources. Local authority performance is compared to that of other similar local authorities (identified and grouped using the Office of National Statistics Residential-based area classifications). Data has been collected on the following:
- Proportion of commuting journey made by public transport, bike or walking
 - What bike use could be
 - Lift sharing
 - Electric vehicle charging points
 - Housing energy efficiency
 - Eco heating

- Renewable energy production
- Tree cover
- Waste sent for reuse, recycling or composting
- Declaring a climate emergency

45 Local authority areas are scored based on their performance compared to other local authority areas using a league table approach. Each authority is given a combined score, which is converted to a percentage of the possible highest score. York has been given a score of 68% which is considered average when compared to other local authorities. The report recommends York needs to do better on improving home insulation, increasing renewable energy and increasing tree cover. In the 2019/20 supplementary budget announcement, it was agreed that investment would be made in the 'Building Insulation Programme'. A programme of increasing the energy efficiency of our Council housing stock would begin, including the potential inclusion of renewable energy and integrating this with the modernisation and decent homes standard work. As stated in paragraph 43, a new initiative has begun in the city with the aim to increase tree cover.

% of Talkabout panel who think that the council and partners are doing well at improving green spaces

46 In the latest (Q1 2019-20) Talkabout survey, responses continued to reflect that panellists thought the council and partners could do more to improve green spaces with only 38% of respondents agreeing that the council and partners were doing well.

Creating Homes and World-class infrastructure

Creating homes and World-class infrastructure						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Net Additional Homes Provided - (YTD)	1,296 (2017/18)	449 (2018/19)	↓ Bad	Quarterly	Not available	Q2 2019/20 data available in Dec 2019
Net Housing Consents - (YTD)	1,104 (2017/18)	1,626 (2018/19)	↑ Good	Quarterly	Not available	Q2 2019/20 data available in Dec 2019
Number of homeless households with dependent children in temporary accommodation - (Snapshot)	35 (Q3 2018/19)	24 (Q4 2018/19)	↓ Good	Quarterly	Not available	Q1 2019/20 data available in Dec 2019
Average number of days to re-let empty properties (excluding temporary accommodation) - (YTD)	43.01 (Q1 2019/20)	32.27 (Q2 2019/20)	↑ Bad	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
Energy efficiency - Average SAP rating for all Council Homes	74.28% (2017/18)	70.60% (2018/19)	→	Annual	Not available	2019/20 data available in Oct 2020
Number of new affordable homes delivered in York	60 (2018/19)	24 (Q1 2019/20)	↑ Good	Quarterly	Not available	Q2 2019/20 data available in November 2019
Average broadband download speed (Mb/s)	102.9 (2017/18)	44 (2018/19)	→	Annual	National Data 2018/19 46.2	2019/20 data available in July 2020
Superfast broadband availability	92.00% (2017/18)	94.90% (2018/19)	→	Annual	National Data 2018/19 94.00%	2019/20 data available in July 2020

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New Additional Homes Provided

47 During 2018-19 there were a total of 449 net additional homes completed (this compares to a yearly average of 850 additional homes completed over the previous five years). Of these additional homes:

- 77.3% were completed on housing sites.
- 8.9% were a result of off campus privately managed student accommodation schemes
- 6.2% resulted from 'prior approval' i.e. sites benefitting from relaxed permitted development rights to allow conversion to residential use.
- Changes of use of existing buildings to residential use and conversions to existing residential properties accounted for 34.5% of all completions.
- Development sites including Land at Metcalfe Lane, former Grain Stores (Water Lane), former Oliver House site in Bishophill Senior and the change of use of offices at Rowntree Wharf all provided notable completions over the year.

Net Housing Consents

48 Figures for 2018-19 shows that, positively, there were 1,628 net housing consents granted which represents a continued high level of approvals. Of these approvals, 96.4% were for traditional housing sites which include the Former British Sugar Corporation Site (up to 1100 new homes), the Former Lowfield School Site (165 new homes proposed) and York St John University Playing Fields Site (outline approval for 70 homes). These approvals represent significant future planned housing developments for the city.

Number of homeless households with dependent children in temporary accommodation

49 The number of homeless households with dependent children in temporary accommodation has decreased from 27 to 24 from 2017-18 to 2018-19. However, the number of homeless households in temporary accommodation in total has risen from 49 in 2017-18 to 66 in 2018-19. It should be noted that these figures are snapshot figures.

Average number of days to re-let empty Council properties (excluding temporary accommodation)

50 The average number of days to re-let empty Council properties (excluding temporary accommodation) increased from 36 days at the start of 2019-20 to 43 days at the end of Q1. Historically re-let times have been around 20 days. The increase in re-let times has been attributed to the absence, until the beginning of September, of a Tenants' Choice contractor. As a result, the work that the Tenants' Choice team would normally carry out whilst the tenant is in place has been done by the voids team, therefore increasing the re-let time. At the end of Q2 2019-20 the average number of days to re-let empty properties has reduced to 32 showing a more positive direction of travel.

51 National data is available from Housemark for the average number of days to re-let empty properties (minus major works). The latest national figure (2018/19) is 26 days which compares to 33 days in York.

Energy efficiency – Average SAP rating for all Council Homes

- 52 The provisional average SAP rating for all Council homes in 2018-19 is 70.6. Energy performance of the stock is assessed as part of a stock condition survey. The survey looked at 17% of all stock and the data was then cloned onto the remaining stock where it was of the same archetype and in the same street, or the next closest area. The survey is designed to provide 95% accuracy.
- 53 Historically, the SAP rating has been around 74 but these figures were based only on the average of those properties where an Energy Performance Certificate was in place and so the new methodology in 2018-19 is more statistically accurate. The change in ratings represents the fact that the increased sample of energy data following the stock condition survey has the effect of reducing the average, rather than reflecting a reduction in the actual energy performance of council homes.

Number of new affordable homes delivered in York

- 54 The number of new affordable homes delivered in York during the full year of 2018-19 was 60, which is fewer than the 74 delivered in 2017-18 and the 91 delivered in 2016-17. Positively, there were 24 new affordable homes delivered during the first quarter of 2019-20 which indicates that the full year total for 2019-20 could be higher than the previous year.

Superfast broadband availability/Average broadband download speed (Mbs)

- 55 In 2018-19, 94.90% of properties in York had access to superfast broadband which compares to 94% nationally. The average broadband download speed in 2018-19 was 44 Mb/s compared to 103 Mb/s in 2017-18. The national benchmark download speeds are 46 Mb/s in 2018-19 and 44.6 Mb/s in 2017-18. This data is provided by an Ofcom panel of consumers so should be treated as an indication rather than actual figures.

Safe Communities and culture for all

Safe Communities and culture for all						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
% of Talkabout panel satisfied with their local area as a place to live	88.61% (Q3 2018/19)	88.45% (Q1 2019/20)	→	Quarterly	Community Life Survey 2018/19 76.00%	Q3 2019/20 data available in Jan 2020
All Crime per 1000 population	16.91 (Q1 2019/20)	5.7 (July 2019)	↑ Bad	Quarterly	National Data July 2019 7.9	Q2 2019/20 data available in November 2019
Number of Incidents of ASB within the city centre ARZ	462 (Q1 2019/20)	186 (August 2019)	→	Quarterly	Not available	Q2 2019/20 data available in November 2019
Visits - All Libraries	264,094 (Q1 2019/20)	298,937 (Q2 2019/20)	↑ Good	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
Visits - York Museums Trust to be created in late 19/20	N/A	In development		TBC	Not available	Indicator to be created in late 2019/20
% of Talkabout panel who agree that they can influence decisions in their local area	28.95% (Q3 2018/19)	27.37% (Q1 2019/20)	→	Quarterly	Community Life Survey 2018/19 25.39%	Q3 2019/20 data available in Jan 2020
% of Talkabout panel who give unpaid help to any group, club or organisation	64.72% (Q3 2018/19)	64.98% (Q1 2019/20)	→	Quarterly	Community Life Survey 2018/19 62.41%	Q3 2019/20 data available in Jan 2020
Parliament Street Footfall	2,061,058 (Q1 2019/20)	2,278,319 (Q2 2019/20)	→	Quarterly	Not available	Q3 2019/20 data available in Jan 2020

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% of Talkabout panel satisfied with their local area as a place to live

- 56 The most recent resident satisfaction survey was sent to residents during June 2019. Results from the Q1 2019-20 Talkabout survey showed that 87% of the panel were satisfied **with York** as a place to live and 88% **with their local area**. Although minor decreases in satisfaction can be seen in these areas, satisfaction continues to be significantly higher than the latest national figures of 76% (Community Life Survey 2018-19) and 81% (Local Government Association Poll February 2019). 73% of respondents feel that York is a safe city to live in and relatively free from crime and violence.
- 57 Where residents indicated that they were dissatisfied **with York** as a place to live, the most common reasons continue to be transport (particularly traffic and bus services), crime and anti-social behaviour (mainly city centre drinking), economy and value for money (largely residents not being at the heart of decision making). Public Realm also featured highly in the Q1 survey.
- 58 Where residents were dissatisfied **with their local area** as a place to live, the most common reasons continued to be public realm and highways, transport also featuring highly. Specifically, these concerns were about the standards of street cleansing (including littering levels), the poor quality of pavement/road surfacing and traffic.
- All Crime per 1000 population**
- 59 Overall crime levels in York in 2018-19 have risen to 13,579 crimes compared to 11,958 in 2017-18 and this is due to a small increase in crime reports across a wide range of categories. The overall crime levels

for Q1 2019-20 (3,421) indicate that crime levels have stabilised in recent quarters.

Number of Incidents of ASB within the city centre (Alcohol Restriction Zone)

60 There were 2,059 incidents of anti-social behaviour within the city centre ARZ in 2018-19 which, apart from a slight increase from 2017-18, is lower than in the previous years. There were 462 incidents in Q1 2019-20 which is the lowest number in the first quarter of the year since 2010/11.

Visits - All Libraries / YMT

61 There were 298,937 visits to all York libraries in Q2 2019-20 which is an increase from 264,094 visits in Q1 2019-20.

% of Talkabout panel who agree that they can influence decisions in their local area

62 Results from the Q1 2019-20 Talkabout survey found that 27% of panellists agreed that they could influence decisions in their local area which is slightly higher than the latest national figure of 26% (Community Life Survey 2018-19). 92% of respondents think it's important that residents can influence decisions in their local area.

% of Talkabout panel who give unpaid help to any group, club or organisation

63 The results of the latest (Q1 2019-20) Talkabout survey showed that 65% of the respondents give unpaid help to a group, club or organisation which is comparable with the government's Community Life Survey 2018-19 which found that 62% of respondents reported any volunteering in the past 12 months.

Parliament Street Footfall & Secondary Centre Footfall

64 Parliament Street footfall was 4,315,863 unique counts up to September 2019-20 which is a 3.25% decrease from 4,460,808 in 2018-19. This reflects the national picture as Springboard BRC has reported the average decline of 2% in the last six months and a 10% decline in the last 7 years.

An open and effective Council

An open and effective Council						
	Previous Data	Latest Data	DoT	Frequency	Benchmarks	Data Next Available
Forecast Budget Outturn (£000s Overspent / -Underspent) - CYC	£1,884 (excluding contingency) (Q1 2019/20)	£1,853 (excluding contingency) (Q2 2019/20)	→	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
Average Sickness Days per FTE - CYC (Excluding Schools) - (Rolling 12 Month)	11.0 (Q1 2019/20)	11.1 (July 2019)	→	Quarterly	CIPD Public Sector 2018/19 8.5	Q2 2019/20 data available in Dec 2019
Customer Services Waiting Times - Phone / Footfall / Webchat	00:00:33 (Phone) (Q1 2019/20)	00:00:21 (Phone) (Q2 2019/20)	→	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
	83.22% (Footfall) (Q1 2019/20)	83.87% (Footfall) (Q2 2019/20)	↑ Good	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
	Not collected (Webchat)	89.2% (Webchat) (Q2 2019/20)	→	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
Number of days to process Benefit claims (currently Housing benefit)	2.44 (Q1 2019/20)	3.01 (Q2 2019/20)	→	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
% of complaints responded to within timescales (currently 5 days)	56.90% (Q4 2018/19)	56.10% (Q1 2019/20)	→	Quarterly	Not available	Q2 2019/20 data available in November 2019
CYC Apprenticeships	24 (Q1 2019/20)	23 (Q2 2019/20)	→	Quarterly	Not available	Q3 2019/20 data available in Jan 2020
FOI & EIR - % In time - (YTD)	90.86% (2018/19)	80.40% (Q1 2019/20)	→	Quarterly	Not available	Q2 2019/20 data available in November 2019

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

Forecast Budget Outturn (£000s Overspent / -Underspent)

- 65 The forecast budget outturn overspend at the end of Q2 2019-20 (including contingency) is £1,353. This compares with £1,384 at the end of Q1 2019-20. Please see the finance section at the start of this report which describes the mitigations put in place to reduce this.

Average Sickness Days per FTE - CYC (Excluding Schools)

- 66 At the end of July 2019 the average sickness days per FTE (rolling 12 months) was 11.1 days (from 11.9 at the end of July 2018). Proposals for tackling absence were agreed by Executive in Autumn 2018 on the future use of a dedicated external team to focus on attendance and work with managers and employees on a timely return to work and has been procured and commenced at the end of September 2019.

Customer Services Waiting Times (Phone / Footfall / Webchat etc)

- 67 Our customer centre is the main point of contact for residents and business visitors. During Q2, the number of calls increased to 64,338 with 65% of calls answered within 20 seconds. The increase in demand is seasonal and expected due to garden waste collections and the annual elections canvas. The number of residents who came to West Offices reduced to 10,396. The average waiting time was 6 minutes and 84% of residents were seen within the target waiting time of 10 minutes. Customers are now opting to access services using alternative means:
- 2,218 customers made payments using the auto payments facility
 - 56% of street lighting and street cleansing issues were reported on-line
 - Around 7,600,000 pages of the website were reviewed

- Web chat is now available for Council Tax customers, 724 customers used the chat service during Q2 with 89% of customers waiting no more than 8 seconds for their chat to be answered.

Number of days to process Benefit claims (currently Housing Benefit)

68 Due to improvements in digital processes, performance in this area remains consistently strong in York with the average number of days taken to process a new Housing Benefit claim, or a change in circumstance, just over 3 days during Q2 2019-20. York performance is also the best out of all other local authorities that we are benchmarked against (North and East Yorkshire, Lincolnshire and the Humber) and much higher than the national average of 9.4 days (2018-19 Q3).

% of complaints responded to within timescales

69 Following a decline in the percentage of complaints responded to within 5 days during 2017-18, the percentage meeting the SLA during 2018-19 steadily improved. In Q1 2019-20, the council responded to 56.1% of complaints within 5 days which maintains the improvement in performance (this compares to 39.6% in Q1 2018-19).

70 The number of waste complaints has increased from 251 in Q1 2019-20 to 289 in Q2 2019-20 but the percentage responded to within the target time has also increased from 43% to 71% during the corresponding periods.

CYC Apprenticeships

71 The number of CYC apprenticeships has remained fairly stable over the past few years, generally between 22 and 25 apprenticeships at any one time. Over the past year, the council has continued to actively recruit new apprentices into the organisation and has been more diverse with the types and levels of apprenticeships offered. This has included encouraging higher level apprenticeships and standards.

FOI & EIR - % In time

72 The latest available data (2019-20 Q1) shows that the council received 499 FOIs (Freedom of Information requests), EIRs (Environmental Information Regulations requests) and SARs (Subject Access to records requests). This compares to 589 received in Q1 2018-19. CYC achieved 80.4% in-time compliance for FOIs and EIRs in Q1 2019-20 which compares to 90.9% in-time compliance at the end of Q4 2018-19. This shows a decrease in performance for responding to requests within the timescales set out by legislation. Work is underway within service areas to identify improvements in performance in order to comply with the legislation.

73 The themes of FOIs that are requested from the public on a regular basis are reviewed and as a result, new datasets are added to York Open Data so that requestors can be referred there to view new and historic data. An

example of newly added data to York Open Data is Business Rates which was added in response to regular FOI requests for this data.

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Executive**21 January 2020**

Report of the Corporate Finance & Commercial Procurement Manager
(Interim S151 officer)
Portfolio of the Executive Member for Finance and Performance

Capital Programme – Monitor 2 2019/20**Summary**

- 1 The purpose of this report is to set out the projected outturn position for 2019/20 including any under/over spends and adjustments, along with requests to re-profile budgets to/from current and future years.
- 2 The 2019/20 capital programme approved by Council on 28 February 2019, updated for amendments reported to Executive and Council in the 2018/19 outturn report resulted in an approved capital budget of £136.870m.

Recommendations

- 3 Executive is asked to:
 - Recommend to Full Council the adjustments resulting in a decrease in the 2019/20 budget of £68.608m as detailed in the report and contained in Annex A.
 - Note the 2019/20 revised budget of £136.870 as set out in paragraph 6 and Table 1.
 - Note the restated capital programme for 2019/20 – 2023/24 as set out in paragraph 17, Table 2 and detailed in Annex A.
 - Approve the increase in the Shared Ownership Programme to reflect the sales receipts of £761k
 - Note the budget allocated to Askham Bar for detailed design work and planning submission is to be re-allocated to the Hospital Fields/ Ordnance Lane Site as per Executive 26th September 2019
 - Note the Modernisation and Major Repairs Schemes have now been consolidated as per Monitor 1 report, Executive 29th August 2019.

- Approve the appropriation of land from the general fund to HRA for the building of dwellings at the Lowfield site at a market value of £4m
- Approve that the YCK interim first team arrangements financial support continues for the 2020 Rugby League season until YCK play their first game from the Stadium on all the same principles as the previous 2017 - 2019 Rugby League seasons financial support

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

Consultation

- 4 The capital programme was developed under the capital budget process and agreed by Council on 28 February 2019. 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.

Summary of Key Issues

- 5 A decrease of £68.608m is detailed in this monitor resulting in a revised capital programme of £136.870m. There is an increase of £113k in 2019/20 offset by a £68.721m decrease in 2019/20 due to re-profiling of budgets to future years. The majority of this re-profiling is due to a review of the York Central budget to reflect a more appropriate and accurate scheduling of when the costs are likely to be incurred. Progress has been made across a number of key areas of the capital programme, including work beginning on the restoration of the Guildhall and the appointment of a contractor build 140 new homes at Lowfield.

6 Table 1 outlines the variances reported against each portfolio area.

Department	Current Approved Budget £m	Projected Outturn £m	Increase (decrease) £m	Reprofile £m	Total Variance £m	Paragraph Ref
Children, Education & Communities	16.979	14.377	0.263	(2.865)	(2.602)	8-17
Health, Housing & Adult Social Care – Adult Social Care	6.670	5.254	(0.671)	(0.745)	(1.416)	20-23
Health, Housing & Adult Social Care – Housing & Community Safety	39.258	39.258	0.761	(0.761)	-	24-29
Economy & Place – Transport, Highways & Environment	41.468	41.268	-	(0.200)	(0.200)	30-33
Economy & Place – Regeneration & Asset Management	82.876	18.606	(0.240)	(64.030)	(64.270)	34-37
Community Stadium	10.143	10.143	-	-	-	38-46
Customer & Corporate services	2.999	2.999	-	-	-	47
IT Development Plan	5.085	4.965	-	(0.120)	(0.120)	48
Total	205.478	136.870	0.113	(68.721)	(68.608)	

Table 1 Capital Programme Forecast Outturn 2019/20

Analysis

7 A summary of the key exceptions and implications on the capital programme are highlighted below.

Children, Education & Communities

- 8 Amendments to this area of the capital programme have resulted in a net decrease to the capital programme for 2019/20 of £2.602m. Further details on variance schemes can be found below.

Scheme	Amendment	Amount 19/20 £m	Amount 20/21 £m	Further Details – Paragraph ref
DfE Maintenance	Adjustment	(0.137)	-	
DfE Maintenance	Re-profile	(0.669)	0.669	13
Basic Need	Adjustment	-	(0.263)	15
Expansion & Improvement of facilities for pupils with SEND	Adjustment	-	0.263	15
Capital Maintenance Works to Schools – Ventilation & Electrical	Re-profile	(0.330)	-	12
Schools Essential Building Works	Re-profile	(0.628)	0.628	13
Schools Essential Mechanical & Electrical	Adjustment	0.330	-	12
Schools Essential Mechanical & Electrical	Re-profile	(0.868)	0.868	13
Haxby Library Reprovision	Re-profile	(0.700)	0.700	17
Children in Care Residential Commissioning plan	Adjustment	0.400	0.960	18

- 9 A significant programme of maintenance and condition works has been carried out in schools over the summer holiday period with some remaining works scheduled for the October half-term
- 10 The major scheme of investment at Huntington School has been carried out, including the second phase of major roofing and windows improvements, and further rewiring and hot water boiler improvements
- 11 Works have also been completed at Fishergate Primary School (rewiring and boiler replacement), St Paul's Nursery School (roof and structural improvements and some rewiring work), St Paul's Primary School (rewiring and boiler renewal), Westfield Primary School (roofing, door and guttering improvements) and Wigginton Primary School (roof and window replacement).
- 12 A virement is proposed to move the remaining budget of £330k within the Schools Ventilation and Electrical Work scheme to the new Essential

Mechanical and Electrical Works Scheme so that individual schemes can be developed under this single heading

- 13 A total of £2.165m across the School Maintenance, School Building and School Mechanical and Electrical Works schemes is now proposed to be re-profiled into 2020/21. Following CRAM approval in the 2019/20 Capital Budget it was felt that the most strategic use of this opportunity to expand the programme of essential works in the school estate was to carefully plan an expanded programme in 2020/21 and 2021/22. This work has been carried out over the summer and a report seeking approval for this programme will be presented to the Executive on 12th December 2019.
- 14 A separate report at this meeting seeks approval for a scheme to create a specialist Enhanced Resource Provision Unit at Millthorpe School for Applefields pupils at a budgeted cost of £410,000
- 15 Further schemes have been developed within this overall heading to be carried out in 2019/20 and 2020/21. As a result of this planning the overall remaining resource in the scheme is insufficient to fund this programme, so a virement of £263k from the Basic Need programme is proposed in 2020/21 to fund this
- 16 The Centre of Excellence is currently still progressing to the timetable previously reported, with the main build due to be completed in January 2020 and opening scheduled for May 2020
- 17 The scheme for the re-provision of Haxby Library is now scheduled for summer 2020 so the majority of this scheme budget, an amount of £700k, has been transferred from 2019/20 into 2020/21
- 18 Funds totalling £1.360m (£400k 2019/20, £960k 2020/21) have been added to the capital programme as per the recommendations of the report to Executive on 18th July 2019. The purpose of this scheme to be funded by departmental borrowing is to develop the city's residential provision for children in care, creating nurturing environments informed by evidence based therapeutic practice, supported by step down foster care, which will better meet the current and future needs of children and young people in care aged between 9-18 years of age.
- 19 The proposals will ensure the council meets the statutory sufficiency responsibility outlined in Securing Sufficient Accommodation for Looked After Children, Department for Education (DfE) 2010, which places a duty on the local councils to have sufficient placements for children in care

Adult Social Care

- 20 Amendments made as part of this report have resulted in a net reduction in the capital programme of £1.416m in 2019/20.
- 21 Funds of £200k have been transferred from 19/20 into 20/21 in relation to Telecare Equipment & Infrastructure. Be independent is currently undergoing a review of its IT systems and a review of the catalogue of equipment. It is highly likely that investment will be needed to update some areas such as the call handling system but this is unlikely to be incurred until 2020/21.
- 22 Work at the Burnholme Sports Facilities site is progressing in line with expectations. Works are due for completion at the end of November 2019, with the sports centre due to transfer over to GLL on 1 January and to open to customers early January 2020.
- 23 Works started on the pitches at Ashfield on 10th July 2019 and are due to be completed in 2019/20. Work on the pavilion is likely to start in 2019/20 and complete by September 2019 allowing teams to play football in the venue in the 2020/21 season. The site was affected by flooding for a number of weeks therefore funds of £120k have been transferred into 20/21 to reflect the delayed in work being carried out.

Housing & Community Safety

- 24 Amendments to this area of the capital programme have resulted in a net nil adjustment for 2019/20 at monitor 2. Further details on variance schemes can be found below.

Scheme	Amendment	Amount 19/20 £m	Amount 20/21 £m	Further Details – Paragraph ref
Shared Ownership Scheme	Adjustment	0.761	-	23
Shared Ownership Scheme	Re-profile	(0.761)	0.761	23

- 25 In quarter 2 within the Shared Ownership Scheme the Council has acquired five properties and sold equity shares in seven properties. Capital receipts from the equity sales are to be reinvested in to the shared ownership programme, as such the budget is to be increased by £761k at quarter 2 and the same amount is to be reprofiled to 2020/21 for future purchases.

- 26 Within the LA Homes schemes the budget previously allocated to Askham Bar for detailed design work and planning submission is to be re-allocated to the Hospital Fields/Ordnance Lane Site per the Executive 26th September 2019.
- 27 Land relating to the building of new dwellings on the Lowfields site has been valued by an independent valuer at a market value of £4m. Land will be appropriated from the general fund to the HRA at this amount.
- 28 James House is nearing completion, approximately 9 months after the initial contractual completion date of 21st January 2019. This delay has led to inevitable increase in costs both in terms of contractor claims as well as project management. Whilst it is too early to determine the value of the additional costs as these have been disputed, it is clear that there will be an overspend on the overall project. The updated position in terms of spend and funding will be reported in future monitoring reports.

Transport, Highways & Environment

- 29 There have been a number of amendments to this area as part of this report resulting in a net decrease to the capital programme in 19/20 of £200k. Key variances are summarised in the table below, referenced to further narrative.

Scheme	Amendment	Amount 19/20 £m	Amount 20/21 £m	Further Details – Paragraph ref
Better Play Areas	Re-profile	(0.200)	0.200	29
Clean Air Zone	Adjustment	0.240	-	30
Hyper Hubs	Adjustment	-	0.700	31

- 30 Within the Better Play Areas scheme, funds of £200k have been transferred from 19/20 into 20/21. There was £250k of additional budget allocated in July for play areas. This slippage is to allow for assessment of works required before completion of works in 2020/21
- 31 The council was successful in a bid for £240k grant funding from the Department for Environment, Food, and Rural Affairs (DEFRA) towards the Clean Air Zone proposals for York city centre. It is therefore proposed to replace £240k of the existing £1.640m CYC funding with this grant funding. As set out in the report to the 17 January 2019 Executive meeting, this

funding will allow bus companies to bid for funding to carry out conversion work on their bus fleet to meet Euro VI standards

- 32 As reported to Executive on 26th September the cost for the Hyper hubs scheme is going to be significantly higher than first estimated. In order to meet this potential increase in cost of around £700k further funding is being sought through several sources (including Local Enterprise Partnership (LEP) funding and additional ERDF). In order to match this funding the Council will need to provide a contribution to the costs (£400k).

Regeneration & Asset Management

- 33 A number of amendments have been made as part of this report resulting in a net decrease to the capital programme of £64.270m in 2019/20. Key variances are summarised in the table below, referenced to further narrative.

Scheme	Amendment	Amount 19/20 £m	Amount 20/21 £m	Further Details – Paragraph ref
LCR Revolving Investment Fund	Re-profile	(0.300)	0.300	33
York Central Infrastructure	Re-profile	(63.730)	63.730	34

- 34 Funds of £300k have been re-profiled from 2019/20 into 2020/21 under the LCR Revolving Investment as due to a major loan repayment, it is unlikely there will be a contribution to the RIF this year.
- 35 In line with the October Executive report, funds of £63.730m have been transferred from 19/20 to 20/21. This is due to the main infrastructure delivery now not expected to be delivered this financial year.
- 36 In line with the October Executive report, and the positive commitments from both Executive and YNYER LEP to jointly fund further short term project activity (maintaining project momentum in the absence of HIF funding determination), and also informed by Early Contractor Engagement with the appointed infrastructure delivery contractor – John Sisk & Son, spend on York Central has been re-profiled to reflect both the short-term investment, and the current assumed capital delivery programme.
- 37 Whilst capital spend has been delayed due to HIF not being determined (and funds of £63.730m therefore transferred from 19/20 to later years), the joint 2019/20 investment will allow for all early design, planning and associated activities to be undertaken, putting the scheme in a state of

readiness to deliver, on confirmation of the full infrastructure funding package. Phase 1 infrastructure delivery is now programmed to commence in 2020/21

Community Stadium

- 38 The Community Stadium capital scheme has an outturn position of £22.586m in 2018/19. On site building construction is due for completion by the end of the year. A period will then follow early in 2020 for our leisure operator to mobilise the site ready for public opening. This post build mobilisation period will include the Stadium gaining all required safety and licence certification prior to the opening of the Community Stadium Leisure Complex
- 39 The adjacent Commercial Development to the Stadium is also well advanced in its construction and has confirmed lettings for; IMAX Cineworld, Hollywood Bowl, Adventure Mini Golf Centre, Zizzi's and TGI Friday restaurants, with all of these, together with the Council leisure facilities, representing a significant leisure offering for residents
- 40 Executive are reminded of the outstanding capital funding risk relating to the East Stand Restaurant Units Capital Land Receipt, which has been reported previously. There are 3 restaurants units within the Stadium East Stand and if at build practical completion 2 of these 3 units are let the full outstanding Capital Land Receipt sum of C.£3.8m will be received by the Council. If at build practical completion no East Stand Restaurant Units are let a reduced Capital Land Receipt of C.£2.4m will be received (a reduction of C.£1.4m on full anticipated receipt). If 1 East Stand Restaurant Unit is let by build practical completion a Capital Land Receipt of C.£3.1m will be received (a reduction of C.£700k on full anticipated receipt). Currently none of these East Stand Restaurant Units are let and this risk remains as highlighted and approved by Executive in the October 2017 Stadium Executive Report. The Council is working closely with the developer, Wrenbridge who are responsible for letting of the units prior to build practical completion. Discussions are currently ongoing with several potential tenants for these East Stand Restaurant Units.

York City Knights RLFC (YCK) Interim First-Team Playing Arrangements

- 41 In the June 2019 Capital Monitor Report Executive approved financial support for all YCK first team home fixtures played at Bootham Crescent within the whole of the 2019 Rugby League season, not just part of the

season. At the time of such approval, it was anticipated the Stadium would be fully operational before the start of the 2020 Rugby League season and YCK would be playing all 2020 first team home fixtures from the Stadium, therefore the funding approval reflected this and as such would cease at the end of the 2019.

- 42 Current build completion dates and subsequent post build mobilisation periods should still enable YCK to be in the new Stadium for the start, if not the vast majority, of all their 2020 home first team fixtures. It is however prudent that existing arrangements remain in place at Bootham Crescent should they be required for YCK first team fixtures at the start of 2020. To ensure this can happen an extension to the previous license between the Council and YCFC has already been signed to ensure the continued use of Bootham Crescent for hosting YCK first team fixtures for the period from 1st January 2020 until the Stadium is operational. An extension to the existing user agreement between the Council and YCK, which provides YCK rights to occupy Bootham Crescent, will be formalised ahead of the 2020 Rugby League season. This following Member approval to the Officer recommendation here of continued Council financial support to the YCK interim first-team playing arrangements until the new Stadium is operational.
- 43 The YCK financial support over the previous three Rugby League seasons (2017 - 2019), where all YCK first team home fixtures were played at Bootham Crescent, has been for Council financial support payable per Rugby League season up to a net cost of £45,000, with a total cap of £60,000 as YCK contribute towards 25% of the Bootham Crescent costs through rental payments to the Council.
- 44 It is proposed that the YCK interim first team arrangements financial support continues for the 2020 Rugby League season until YCK play their first game from the Stadium and that this is on all the same principles as the previous 2017 - 2019 Rugby League seasons financial support.
- 45 Any additional costs to the Council from this YCK financial support extending into the 2020 Rugby League Season, if required, will be met from within the existing approved Project budget. It has always been noted that interim financial support will cease once the new Stadium is operational for YCK.
- 46 In considering making this financial support available, as with the original financial support, the Council has had to satisfy itself that it does not amount to unlawful State Aid. Appropriate internal and external legal advice has therefore been sought on this matter that provides Officers with assurance that the financial support proposed above would be lawful.

Customer & Corporate Services

47 The final payment to the contractor for the MH refurbishment is expected to be made in November 2019 and will be within the revised approved budget for 2019/20 of £257k.deb

Customer & Corporate Services - IT

48 It is currently forecast that the IT Development plan will spend all of its budget in 2018/19, totalling £4.96m. Progress to date includes:

- Replacing our aged firewalls with future proof and more robust Cisco next generation firewall estate that will provide much superior e-protection services underpinning the councils "business as usual" services and its future Digital Service aspirations.
- Migrated 95% of customers to the new Citrix farm providing access to a more up to date desktop and Microsoft office experience and combined with the replacement or upgrade of our thin clients we have enabled a much faster and effective logon experience.
- Renewed our corporate anti-virus/security solution
- Replaced our aging Smartphone device estate as part of continuing refresh policy to support agile working and also to improve the security of our mobile devices.
- Worked with colleagues to identify and procure new Parking and Waste systems
- Worked with North Yorkshire County Council to implement their new Health & Safety system across the council.
- SX3 Housing Revenues and Benefits were successfully split into 2 separate systems in preparation for the new Housing system that we have worked with colleagues to procure.
- Upgraded all staff and public PC's at Explore locations to Windows 10 on new hardware
- Currently rolling out Wifi services to the Stadium and Coppergate
- delivered 1Gb superfast broadband connectivity to businesses on the Shambles as part of our work to support York's small and medium enterprises community.
- Undertaking Microsoft O365 trials as part of 2 year phased migration programme

Summary

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

Gross Capital Programme	2019/20	2020/21	2021/22	2022/23	2023/24	Total
	£m	£m	£m	£m	£m	£m
Children, Education & Communities	14.377	22.671	10.500	2.000	-	49.548
Health, Housing & Adult Social Care – Adult Social Care	5.254	2.157	1.396	0.638	0.660	10.105
Health, Housing & Adult Social Care – Housing & Community Safety	39.258	66.515	46.054	24.282	36.390	212.499
Economy & Place – Transport, Highways & Environment	41.268	57.206	20.469	11.923	5.225	136.091
Economy & Place – Regeneration & Asset Management	18.606	134.533	27.004	1.448	0.470	182.061
Community Stadium	10.143	-	-	-	-	10.143
Customer & Corporate Services	2.999	0.318	0.250	0.200	0.200	3.967
IT Development Plan	4.965	1.655	1.870	2.070	2.070	12.630
Revised Programme	136.870	285.055	107.543	42.561	45.015	617.044

Table 2 Revised 5 Year Capital Programme

Funding the 2019/20 – 2023/24 Capital Programme

50 The revised 2019/20 capital programme of £136.470m is funded from £46.510m of external funding and £89.960m of internal funding. Table 3 shows the projected call on resources going forward.

	2019/20	2020/21	2021/22	2022/23	2023/24	Total
	£m	£m	£m	£m	£m	£m
Gross Capital Programme	136.870	285.055	107.543	42.561	45.015	617.044
Funded by:						
External Funding	46.510	172.639	29.498	8.486	5.598	262.731
Council Controlled Resources	90.360	112.416	78.045	34.075	39.417	354.313
Total Funding	136.870	285.055	107.543	42.561	45.015	617.044

Table 3 – 2019/20 –2023/24 Capital Programme Financing

- 51 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
- 52 During Executive meetings in October 2016 and July 2017, Members decided to ultimately finance the purchase of property at Hospital Fields Road and Swinegate from Capital receipts. Therefore it should be noted that all future capital receipts are assumed to be used for this purpose in the medium term. This strategy will deliver significant revenue savings, and reduce the need for savings within the revenue budget.

Council Plan

- 53 The information contained in this report demonstrates progress in achieving the priorities set out in the Council Plan.

Implications

- 54 This report has the following implications:
- **Financial** - are contained throughout the main body of the report
 - **Human Resources (HR)** – There are no HR implications as a result of this report
 - **One Planet Council/ Equalities** – The capital programme seeks to address key equalities issues that affect the Council and the public. Schemes that address equalities include the Disabilities Support Grant, the Schools Access Initiative, the Community Equipment Loans Store (CELS) and the Disabilities Discrimination Act (DDA) Access Improvements. All individual schemes will be subject to Equalities Impact Assessments
 - **Legal Implications** - There are no Legal implications as a result of this report.
 - **Crime and Disorder** - There are no crime and disorder implications as a result of this report.
 - **Information Technology** – The information technology implications are contained within the main body of the report,
 - **Property** - The property implications of this paper are included in the main body of the report which covers the funding of the capital programme from capital receipts.
 - **Other** – There are no other implications

Risk Management

55 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. In addition, the Capital Asset Board meet monthly to plan, monitor and review major capital schemes to ensure that all capital risks to the Council are monitored and where possible minimised

Contact Details

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	Report Approved	√	Date
Wards Affected: All			
For further information please contact the author of the report			

Specialist Implications:
Legal – Not Applicable
Property – Not Applicable
Information Technology – Not Applicable

Annexes

Annex A – Capital Programme 2019/20 to 2023/24

	2019/20	2019/20	2019/20	2019/20	2019/20	2020/21	2021/22	2022/23	2023/24	Gross Capital Programme
	Mon 2	Mon 2	Revised Mon 2	Mon 2	Mon 2	Revised Mon 2	Revised Mon 2	Revised Mon 2	Revised Mon 2	To be Funded
	Adj	Reprofile	Budget	Adj	Reprofile	Budget	Budget	Budget	Budget	19/20 - 23/24
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
CEC - CHILDREN, EDUCATION & COMMUNITIES										
NDS Devolved Capital			234			195	0	0	0	429
DfE Maintenance	-137	-669	1,678		669	1,369	0	0	0	3,047
Basic Need			2,189	-263		14,487	8,500	0	0	25,176
St Mary's CE Primary School Additional Teaching Accommodation			223			0	0	0	0	223
Westfield Primary School Kitchen and Dining Facilities Expansion			65			0	0	0	0	65
Fulford School Expansion			10			0	0	0	0	10
Family Drug & Alcohol Assess/Recovery Facility			100			0	0	0	0	100
Expansion and Improvement of Facilities for Pupils with SEND			762	263		460	0	0	0	1,222
Children & Young Peoples services & Building based provision review			12			0	0	0	0	12
Southbank Expansion			930			0	0	0	0	930
Capital Maintenance Works to Schools - Ventilation & Electrical	-330		0			0	0	0	0	0
Centre of Excellence for Disabled Children (Lincoln Court)			5,098			274	0	0	0	5,372
Healthy Pupils Capital Fund			93			0	0	0	0	93
Schools Essential Building Work		-628	1,172		628	1,828	0	0	0	3,000
Schools Essential Mechanical & Electrical Work	330	-868	1,002		868	2,298	0	0	0	3,300
Children in Care Residential Commissioning Plan	400		400	960		960	0	0	0	1,360
CEC - Communities							0	0	0	0
Haxby Library Reprovision	12	-700	59		700	700	0	0	0	759
Castle Museum Development Project			200			0	0	0	0	200
Energise Roof			150			100	0	0	0	250
Libraries as Centres of Learning and Opportunity for all: Acomb & Clifton			0			0	2,000	2,000	0	4,000
TOTAL GROSS EXPENDITURE	263	-2,865	14,377	960	2,865	22,671	10,500	2,000	0	49,548
TOTAL EXTERNAL FUNDING	-137	-669	5,860	0	669	13,711	8,500	0	0	28,071
TOTAL INTERNAL FUNDING	400	-2,214	8,499	960	2,196	8,960	2,000	2,000	0	21,459
HH&ASC - ADULT SOCIAL CARE & ADULT SERVICES COMMISSIONING										
Major Items of Disability Equipment			127			131	135	139	143	675
Disabled Support Grant			210			220	230	240	250	1,150
Telecare Equipment and Infrastructure		-200	209		200	444	251	259	267	1,430
OPA - the Centre@Burnholme including enabling works			193			0	0	0	0	193
OPA-Burnholme Sports Facilities		-45	1,508		45	45	780	0	0	2,333
OPA-Haxby Hall			568			0	0	0	0	568
OPA-Lowfields Enabling Work	-671	-380	1,008		380	380	0	0	0	1,388
OPA-Ashfield Estate Sports Pitches		-120	913		120	437	0	0	0	1,350
OPA-Community Space at Marjorie WaiteCourt			518			500	0	0	0	1,018
TOTAL GROSS EXPENDITURE	-671	-745	5,254	0	745	2,157	1,396	638	660	10,105
TOTAL EXTERNAL FUNDING	-392	-126	2,236	0	126	443	0	0	0	2,679
TOTAL INTERNAL FUNDING	-279	-619	3,018	0	619	1,714	1,396	638	660	7,426
HH&ASC - HOUSING & COMMUNITY SAFETY										
Major Repairs & Modernisation of Local Authority Homes	6,655		9,661	7,556		10,488	8,274	8,571	8,034	45,028
Assistance to Older & Disabled People			630			440	450	460	470	2,450
MRA Schemes	-6,655		0	-7,556		0	0	0	0	0
Local Authority Homes - Phase 1			1,798			0	0	0	0	1,798
Local Authority Homes - Phase 2			866			2,339	2,000	0	0	5,205
Local Authority Homes - New Build Project			200			27,300	28,100	11,400	23,750	90,750
Local Authority Homes - Project Team			870			1,000	1,050	1,050	1,730	5,700
LA Homes - Hospital Fields/Ordnance Lane			350			0	0	0	0	350
LA Homes - Burnholme			350			0	0	0	0	350
Lowfield Housing			4,500			17,600	4,000	500	0	26,600
Duncombe Barracks			2,533			0	0	0	0	2,533
Water Mains Upgrade			0			756	25	25	0	806
Building Insulation Programme			1,168			0	0	0	0	1,168
Disabled Facilities Grant (Gfund)			1,869			1,873	1,985	2,106	2,236	10,069
IT Infrastructure			620			450	0	0	0	1,070
Empty Homes (Gfund)			100			0	0	0	0	100
Housing Environmental Improvement Programme			325			170	170	170	170	1,005
James House			2,349			0	0	0	0	2,349
Shared Ownership Scheme	761	-761	3,899		761	1,050	0	0	0	4,949
Lincoln Court Independent Living Scheme			3,860			750	0	0	0	4,610
Extension to Marjorie Waite Court			2,931			2,299	0	0	0	5,230
Extension to Glen Lodge			379			0	0	0	0	379

	2019/20	2019/20	2019/20	2019/20	2019/20	2020/21	2021/22	2022/23	2023/24	Gross Capital Programme
	Mon 2	Mon 2	Revised Mon 2	Mon 2	Mon 2	Revised Mon 2	Revised Mon 2	Revised Mon 2	Revised Mon 2	To be Funded
	Adj	Reprofile	Budget	Adj	Reprofile	Budget	Budget	Budget	Budget	19/20 - 23/24
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
TOTAL GROSS EXPENDITURE	761	-761	39,258	0	761	66,515	46,054	24,282	36,390	212,499
TOTAL EXTERNAL FUNDING	0	0	5,007	0	0	2,248	1,820	1,891	2,201	13,167
TOTAL INTERNAL FUNDING	761	-761	34,251	0	761	64,267	44,234	22,391	34,189	199,332
<u>ECONOMY & PLACE - TRANSPORT, HIGHWAYS & ENVIRONMENT</u>										
Highway Schemes			6,717			6,041	5,927	5,827	2,577 #	27,089
Highways & Transport - Ward Committees			1,775			250	250	250	0	2,525
Special Bridge Maintenance (Struct maint)			930			200	0	0	0	1,130
Replacement of Unsound Lighting Columns			578			122	344	578	578 #	2,200
Highways Drainage Works			176			200	200	200	200 #	976
Drainage Investigation & Renewal			160			250	0	0	0	410
Highways, Road Adoption and Drainage Fund			125			0	0	0	0	125
Pothole Spotter Trial			113			0	0	0	0	113
Wheeled Bins in Back Lane and Terraced Areas			61			0	0	0	0	61
Built Environment Fund			619			562	0	0	0	1,181
Rowntree Park Lodge			122			0	0	0	0	122
Better Play Areas		-200	164		200	200	0	0	0	364
Litter Bin Replacement Programme			302			0	0	0	0	302
Knavesmire Culverts			238			0	0	0	0	238
Better Bus Area Fund			512			0	0	0	0	512
Local Transport Plan (LTP) *			3,971			1,570	1,570	1,570	1,570 #	10,251
Hyper Hubs			1,500	700		700	0	0	0	2,200
York City Walls - Repairs & Renewals (City Walls)			137			90	90	0	0	317
York City Walls Restoration Programme			550			300	300	300	300 #	1,750
Flood Defences			317			0	0	0	0	317
Scarborough Bridge			1,423			0	0	0	0	1,423
Hungate and Peasholme Public Realm			175			0	0	0	0	175
WYTF - YORR			5,260			14,290	7,500	1,198	0	28,248
WYTF - Station Frontage			2,630			3,637	3,638	2,000	0	11,905
WYTF - Dualling Study			24			0	0	0	0	24
Potholes			142			184	0	0	0	326
Silver Street & Coppergate Toilets			4			0	0	0	0	4
Osbalwick Beck Maintenance			60			0	0	0	0	60
Fordlands Road Flood Defences			500			0	0	0	0	500
National Cycle Network 65 Targeted Repairs			448			0	0	0	0	448
Non Illuminated Structural asset renewal			196			0	0	0	0	196
Hazel Court conversion of storage area to operational hub			99			0	0	0	0	99
CCTV Asset Renewal			176			0	0	0	0	176
Public Realm footpaths			43			0	0	0	0	43
Smarter Travel Evolution Programme			2,535			0	0	0	0	2,535
Electric Bus Scheme			3,300			0	0	0	0	3,300
City Fibre Network			260			100	50	0	0	410
Car Park Improvements			180			150	0	0	0	330
Fleet & Workshop Compliance			125			100	100	0	0	325
A1079 Drainage Improvements (A64 to Kexby Roundabout)			260			260	0	0	0	520
Stonegate Natural Stone Renewal			495			0	0	0	0	495
Flood Scheme Contributions			500			500	500	0	0	1,500
Gully Repair Engineering works			700			0	0	0	0	700
Clean Air Zone			1,640			0	0	0	0	1,640
Wayfinding			350			0	0	0	0	350
River Bank repairs			176			0	0	0	0	176
York Outer Ring Road - Dualling			500			27,500	0	0	0	28,000
TOTAL GROSS EXPENDITURE	0	-200	41,268	700	200	57,206	20,469	11,923	5,225	136,091
TOTAL EXTERNAL FUNDING	240	0	21,263	300	0	47,122	14,535	6,595	3,397	92,912
TOTAL INTERNAL FUNDING	-240	-200	20,005	400	200	10,084	5,934	5,328	1,828	43,179
<u>ECONOMY & PLACE - REGENERATION & ASSET MANAGEMENT</u>										
LCR Revolving Investment Fund		-300	0		300	300	0	0	0	300
York Central Infrastructure		-63,730	3,880		63,730	123,615	26,527	978	0	155,000
York Central			933			0	0	0	0	933
Holgate Park Land – York Central Land and Clearance			397			0	0	0	0	397
Asset Maintenance + Critical H&S Repairs			664			220	220	220	220	1,544
Community Asset Transfer			175			0	0	0	0	175
One Planet Council - Energy Efficiency			440			250	250	250	250	1,440
Castle Gateway (Picadilly Regeneration)	-240		1,921			0	0	0	0	1,921

	2019/20	2019/20	2019/20	2019/20	2019/20	2020/21	2021/22	2022/23	2023/24	Gross Capital Programme
	Mon 2	Mon 2	Revised Mon 2	Mon 2	Mon 2	Revised Mon 2	Revised Mon 2	Revised Mon 2	Revised Mon 2	To be Funded
	Adj	Reprofile	Budget	Adj	Reprofile	Budget	Budget	Budget	Budget	19/20 - 23/24
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Guildhall			7,936			9,867	0	0	0	17,803
Critical Repairs and Contingency			0			274	0	0	0	274
Commercial Property Acquisition incl Swinegate			1,924			0	0	0	0	1,924
Shambles Health & Safety			46			0	0	0	0	46
Built Environment Fund - Shopping Area Improvements			20			0	0	0	0	20
Air Quality Monitoring (Gfund)			65			7	7	0	0	79
Shambles Modernisation - Food Court			25			0	0	0	0	25
Shambles Modernisation - Power			180			0	0	0	0	180
										0
TOTAL GROSS EXPENDITURE	-240	-64,030	18,606	0	64,030	134,533	27,004	1,448	470	182,061
TOTAL EXTERNAL FUNDING	-240	-63,730	2,923	0	63,730	109,115	4,643	0	0	116,681
TOTAL INTERNAL FUNDING	0	-300	15,683	0	300	25,418	22,361	1,448	470	65,380
CUSTOMER & CORPORATE SERVICES - COMMUNITY STADIUM										
Community Stadium			10,143			0	0	0	0	10,143
TOTAL GROSS EXPENDITURE	0	0	10,143	0	0	0	0	0	0	10,143
TOTAL EXTERNAL FUNDING	0	0	9,135	0	0	0	0	0	0	9,135
TOTAL INTERNAL FUNDING	0	0	1,008	0	0	0	0	0	0	1,008
CUSTOMER & CORPORATE SERVICES										
Fire Safety Regulations - Adaptations			102			0	0	0	0	102
Removal of Asbestos			187			50	50	0	0	287
Mansion House Restoration			257			0	0	0	0	257
Project Support Fund			527			200	200	200	200	1,327
Registrars			2			0	0	0	0	2
Photovoltaic Energy Programme			240			0	0	0	0	240
West Offices - Major repairs			237			0	0	0	0	237
Crematorium Waiting Room			200			50	0	0	0	250
Replacement of 2 Cremators			695			18	0	0	0	713
Capital Contingency			-			-	-	-	-	0
Capital Contingency			552			0	0	0	0	552
TOTAL GROSS EXPENDITURE	0	0	2,999	0	0	318	250	200	200	3,967
TOTAL EXTERNAL FUNDING	0	0	86	0	0	0	0	0	0	86
TOTAL INTERNAL FUNDING	0	0	2,913	0	0	318	250	200	200	3,881
CUSTOMER & CORPORATE SERVICES - IT										
IT Development plan			4,965			1,535	1,870	2,070	2,070	12,510
IT Superconnected Cities		-120	0		120	120	0	0	0	120
TOTAL GROSS EXPENDITURE	0	-120	4,965	0	120	1,655	1,870	2,070	2,070	12,630
TOTAL EXTERNAL FUNDING	0	0	0	0	0	0	0	0	0	0
TOTAL INTERNAL FUNDING	0	-120	4,965	0	120	1,655	1,870	2,070	2,070	12,630
GROSS EXPENDITURE BY DEPARTMENT										
CEC - CHILDREN, EDUCATION & COMMUNITIES	263	-2,865	14,377	960	2,865	22,671	10,500	2,000	0	49,548
HH&ASC - ADULT SOCIAL CARE & ADULT SERVICES COMMISSIONING	-671	-745	5,254	0	745	2,157	1,396	638	660	10,105
HH&ASC - HOUSING & COMMUNITY SAFETY	761	-761	39,258	0	761	66,515	46,054	24,282	36,390	212,499
ECONOMY & PLACE - TRANSPORT, HIGHWAYS & ENVIRONMENT	0	-200	41,268	700	200	57,206	20,469	11,923	5,225	136,091
ECONOMY & PLACE - REGENERATION & ASSET MANAGEMENT	-240	-64,030	18,606	0	64,030	134,533	27,004	1,448	470	182,061
CUSTOMER & CORPORATE SERVICES - COMMUNITY STADIUM	0	0	10,143	0	0	0	0	0	0	10,143
CUSTOMER & CORPORATE SERVICES	0	0	2,999	0	0	318	250	200	200	3,967
CUSTOMER & CORPORATE SERVICES - IT	0	-120	4,965	0	120	1,655	1,870	2,070	2,070	12,630
TOTAL BY DEPARTMENT	113	-68,721	136,870	1,660	68,721	285,055	107,543	42,561	45,015	617,044
TOTAL GROSS EXPENDITURE	113	-68,721	136,870	1,660	68,721	285,055	107,543	42,561	45,015	617,044
TOTAL EXTERNAL FUNDING	-529	-64,525	46,510	300	64,525	172,639	29,498	8,486	5,598	262,731
TOTAL INTERNAL FUNDING	642	-4,196	90,360	1,360	4,196	112,416	78,045	34,075	39,417	354,313

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Executive

21 January 2020

Report of the Director of Governance

Portfolio of the Executive Leader

Lord Mayoralty 2020/21

Summary

1. The purpose of this report is to invite the Executive to consider the points system for the annual nomination of the Lord Mayor for the City of York Council. The Executive will be asked to formally confirm the Group with the most points to qualify for nomination of the Lord Mayor for the coming municipal year, 2020/2021. The Executive is reminded that the Lord Mayor allowed the nomination of the Lord Mayor and Sheriff for 2020/21 to be announced at Full Council in December 2019, in advance of the Executive's consideration of this report, due to the cancellation of the scheduled Executive meeting in December 2019 owing to the General Election.

Recommendations

2. Members are asked to:
 - (i) consider the accumulated points system as set out in paragraphs 3-6 below; and to
 - (ii) invite the Liberal Democrat Group to nominate the Lord Mayor for 2020/2021, in line with the accumulated points system.

Reason: To ensure that the Council adopts an appropriate method by which to nominate Lord Mayors for office.

Background

- The system for nominating the Lord Mayor is based on an accumulation of points determined by the number of seats held by each particular group on the Council. The party 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. A party loses 47 points when nominating the Lord Mayor. It should be noted that currently a nominee for Lord Mayor requires at least five years' service as a City of York Councillor, or four years in an election year (see minute 74 of the Executive Meeting on 29 November 2018).

Current Points System

- Should a party lose all its seats on the City Council, it may have any accumulated points frozen until seats are once again gained by that party on the Council.
- Under the current points system, the number of points accumulated by each party is as follows:

PARTY	POINTS at LM Day 2019	LOSS FOR LM	POINTS at LM Day 2020	Total
Labour	14	- 47	-33 + 17	-16
Lib Dem	7		7 + 21	28
Green	-7		-7 + 4	-3
Conservatives	48	- 47	1 + 2	3
Independent	8		8 + 1	9
York Independents	2		2 + 2	4

***Note:** The Conservatives were invited to nominate a Lord Mayor for 2019/20 but were unable to do so. Labour had the next highest points total and were therefore asked to nominate the Lord Mayor.

- The above table shows that the Liberal Democrats, with a total of **28** points, will qualify for the Lord Mayoralty in 2020/2021 under the existing points system.

6. Traditionally, the outgoing Lord Mayor assumes the mantle of Deputy Lord Mayor the following year. This is to ensure there is an experienced Member to chair meetings of Full Council, should the incumbent Lord Mayor be absent for any Council meetings during their term. Otherwise, the role of Deputy Lord Mayor is very minimal, given that the civic standing of York requires it to have a Sherriff to work alongside and share duties with the Lord Mayor during their year of office.

Options

11. Under the existing points system, the available option to Members is:

To invite the Liberal Democrat Group to nominate the Lord Mayor for the Municipal Year 2020/2021 based on the existing accumulated points system, set out in paragraphs 3-6 above.

Analysis

12. The nomination of a Lord Mayor is an annual event which is undertaken by way of a points system to ensure a fair and robust outcome. This system has been in place for some considerable time and has operated successfully in terms of rotating the role and honour of becoming Lord Mayor on a cross party basis.

Council Plan 2019 - 23

13. 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 promote all of the Council's priorities.

Implications

14. There are no direct implications in relation to financial, human resources, legal or equalities arising from the recommendations in this report.

Risk Management

15. Failure to appoint a Lord Mayor in the second most traditional city outside of London could have a significant impact on the Council's

reputation in terms of maintaining its civic heritage. It is important that an equitable and robust system is applied to the nomination process.

Contact Details

Author:	Chief Officer Responsible for the report:		
Chris Elliott Interim Civic Services Manager Tel No. 01904 553631	Janie Berry Director of Governance		
	Report Approved	√	Date 10.01.2020
Wards Affected: All			√
For further information please contact the authors of the report			

Background Papers/Annexes: None